

**Forrest M. Bird Charter School**

**THE BOARD OF DIRECTORS**

**1100**

Directors

The Forrest M. Bird Charter School is governed by a Board of Directors consisting of not less than three Directors and no more than eleven Directors as set forth in the Charter School's Articles or Bylaws. The number and qualifications of the Directors are determined by the Charter School's Articles or Bylaws but in no event shall the number of Directors be less than three individuals. All Directors must be individuals. The Board's powers and duties include the broad authority to adopt and enforce all necessary policies for the management and government of the Charter School.

All Directors, except the initial Directors, shall be elected, appointed, or designated as set forth in the Articles or Bylaws. The Articles or Bylaws specify the terms of Directors. Except for designated or appointed Directors, the terms of Directors may not exceed five years.

All Directors shall participate on an equal basis with other Directors in all Board business-~~transactions~~ except as set forth in or authorized by the Articles or Bylaws. Official action by Board Directors must occur at a duly called and legally conducted meeting. A meeting of the Board means convening to make a decision or to deliberate toward a decision on any matter.

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

Legal References:	IC § 30-30-601	Idaho Nonprofit Corporation Act — Directors and Officers — Requirement for and Duties of the Board
	IC § 30-30-602	Idaho Nonprofit Corporation Act — Directors and Officers — Qualifications of Directors
	IC § 30-30-603	Idaho Nonprofit Corporation Act — Directors and Officers - Number of Directors
	IC § 30-30-604	Idaho Nonprofit Corporation Act — Directors and Officers — Election, Designation and Appointment of Directors
	IC § 30-30-605	Idaho Nonprofit Corporation Act - Directors and Officers — Terms of Directors Generally
	IC § 33-5204	Nonprofit Corporation — Liability — Insurance
	IC § 74-201	Open Meetings Law - Formation of Public Policy at Open Meetings
	IC § 74-202	Open Meetings Law — Open Public Meetings - Definitions

Policy History:

Adopted on:

Revised on:

Reviewed on:

Program Evaluation and Diagnostic Tests

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

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

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

Cross Reference:	2140	<u>Student and Family Privacy Rights</u>
	3575	<u>Student Data Privacy and Security</u>

Legal Reference:	20 USC § 1232h	Protection of Pupil Rights
	IC § 33-1601, <i>et seq.</i>	Courses of Instruction
	IC § 33-6000	<u>Parental Rights</u>

Policy History:

Adopted on:

Revised on:

Reviewed on:

# Forrest M. Bird Charter School

## INSTRUCTION

2130

### Research Studies

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

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

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

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

Research studies making use of any survey, test, questionnaire, survey, enumeration, or measuring device shall comply with all applicable requirements noted in Policy 2140.

<u>Cross Reference:</u>	<u>2120</u>	<u>Program Evaluation and Diagnostic Tests</u>
	<u>2140</u>	<u>Student and Family Privacy Right</u>

<u>Legal References:</u>	<u>IC § 33-6000</u>	<u>Parental Rights</u>
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### Policy History:

Adopted on:

Revised on:

Reviewed on:

Student and Family Privacy Rights

Surveys - General

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

Any noncurricular-related survey, well-being questionnaire, or health screening must be approved by the Executive Director or designee before it is administered by an employee to any student. For the purposes of this policy, noncurricular survey shall mean surveys other than those conducted as part of a student's course of study.

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

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

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

Surveys Created by a Third Party

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

This section applies to every survey:

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

## Surveys Requesting Personal Information

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

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

In the case of such surveys, the student's parent(s)/guardian(s) may:

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

In the case of surveys, tests, or measuring devices on the following topics, the survey shall be provided to the parent(s)/guardian(s) and written parental permission shall be obtained before the survey is administered to the student.

A student's sexuality:

1. Sex;
2. Religion;
3. Personal political beliefs;
4. Mental or psychological problems;
5. Personal family information; and
6. Individual or family financial information.

For the purposes of this policy, personal family information means any of the information in this list or any personally identifiable information as defined in Policy 3575 about a student or any of their immediate relatives.

The employee overseeing any test, measurement device, survey, questionnaire, or screening for which such permission is required shall maintain documentation that all required parental and/or administrative permission has been given.

### Instructional Material

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

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

### Collection of Personal Information from Students for Marketing Prohibited

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

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

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

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

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

## Notification of Rights and Procedures

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

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

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

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

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

Cross References:	2520	Selection, Adoption, Use, and Removal of Curricular Materials
	3200	Student Rights and Responsibilities
	3500	Student Health, Physical Screenings, and Examinations
	<u>3575</u>	<u>Student Data Privacy and Security</u>
	4175	Required Annual Notices
	4250	Education Research
Legal References:	20 USC § 1232h	FERPA: Protection of Pupil Rights
	34 CFR Part 99	Implementing FERPA
	<u>IC § 33-6001</u>	<u>Parental Rights</u>

### Policy History:

Adopted on:

Revised on:

Reviewed on:



Student and Family Privacy Rights – Consent Form

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

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sexuality, including but not limited to sex behavior or attitudes;
- ~~3.4.~~ The student’s sex;
- ~~4.5.~~ Illegal, anti-social, self-incriminating, or demeaning behavior;
- ~~5.6.~~ Critical appraisals of others with whom respondents have close family relationships;
- ~~6.7.~~ Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
- ~~7.8.~~ Religion, including but not limited to religious practices, affiliations, or beliefs of the student or parents; or
9. Individual or family financial information, including but not limited to income, other than as required by law to determine program eligibility.
- ~~8.10.~~ Personal family information.

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

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

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to **DESIGNATED**

**OFFICIAL, ADDRESS.** **THE DESIGNATED OFFICIAL** will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

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

Parent's signature: \_\_\_\_\_

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

**NAME AND MAILING ADDRESS**

## Forrest M. Bird Charter School

### INSTRUCTION

2425

#### Parental Rights

The Board of Directors encourages parents/guardians to be involved in their student's school activities and academic progress. As required by IC 33-6001, the Charter School reinforces the rights and responsibilities of parents as primary stakeholders to make decisions regarding the upbringing and control of their child.

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

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

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

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

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

In the case of dual credit courses offered by an institution of higher education, academic accommodations and excusing students from objectionable assignments is solely at the discretion of the course provider and not the Charter School. The Charter School has no control over the selection, adoption, and removal of curricular materials and it is the responsibility of the parent to have knowledge of and/or review such prior to student enrollment.

#### Access to Learning Materials

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

#### Student Wellbeing

If a member of the School's staff becomes aware of a change in the student's mental, emotional, or physical health or well-being the staff member shall report this change so the student's parent/guardian can be notified as described in Procedure 2425.

#### Addressing Parent/Guardian Concerns

A parent/guardian who feels the School has violated their rights, as described in this policy and otherwise provided in IC 33-6001 may file a grievance as described in Policy 4120 Uniform Grievance Policy.

#### Notice

Forrest M. Bird Charter School shall annually provide parents/guardians with notice of their rights as specified in this policy.

Cross Reference: 2340F  
2420

Parental Opt-Out Form for Sex Education  
Parent and Family Engagement

4105F Request to Address the Board  
4120 Uniform Grievance Policy  
4175 Required Annual Notices

Legal Reference: Id. Const. art. IX Education and School Lands  
IC § 32-1010 Intent of the Legislature – Parental Rights  
IC § 32-1012 Parental Right to Direct the Education of  
Children  
IC § 32-1013 Interference with Fundamental Parental Rights  
Restricted  
IC § 33-6001 Parental Rights  
IC § 33-6002 Annual Notice of Parental Rights  
IDAPA 08.01-.04 State Board of Education and State Department  
of Education Administrative Rules

Policy History:

Adopted on:

Revised on:

Reviewed on:

**Forrest M. Bird Charter School**

**INSTRUCTION**

**2425F**

Efforts to Notify Parent/Guardian of Changes in Student Health or Well-being

Staff Member Reporting Change in Student Health or Well-being

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Date: \_\_\_\_\_

Student Name: \_\_\_\_\_

Date you noticed this change in health or wellbeing: \_\_\_\_\_

Please explain this change and how you learned about it:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Member Notifying Parent/Guardian of Change in Student Health or Well-being

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Date Form Was Received: \_\_\_\_\_

\_\_\_\_\_

Please document the efforts made to contact the parent/guardian below:

<u>Date</u>	<u>Time</u>	<u>Person You Tried to Contact</u>	<u>Mode of Communication</u>	<u>Successfully Contacted?</u>

Please describe what you told them.

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Please indicate whether you took the following steps:

Yes / No Encouraged the student to discuss issues related to the student's well-being with their parent/guardian

Yes / No Encouraged the parent/guardian to discuss issues related to the student's well-being with the student

Yes / No Offered to facilitate a discussion of the student's wellbeing between the student and the parent/guardian

Parent/Guardian Notification of Changes in Health and Well-being

Charter School staff shall notify the [counselor and/or building principal OR OTHER(S)] of any known change in a student's mental, emotional, or physical health or well-being using Form 2425F. For the purposes of this policy:

1. Mental health shall mean the state of health of somebody's mind;
2. Emotional health shall mean a person's ability to cope with and be aware of their own emotions, both positive and negative;
3. Physical health shall mean the condition of a person's body and the extent to which it is free from illness or is able to resist illness; and
4. Well-being shall mean a person's sense of feeling healthy and happy.

The [counselor and/or building principal OR OTHER(S)] shall notify the student's parent/guardian regarding this change and document their attempts to do so using Form 2425F.

Charter School staff shall encourage students to discuss issues related to the student's well-being with the student's parent/guardian. At the request of the student or parent/guardian the [counselor and/or building principal OR OTHER(S)] designee shall attempt to facilitate discussion of the student's wellbeing between the student and the parent/guardian.

Procedure History

Promulgated on:

Revised on:

Reviewed on:



Advancement Requirements (Grades 6 to -9)

Forrest M. Bird Charter School has established a set of advancement requirements for 6<sup>th</sup> through 8<sup>th</sup> grade students which will act as a guide in helping students move methodically and purposefully on a course that will eventually lead to high school graduation. Therefore, the following advancement requirements are required in Forrest M. Bird Charter School.

1. To advance to the 7th grade, students must earn at least 80 percent of the credits attempted in 6th grade and be in compliance with the School's attendance policy;
2. To advance to the 8th grade, students must earn at least 80 percent of the credits attempted in 7th grade and be in compliance with the School's attendance policy;
3. To advance to the 9th grade, students must earn at least 80 percent of the credits attempted in 8th grade, complete instruction in career exploration, and be in compliance with the School's attendance policy; and

Additionally, unless the student's parent/guardian provides the School with a written request that the plan not be developed, the student must develop a career pathways plan which outlines the student's plans for high school and beyond as required by IDAPA 08.02.03.104.02.a. The School shall make a good faith effort to notify each student's parent/guardian of their responsibility for assisting in the development and approval of the student's career pathways plan. Each year following the development of the plan until the student graduates or leaves the School, the policy shall be reviewed by the student and one of the following: parent, counselor, or advocacy teacher.

3-4. Students who have failed more than 20 percent of the courses attempted in 6th, 7th, or 8th grade may make up the credits needed to achieve the minimum portion of credits attempted by retaking the necessary course(s) during the summer, online, or through correspondence.

Cross References:	2600	Promotion/Retention
	3050	Attendance Policy

Legal Reference:	IDAPA 08.02.03.107	Middle Level Credit System
	IDAPA 08.02.03.104	Career Exploration Instruction

Policy History:

Adopted on:

Revised on:

Reviewed on:

# Forrest M. Bird Charter School

## INSTRUCTION

2700

### High School Graduation Requirements

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

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

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

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

Cross Reference:	2435	Advanced Opportunities
	2460	Extended Learning Opportunities
	2640	Mastery-Based Education
	2700P	High School Graduation Requirements
Legal References:	IC § 33-4601	Advanced Opportunities - Definitions
	IC § 33-6101 et seq.	Opportunities for College and Career Ready Students
	<u>IC § 33-1614</u>	Financial Literacy
	IDAPA 08.02.01.250.02	Required Attendance
	IDAPA 08.02.01.350	Early Graduation
	IDAPA 08.02.03.105	High School Graduation Requirements

### Policy History:

Adopted on:

Revised on:

Reviewed on:

**INSTRUCTION**

**2700P**

High School Graduation Requirements

Publication of Graduation Requirements

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

Credits

Students shall be expected to earn a total of 60 trimester credits and additional requirements in order to complete graduation requirements for an honors diploma, or 59 trimester credits in order to complete the requirements for a general diploma, or 46 trimester credits and petition the Board to obtain a basic diploma. Special education students who have successfully completed their IEP leading to completion of high school will be awarded a diploma.

Honors Diploma

Secondary Language Arts and Communication		10 credits
English 1	2 credits	
American Literature	2 credits	
World Literature	2 credits	
Literature or Dual Enrollment	2 credits	
Senior Project	1 credit	
Speech or Debate	1 credit	
Mathematics		8 credits
Algebra	2 credits	
Geometry	2 credits	
Algebra 2 or higher and/or Dual College Credit	3 credits	
Personal Finance	1 credit	
Science		8 credits (4 lab)
Biology 1	2 credits	
Chemistry 1	2 credits	
Physics, Anatomy or Dual College Credit	2 credits	
General Science	2 credits	
Social Studies		8 credits
US History	2 credits	

Government	2 credits	
Economics	1 credit	
World History or Dual College Credit	2 credits	
General Science	1 credit	
Humanities		4 credits
Foreign Language	2 credits	
Art	1 credit	
Music	1 credit	
Note: Humanities courses will be counted towards the elective credit count		

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

Elective Credits 25 credits  
 Note: Includes Humanities

\*\*\* Students complete a combination of 8 dual enrollment college credits, or successfully pass 2 AP exams, or earn 15 honors credits to be awarded an honors diploma.  
 \*\*\* Students must have a 3.5 or higher to be considered for the Honors Diploma.

General Diploma

Secondary Language Arts and Communication		9 credits
English 1	2 credits	
American Literature	2 credits	
World Literature	2 credits	
Literature or Dual Enrollment	1 credit	
Senior Project	1 credit	
Speech or Debate	1 credit	
Mathematics		8 credits
Algebra	2 credits	
Geometry	2 credits	
General Mathematics, such as Alg. 2, Trig, etc.	3 credits	
Personal Finance	1 credit	

Science 8 credits (4 lab)

Biology	2 credits	
Chemistry or Physical Science	2 credits	
General Science	4 credits	
Social Studies		8 credits
US History	2 credits	
Government	2 credits	
Economics	1 credit	
General Social Studies	3 credits	
Humanities		3 credits
Foreign Language	2 credits	
Humanities Course	1 credit	
Note: Humanities courses will be counted towards the elective credit count.		

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

Elective Credits 25 Credits  
 Note: Includes Humanities.

Basic Diploma

The core of instruction is forty-six (46) trimester credits for a basic diploma. Students seeking a basic diploma will need to petition the Board for approval and petitioning cannot be done prior to the fall of the student's 3rd year of high school.

Secondary Language Arts and Communication		9 credits
English I	2 credits	
American Literature	2 credits	
World Literature	2 credits	
Literature	1 credit	
Senior Project	1 credit	
Speech	1 credit	
Mathematics		6 credits*
Algebra I	2 credits	
Geometry	2 credits	
Personal Finance	1 credit	
Other Math	1 credit	

Science		6 credits (4 lab)
Physical Earth Science or Chemistry	2 credits	
Biology 1	2 credits	
Other Science	2 credits	

Social Studies		5 credits
US History	2 credits	
American Government	2 credits	
Economics	1 credit	

Humanities		2 credits
Interdisciplinary humanities, visual, and performing arts, or Foreign language		

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

Elective Credits		17
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Middle School Credit

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

Senior Project

For the 2020/2021 school year, the Senior Project is not required. Thereafter, a student shall complete a senior project that includes a research paper and oral presentation by the end of grade 12. Senior projects may be multi-year projects, group or individual projects, or approved pre-

internship or school to work internship programs at the discretion of the School. The project must include elements of research, development of a thesis using experiential learning or integrated project based learning experiences, and a presentation of the outcome

Completion of a postsecondary certificate or degree at the time of high school graduation or an approved pre-internship or internship program may be used to satisfy this requirement.

### Early Graduation

Nine Trimester graduate: A student who completes all of the graduation requirements for a general diploma set forth by the Charter School and the State Department of Education prior to the completion of twelve trimesters of school attendance in grades 9-12 may petition the State Board of Directors for early graduation by submitting such a petition to the Principal. The Principal shall submit the petition to the Board of Directors for endorsement and approval at the end of the quarter preceding the requested graduation date.

1. Attendance: To be eligible for early graduation, a student must complete nine trimesters of school attendance and must have been in attendance in Forrest M. Bird Charter High School prior to the beginning of his/her nine trimester of attendance. During the student's ninth trimester of school attendance, the student must be in school for six class hours and must pass five or more subjects during his/her ninth trimester of attendance
2. Guidelines: Students should notify the school of their interest to graduate early by the end of the first trimester of their third year of high school. Approval to enter the nine trimester program must be subsequent to a conference of parents, student, and school principal. The conference and application should be submitted to the school prior to the last day of the first trimester of the third year.

### Middle School Credit

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

### Senior Project

A student shall complete a senior project that includes reading, research, a research paper and oral presentation by the end of grade 12. Successful completion of the Senior Project and course work will be given English credit.

### Idaho Standards Achievement Tests (ISAT)

In addition to obtaining the necessary credits as outlined above, a student will take the Idaho Student Achievement Test (ISAT) as defined by State Board of Education rules.

### Civics Test

Beginning with the class of 2017, all secondary students must successfully pass the civics test or alternate path. "Civics test" as used herein means the 100 questions used by officers of the United States citizenship and immigration services as a basis for selecting the questions posed to applicants for naturalization.

The Charter School will determine the method and manner in which to administer the civics test. A student may take the civics test, in whole or in part, at any time after enrolling in grade 7 and may repeat the test as often as necessary to pass the test. The School will document on the student's transcript that the student has passed the civics test.

The applicability of this requirement for students who receive special education services will be governed by the student's Individualized Education Plan.

### Waiver of Requirement

Graduation requirements generally will not be waived except as outlined in the Early Achievement of College/Career Readiness and Flexible Schedule portion of this policy under any circumstances. However, in rare and unique hardship circumstances, the Executive Director may approve minor deviation from the graduation requirements.

~~Graduation requirements generally will not be waived under any circumstances. However, in rare and unique hardship circumstances, the Executive Director may approve minor deviation from the graduation requirements.~~

### Alternative Programs

Credit toward graduation requirements may be granted for planned learning experiences from accredited programs, such as summer school, university courses, correspondence courses, online/virtual courses, , extended learning opportunities, and mastery-based education

Credit for work experience may be offered when the work program is a part of and supervised by the Charter School.

All classes attempted at Forrest M. Bird Charter School and all acceptable transfer credits shall be recorded on the transcript. All grades earned, including failures and retakes, shall be recorded



as such and utilized in the calculation of Grade Point Average and class rank. Credit shall be awarded only once, regardless of repetition of the course.

### Honor Roll

A student must have a minimum grade-point average of 3.5 to be placed on the honor roll. Specific information regarding honors at graduation is included in the student handbook.

### Class Rank (Grade Point Average)

Forrest M. Bird Charter School does not generally place students in a class rank. When a Class Rank is needed for university or scholarship purposes, the class rank is compiled from trimester/semester grades. Courses not eligible for GPA are designated with an asterisk on the report card.

### Early Completion of Graduation Requirements

A student who completes all of the graduation requirements set forth above prior to the completion of eight semesters of school attendance in grades 9 through 12 may petition the Executive Director and Board for early graduation by submitting such a petition to the Executive Director. The Executive Director shall submit the petition to the Board for endorsement and approval at the end of the quarter preceding the requested graduation date.

### Early Achievement of College/Career Readiness and Flexible Schedule

A student may, at the student's option and upon notification to the School, be relieved from completing their remaining high school graduation requirements and apply for a flexible schedule or graduate early if the student:

1. Is at least 16 years of age;
2. Maintains a cumulative 3.5 grade point average;
3. Obtains permission from a parent/guardian, if under the age of 18;
4. Achieves a college and career readiness score;
5. Files the following with the school:
  - A. Notification of their intent to take a flexible schedule OR graduate early;
  - B. The student's participation portfolio; and
  - C. An essay of at least one page explaining why the student wishes to have a flexible schedule which must include the future plans using the flexible schedule OR early graduation;
6. Completes the following:
  - A. The required civics test;
  - B. The economics credit, government credits, and senior project required to graduate. A student's senior project may describe the student's experience in

achieving a college and career readiness score and a detailed explanation of the student's future plan.

Students eligible for a flexible schedule may be relieved from high school graduation requirements in order to:

1. Take elective courses, career technical education programs, or courses selected by the student which are available at the School;
2. Participate in apprenticeships or internships;
3. Act as a tutor at any grade level; or
4. Engage in such other activities identified by the Board.

A student who is granted a flexible schedule must adhere to the plan submitted to the school as a part of their eligibility. Students who are under 18 may be modify their plan with the approval of the student's parent/guardian.

The Executive Director is authorized to create any procedures necessary to assist students to achieve early graduation or flexible schedules as well as create incentives for participation in any early graduation program. Students who opt for a flexible schedule may apply for Advanced Opportunities funding. Existing programs providing incentives to complete coursework early are described in Policy 2435 Advanced Opportunities.

Procedure History:

Promulgated on: June 11, 2019

Revised on:

Reviewed on:

## Forrest M. Bird Charter School

### STUDENTS

3281

NOTE: This is an optional policy.

#### Gender Identity and Sexual Orientation

The Board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of sexual orientation, gender identity, or gender expression. This policy is designed to create a safe learning environment for all students and to ensure that every student has equal access to all Charter School programs and activities. Failure of any School student or School employee to abide by the terms and provisions of this policy will subject such individual to disciplinary action.

If a student, parent/guardian, or Charter School employee has an issue or concern related to this policy, they should discuss the concern with [building administrator OR \_\_\_\_\_] so that a resolution can be reached.

#### Definitions

~~“Sexual orientation” shall mean an individual's physical or emotional attraction to the same and/or the opposite gender. "Gay," "lesbian," "bisexual" and "straight" are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.~~

~~“Gender identity” shall refer to a person's deeply felt internal sense of their own gender.~~

~~“Gender expression” shall refer to how a person expresses their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.~~

~~“Transgender,” an adjective, shall refer to a person whose gender identity or expression is different from that traditionally associated with the person's sex assigned at birth.~~

#### School Facilities

A student or the student's parent/guardian may request a meeting be held with the building principal, the student, and the student's parent/guardian to discuss a change in the student's gender expression or identity. In the case of middle/junior high students and high school students, the principal or building administrator is encouraged to request a meeting with a transgender student and, if the student grants permission, with their parent/guardian upon the student's enrollment in the School or in response to a currently enrolled student's change of gender expression or identity. The goal of the meeting is to develop understanding of that student's needs with respect to their gender identity and create a plan to address those needs.

In the case of elementary school students, it will generally be the parent/guardian that informs the School of an impending transition. However, if the School's staff believe that a gender identity or expression issue is presenting itself and creating difficulty for the child-student at school, it may be appropriate for the School's administrative staff and/or counselor to approach the student's parent/guardian about the issue. An individual teacher shall not approach a student's parent/legal guardian to address such a student situation, without first conferring with the School's administration about the subject and obtaining permission to enter into such a discussion. A meeting may be held at the request of the student's parent/guardian or at the request of the principal or building administrator. Together, the family and School can identify appropriate steps, if any, to support the student. Instead, they shall notify the building principal or school counselor. The building principal or their designee shall work with the counselor to notify the student's parent/guardian and take any appropriate further steps.

The student's use of restrooms, changing facilities, and sleeping rooms shall be addressed as described in Policy 9605. In no case will a student be denied the right to participate in school activities and/or an overnight trip because of that student's transgender status or sexual orientation. Students will be allowed to use the restrooms and locker rooms that correspond to the gender identity they consistently assert at school. No student will be required to use facilities that conflict with his or her gender identity consistently asserted at school. A transgender student or any other student who has a need or desire for increased privacy may be given the option of using a separate or private restroom or changing area, such as a single stall restroom, if such is available. No student shall, on account of their transgender status, be required to use such separate facilities.

### School Activities

The Charter School will provide all students the opportunity to participate in any activities segregated by gender in a manner that is consistent with their gender identity consistently asserted at school. However, activities under the direction of the Idaho High School Activities Association (IHSAA) shall be subject to IHSAA rules and regulations.

### School Trips

~~In the case of overnight trips sponsored by the Charter School, students will be assigned sleeping rooms that correspond to the gender identity they consistently assert at school or to a private sleeping room. No student shall be required to sleep in a private room or in an assigned room conflicting with his or her consistently asserted school gender identity.~~

~~In no case will a transgender student be denied the right to participate in an overnight trip because of that student's transgender status.~~

~~In no case will a student be denied the right to participate in an overnight trip because of that student's sexual orientation. Likewise, a student will not be required to use a private sleeping room or be denied participation on the basis of that student's sexual orientation.~~

## Student Records and Privacy

The Charter School's official records required by law shall utilize a student's legal name. In situations where State or federal law or administrative rules require School employees to use or report a student's legal name or gender, such legal name or gender shall be utilized. However, School staff shall use practices to avoid the inadvertent disclosure of a student's transgender status.

Information regarding a student's sexual orientation, gender identity, gender expression, legal name, or gender assigned at birth may constitute confidential information. Disclosure of such information shall be in accordance with Charter School policies pertaining to student privacy. The student's educational record shall not include mention of the student's sexual orientation.

~~However, in~~ In the course of ordinary interactions and communication, School staff shall use the name and pronouns consistently asserted by the student at school, regardless of the student's legal name and sex. A student is not required to legally change their name, gender, or official School records as a prerequisite to the use of a name and the pronouns consistent with the student's identity. Intentional and persistent refusal to use the name and gender by which the student identifies is a violation of this policy and may subject an employee to discipline, up to and including possible termination.

## Change of Official School Records

Charter School records required by law to include the student's legal name and/or gender will be changed by the School upon the student or former student's presentation of appropriate documentation to the School Office. Any current or former student may present to the Executive Director or designee responsible for student records a copy of a court order or birth certificate identifying a change of the student's legal name and/or gender. The student's records will be changed accordingly.

## Confidentiality

School employees should not disclose a student's transgender status or sexual orientation to other individuals, regardless of setting, including to other School personnel ~~or (in the case of middle school, junior high school, and high school students) the student's parents/guardians, unless they have a legitimate need to know or unless the student has authorized such disclosure.~~ Action in violation of such student confidentiality may subject an employee to discipline, up to and including possible termination and, for certificated personnel, a report to the Professional Standards Commission.

However, when the school becomes aware of a change in a student's gender identity or expression and such change constitutes a change in the student's mental, emotional, or physical health or wellbeing, the building principal and/or school counselor shall notify the student's parent/guardian. The individuals responsible for parental notification shall keep documentation that such notification has occurred, detailing the date and time, participants in the communication, manner of communication, and the content of such communication. ~~When~~

~~contacting the parent/guardian of a transgender student. School personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student or parent/guardian has specified otherwise.~~

### Training

The Charter School may conduct staff development or awareness activities for students or parents on transgender issues or gender diversity. However, in regard to such activities, the School and its personnel shall not disclose the transgender status of any student without permission of that student and their parent(s)/guardian(s).

### Dress Codes

The Charter School dress code shall be gender neutral in all situations, including attire during the traditional school day, School activities including dances and prom, and graduation. The School will allow students to dress in a manner that is consistent with their gender identity within the constraints of the dress codes and any other rules regarding student attire.

Students may wear clothing or accessories that voice their views on lesbian, gay, bisexual, and transgender (LGBT) issues, regardless of viewpoint, provided these conform to the dress code; are not a disruption to the educational environment; and are not obscene, threatening, lewd, or vulgar.

### School Dances

The Charter School shall not impose different or unique practices or rules for same sex couples or transgender students who attend and/or participate in School activities, including dances. This includes such matters as prohibition of attendance of same sex student couples, limitations of public displays of affection only applicable to same sex couples, discounted couples tickets, ~~requiring any requirement that~~ dance court titles ~~that correspond to birth sex assigned at birth,~~ and other such distinctions.

### Safe Environment

It is the responsibility of the Charter School to ~~ensure~~ strive to provide all students, including LGBT students, ~~have with~~ a safe school environment. Discrimination, harassment, bullying, or sexual harassment complaints involving LGBT students shall be handled in the same manner as other discrimination, harassment, bullying, and sexual harassment complaints.

Cross References:	2140	Student and Family Privacy Rights
	3255	Student Dress
	3280	Equal Education, Nondiscrimination, and Sex Equity
	3290	Sexual Harassment/Intimidation of Students

3295 Hazing, Harassment, Intimidation, Bullying,  
Cyber Bullying  
3575 Student Data Privacy and Security  
9605 Facilities Separated by Sex

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Legal References: 20 USC §§ 1681 - 82 Title IX of the Education Amendments of 1972  
IC § 33-133(1)(j)(ii) Student Data – Items Not to be Included in a  
Student’s Educational Record  
IC § 33-6602 et seq. Definitions

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Other Reference: Idaho High School Activities Association Rules & Regulations, Rule 11-3  
Transgender Student Participation  
Idaho High School Activities Association, Current Rules and Regulations  
Manual Rule 11-3: Transgender Student Participation (available at  
[https://idhsaa.org/asset/19-20Manual\\_Complete.pdf](https://idhsaa.org/asset/19-20Manual_Complete.pdf)) (last accessed  
November 11, 2019)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Student Health/Physical Screenings/Examinations

The Board may arrange each year for health services to be provided to all students. At the start of the school year, the Charter School shall notify parent/guardians of health services offered or made available through the school or by private organizations partnering with the School that offer services on School property or as a part of a School program. Parents/guardians shall be notified of any new health services that become available after the annual notice is sent.

Such services may include, but are not be-limited to:

1. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day;
2. The consulting services of a qualified specialist for staff, students, and parents;
3. Vision and hearing screening;
4. Scoliosis screening; and
5. Immunization as provided by the Department of Health and Human Services.

Parents/guardians will receive a written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress. Additionally, if a member of the School's staff becomes aware of a change in the student's mental, emotional, or physical health or well-being, the staff member shall address the matter as described in Policy 2425.

In general, the Charter School will not conduct a physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. Further, parents will be notified of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening administered by the Charter School is conducted which is:

1. Required as a condition of attendance;
2. Administered by the school and scheduled by the school in advance; and
3. Not necessary to protect the immediate health and safety of the student or other students.

Parents or eligible students will be given the opportunity to opt out of the above-described non-emergency, invasive physical examination or screening.

As used in this policy, the term "invasive physical examination" means any medical examination involving the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but this does not include a hearing, vision, or scoliosis screening.



Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Idaho High School Activities Association will be required to follow the rules of that organization, as well as other applicable Charter School policies, rules, and regulations.

All parents will be notified of the requirements of the Charter School's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

#### Abortion-Related Counseling and Referrals Prohibited

All staff are prohibited from providing the following services to any person during working hours or in the course of their work:

1. Providing or performing an abortion;
2. Counseling in favor of abortion;
3. Referring for abortion; or
4. Dispensing emergency contraception, except in the case of rape.

Cross References:	<u>2425</u>	<u>Parental Rights</u>
	4175	Required Annual Notices
Legal References:	20 USC § 1232h(b)	Protection of Pupil Rights- Limits on Survey, Analysis, or Evaluation
	IC § 18-8701, <i>et seq.</i>	No Public Funds for Abortion Act
	<u>IC § 33-6001</u>	<u>Parental Rights</u>
	<u>IDAPA 08.02.03.160</u>	Safe Environment and Discipline

#### Policy History:

Adopted on:

Revised on:

Reviewed on:

Notice of Health Services

Dear parent or guardian,

The purpose of this form and the attached copy of the Charter School’s policy on Student Health/Physical Screenings/Examinations is to provide notice of all health services offered or made available through at the School by the Charter School or by any private organizations and to provide notice of the School’s policy on physical examinations and screening of students.

This year, the School will provide the following, as appropriate and in accordance with School policy:

1. Preventative health and wellness services and screenings as described in Policies 2415 and 3500;
2. Administering or assisting of the administration of medication as described in Policy 3510;
3. First aid and emergency care as described in Policy 3540; and
4. Appropriate management of all health conditions with parental consent.

**[INCLUDE SECTION BELOW IF APPLICABLE.]**

The School will provide the following additional health services or examinations which can only be provided with parental permission:

<u>Health Service or Exam</u>	<u>Approximate Date</u>	<u>Initial to Indicate Permission to Conduct the Health Service or Exam</u>

The School will provide the following additional health services or examinations **unless the student’s parent opts out:**

<u>Health Service or Exam</u>	<u>Approximate Date</u>	<u>Initial <b>only</b> if you do <b>not</b> want your child to receive this health service or exam.</u>
		<i>Opt Out:</i>
		<i>Opt Out:</i>
		<i>Opt Out:</i>

\_\_\_\_\_

Student Name

\_\_\_\_\_

Parent Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Parent Name

**STUDENTS**

3510

Student Medicines

This policy shall be reviewed annually by the Board of Directors or their designee.

Assistance in Self Administration of Medicines by Students

Any School employee authorized in writing by the School administrator or School principal:

1. May assist in the self-administration of any drug to a pupil provided:

A. The student's parent/guardian has consented in writing; and

A.B. The drug that may lawfully be sold over the counter without a prescription,

to a pupil in compliance with Such administration must be as described in the written instructions provided in accordance with this policy, if the pupil's parent/guardian consents in writing.

2. May assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a licensed health care practitioner, if the pupil's parent/guardian consents in writing.

Administering Medicines to Students

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation.

The Board will permit the administration of medication to students of in the Charter School in its jurisdiction. Pursuant to the written authorization of the student's licensed health care practitioner, as well as the written authorization of a parent/guardian, the School nurse (who has received direction as to the administration of medication by the student's licensed health care practitioner) may administer medication to any student in the School.

Where administration of medication is a routine activity for a particular student, the subject shall be addressed in a student's health care plan, Section 504 Plan, or IEP, as applicable.

Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a School employee and should not be practiced by any School personnel.

The absence of a School nurse for the administration of medication shall be addressed on a case-by-case basis considering proper compliance with Idaho law and the medical needs of the student.

### Emergency Administration of Medicines

In case of an anaphylactic reaction or the risk of such reaction, or in the case of a seizure, a school nurse or delegate may administer ~~emergency oral and/or injectable medication~~ to any student in need thereof on the School grounds, in the School building, or at a School function, according to the standing order of the chief medical advisor or the student's private physician.

In the absence of a School nurse, the administrator or designated staff member exempt from the nurse licensure requirements who has completed training in administration of medication, may give emergency medication to students ~~orally or by injection~~. There must be on record a medically diagnosed allergic condition which would require prompt treatment to protect the student from serious harm or death.

Record of the medication administered in an emergency will be entered on an Individual Student Medication Record and filed in the student's cumulative health folder.

### Self-Monitoring and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent/guardian and written authorization from the student's treating physician, shall be permitted by the Board to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes in the classroom and in any area of the School or School grounds, and to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

### Epilepsy and Seizure Disorder Plans

Upon written request of the parent/guardian of a student who has epilepsy or another seizure disorder, the School shall authorize implementation of a plan – whether a Section 504 plan, Health or Emergency Care Plan, or Seizure Disorder Plan, as deemed appropriate for each individual student. The plan will include, but is not limited to, the following:

1. Providing notice of the student's condition to all employees who interact with the student;
2. The student's symptoms;
3. Written orders from the student's physician on providing care to the student;
4. Whether the student may fully participate in exercise and sports and, if applicable, any accommodations required;
5. Accommodations for school-related activities, such as school trips and after-school activities;
6. A description of how medical treatment of the condition may affect the student's education, if applicable;
7. The student's understanding of and ability to manage the epilepsy or seizure disorder.

8. How to maintain communication with the student, parents/guardians, the student's healthcare team, and the [school nurse OR employee responsible for administering emergency medication]; and
9. A list of qualified staff who may administer emergency medication to the student for a seizure.

The plan may be updated annually and as necessary if there is a change in the health status of the student. The plan must also address the notification to the appropriate staff.

All employees who have received notification that a student they interact with has epilepsy or another seizure disorder will be provided with information about how to recognize indicators for epilepsy and seizure disorder, epilepsy, or seizure disorder first aid, when to call for assistance, and parent/guardian and emergency contact information for that student. The training shall be provided by another medical professional selected by the executive director or designee. **The training may be individualized to each student, if necessary.**

#### Self-Administration of Asthma Medication, Insulin/Diabetic Treatment, Seizure Disorder Medication, or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication, the following shall apply to epinephrine auto-injectors, seizure disorder medication, insulin, or blood glucose monitoring supplies if a parent/legal guardian chooses to have their his or her child self-administer medication:

1. The parents/guardians of the pupil shall provide to the Board or designee written authorization for the self-administration of medication.
2. The parents/guardians of the pupil shall provide to the Board or designee written certification from the student's physician ~~of the pupil~~ that the student/pupil has a severe allergic reaction (anaphylaxis), asthma, another potentially life-threatening respiratory illness, epilepsy or another seizure disorder, or diabetes and is capable of, and has been instructed in, the proper method of self-administration of medication. In cases where the pupil has severe or life-threatening allergies, Policy 3515 Food Allergy Management, and any related procedures shall be followed. For students with a severe allergic reaction, asthma, another potentially life-threatening respiratory illness, seizure disorder, or diabetes the student's physician or health care provider-supplied information shall contain:
  - A. The name and purpose of the medicine;
  - B. The prescribed dosage;
  - C. The time(s) at which or the special circumstances under which medication should be administered;
  - D. The length of time for which medication is prescribed;
  - E. The possible side-effects of the medicine;
  - F. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing or allergic reaction;

- G. Contact information for the physician and parent/guardian; and
- H. If applicable, a list of the child's asthma or seizure triggers or allergies.

3. The School's administration and appropriate teachers and School personnel shall be informed that the student is self-administering prescribed medication. Such notification shall be done in a manner so as to best preserve the privacy of the student and the student's medical condition to the extent appropriate.

For students with severe or life-threatening allergies, this information may be provided in the student's Emergency Care Plan.

#### Additional Requirements for Self-Administration of Medicines

The Board or Board designee will inform the parents/guardians of the pupil in writing that the Charter School and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil, absent any negligence by the School, its employees, or its agents, or as a result of providing all relevant information provided pursuant to subdivisions of this subsection with the School nurse, absent any negligence by the School, its employees, or its agents, or in the absence of such nurse, to the School administrator.

The parents/guardians of the pupil shall sign a statement acknowledging that the School shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the School and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

Students who are authorized to carry their medication, own epinephrine auto-injectors or supplies or equipment necessary for managing their diabetes, allergies, asthma, or epilepsy or other seizure disorder monitoring and/or treatment of diabetes may be retested periodically to ensure they are still capable of correctly using self-administering the medication.

As used in this section:

1. "Medication" means:

- A. ~~a~~An epinephrine auto-injector; a
- B. A metered dose inhaler; or a dry powder inhaler; ~~and or i~~
- C. Insulin, insulin delivery system, and/or supplies or equipment necessary for diabetes monitoring and/or treatment

prescribed by a physician and having an individual label;

1-2. \_\_\_\_\_ "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician; and

2-3. \_\_\_\_\_ A student who is permitted to self-administer medication pursuant to this section shall be permitted to possess and use the prescribed medication at all times.

Any School employee authorized in writing by the School administrator or principal may assist with self-administration of medications provided that only the following acts are used:

1. Verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
2. Handing a prefilled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
3. Opening the lid of the above container for the student;
4. Guiding the hand of the student to self-administer the medication;
5. Holding a container of fluid and assisting the student in drinking fluid to assist in the swallowing of oral medications; and/or
6. Assisting with removal of a medication from a container for students with a physical disability which prevents independence in the act.

### Handling and Storage of Medicines

All medications, including those approved for keeping by students for self-administration medication, must first be delivered by the parent or other responsible adult to the nurse or employee assisting with the self-administration of medication. The nurse or the employee must:

1. Examine any new medication to ensure that it is properly labeled with dates, the name of student, the medication name, the dosage, and the physician's name;
2. If administration is necessary, the nurse must develop a medication administration plan for the student before any medication is given by School personnel;
3. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received;
4. Store medication requiring refrigeration at 36F - 46F; and

Store prescribed medicinal preparations in a securely locked storage compartment excluding those medications approved for self-administration. Controlled substances will be contained in a separate compartment, secured, and locked at all times. ~~Students shall be permitted to possess and use a prescribed inhaler or epinephrine auto-injector at all times.~~

5.

No more than a 45 school day supply of a medication for a student will be stored at the School. All medications, prescription and nonprescription, will be stored in their original containers. Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each School will maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

### Disposal of Medication



School personnel must either return to the parent/guardian or destroy (with permission of the parent/guardian) any unused, discontinued, or obsolete medication. Medicine which is not repossessed by the parent/guardian within a seven day period of notification by School authorities will be destroyed by the School nurse in the presence of a witness

Medications to Reverse an Opioid Overdose

~~Opioid Overdose: The School does not participate or provide resources in the treatment of opioid overdoses.~~

Legal References: IDAPA 08.02.03.160.01.a.i Rules Governing Student Health Policies  
IC § 33-520 Policy Governing Medical Inhalers, Epinephrine  
Auto-Injectors, Insulin and Blood Glucose  
Monitoring Supplies  
IC § 54-1401 Nurses — Purpose — License Required —  
Representation to the Public

Policy History:

Adopted on:

Revised on:

Reviewed on:

Suicide

While the Charter School has a responsibility to notify a student's parent/guardian regarding any known changes in the student's mental, physical, or emotional health or well-being. Neither a charter school nor a teacher has a duty to warn of the suicidal tendencies of a student absent the teacher's or charter school's knowledge of direct evidence of such suicidal tendencies. The Board directs the Executive Director or ~~their~~<sup>his or her</sup> designee to draft and implement procedures relating to:

1. Suicide prevention;
2. Suicide intervention; and
3. Suicide postvention.

"Postvention" shall mean counseling or other social care given to students after another student's suicide or attempted suicide.

These procedures may include, but are not limited to, the following measures:

1. Prevention:
  - A. Offering and providing help and assistance, including early identification;
  - B. Support and/or counseling by school support personnel for low-risk students;
  - C. Referral to appropriate sources outside the school for high and moderate-risk students;
  - D. The designation of a school-level suicide prevention coordinator(s) by the Executive Director to be responsible for planning and coordinating the implementation of procedures addressing suicide.
  - E. Encouraging staff to report to the coordinator students they believe may be at elevated risk of suicide.
  - F. Education of students on suicide prevention through age-appropriate curriculum.
  - G. Small group suicide prevention programming.
  - H. Offering resources to parents/guardians on suicide prevention.
2. Intervention:
  - A. Contacting the parents/guardians of students identified as at imminent risk of suicide.
  - B. Contacting emergency services to assist a student who is at imminent risk of suicide.
  - C. Providing first aid until emergency personnel arrive, as appropriate.

- D. Moving other students away from the immediate area of any suicide attempt on Charter School property or at a School event.
3. Postvention:
- A. After care support by the school for faculty, staff, and students after a sudden death has occurred.
  - B. The development of a plan for responding to a death by suicide that has a significant impact on the school community.
  - C. Notification of the suicide prevention coordinator, if applicable.
  - D. The creation of a crisis team to respond to deaths by suicide that have a significant impact on the school community.
  - E. Contacting the State Department of Education to report any student deaths by suicide and to seek postvention assistance and/or resources.
  - F. Offering mental health services to students likely to be strongly affected by a recent death.
  - G. Appointing a spokesperson to handle inquiries related to issues involving suicide in the school.

~~On the day following notification of School staff of a suicide attempt by a student or following the identification of a student as being at imminent risk of suicide, the Director may require a note from the student's doctor or counselor stating that it is the doctor or counselor's opinion that the student is ready to return to school. The student and their parent/guardian may meet with the School Counselor or COUNSELOR to create a plan for the student's return to school including any appropriate accommodations needed by the student.~~

Charter School personnel shall attend to the rights of the student and ~~their~~his or her family.

The Charter School shall comply with all requirements of State law and administrative rules for training by personnel on suicide prevention and awareness. This includes providing annual professional development to staff involved in preventing, intervening, and responding to suicide on:

1. School philosophy regarding school climate and the promotion of protective factors;
2. Data on suicide for the region or state, or both;
3. Risk and protective factors for students;
4. Suicide myths and facts;
5. How to develop community partnerships related to suicide prevention;
6. How to utilize safe and appropriate language and messaging when addressing students;
7. Warning signs of suicide ideation for students;
8. Local and school-based protocols for aiding a suicidal individual;
9. Local protocols for seeking help for self and students;
10. Identification of appropriate mental health services and community resources for referring students and their families;
11. Information about state statutes on responsibility, liability, and duty to warn;
12. Confidentiality issues;

13. The need to ask others directly if they are suicidal; and

14. Evidence-based protocol for responding to a student or staff suicide.

Legal References:	IC § 33-136	Suicide Prevention in Schools
	IC § 33-512B	District Trustees - Suicidal Tendencies — Duty to Warn
	<u>IC § 33-6001</u>	<u>Parental Rights</u>
	IDAPA 08.02.02.112	Suicide Prevention in Schools
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

STUDENTS

3570

Student Records

Charter School student records are confidential, and information from them shall not be released other than as provided by law. Federal and State laws grant certain rights to parents and students, including the right to inspect, copy, and challenge School records. The information contained in School student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The School may release directory information as permitted by law, but parents shall have the right to object to the release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) directly notifies the School not to release this information.

The Executive Director shall implement this policy consistent with State and federal law and may develop administrative procedures to assure compliance with State and federal law. The Executive Director or a designee shall inform staff members of this policy, and shall inform students and their parents of it, as well as their rights regarding student School records.

Cross References:	3575 4175 4260 8605	Student Data Privacy and Security Required Annual Notices Records Available to the Public Retention of District Records
Legal References:	20 USC § 1232g, <i>et seq.</i>  Pub. L. 114-95 34 CFR Part 99 IC § 33-133  IC § 33-209  <u>IC § 33-6001</u> <u>IC § 32-717A</u>	Family Education Right to Privacy Act (FERPA) Every Student Succeeds Act (ESSA) Implementing FERPA Idaho Student Data Accessibility, Transparency, and Accountability Act — Definitions — Student Data — Use and Limitations — Penalties Attendance at Schools — Transfer of Student Records — Duties <u>Parental Rights</u> Divorce Actions — Parents' Access to Records and Information

Policy History:

Adopted on:

Revised on:

Reviewed on:

## STUDENTS

3570F1

### Student Records

#### Notification of Parents' and Student's of Rights Concerning a Student's School Records

*This notification will be distributed annually, and may be distributed by any means likely to reach the parent(s)/guardian(s). The Charter School shall effectively notify parents and eligible students who are disabled and those whose primary or home language is not English.*

The Charter School will 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 including exemption documentation;
7. Attendance record;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of this record; and
17. Disciplinary information.

#### Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. **The right to inspect and copy the student's education records within a reasonable time of the day the Charter School receives a request for access.**

Students less than 18 years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the School principal (or appropriate School official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.

The Charter School charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

When the student reaches 18 years of age, or is attending an institution of post secondary education, all rights and privileges accorded to the parent become exclusively those of the student.

- 2. The right to request an amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.**

Parents/guardians or eligible students may ask the Charter School to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the School principal or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

If the Charter School decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the Charter School will notify the parent(s)/guardian(s) or eligible student of the decision and advise ~~them~~him or her of their right to a hearing regarding the request for amendment. Such notice shall be in writing and provided within a reasonable period of time after the hearing. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

- 3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or State law authorizes disclosure without consent.**

Disclosure is permitted without consent to School officials with legitimate educational or administrative interests. A School official is a person employed by the Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Charter School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another School official in performing ~~their~~his or her tasks.

A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill ~~their~~his or her professional responsibility.

Upon request, the Charter School discloses education records without consent to officials of another charter school or district in which a student has enrolled or intends to enroll, as



well as to any person as specifically required by State or federal law. Before information is released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge such records. The right to challenge School student records does not apply to:

- A. Academic grades of their child; or
- B. ~~References~~ to expulsions or out-of-School suspensions,

if the challenge is made at the time the student's School student records are forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

- 4. **The right to a copy of any School student record proposed to be destroyed or deleted.**
- 5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

Throughout the school year, the School may release directory information regarding students, limited to:

- A. Name;
- ~~B. Address;~~
- ~~C. Gender;~~
- ~~D. B. \_\_\_\_\_~~ Grade level;
- ~~E. Birth date and place;~~
- ~~F. C. \_\_\_\_\_~~ Parents'/guardians' names and addresses;
- ~~G. D. \_\_\_\_\_~~ Academic awards, degrees, and honors;
- ~~H. E. \_\_\_\_\_~~ Information in relation to School-sponsored activities, organizations, and athletics;
- ~~I. F. \_\_\_\_\_~~ Major field of study;
- ~~J. G. \_\_\_\_\_~~ Period of attendance in School;

~~K. \_\_\_\_\_ A student's photo solely for the purpose of publication or recognition of a student's honors, awards, or achievements or for any Charter School informational or promotional use on its social media or other publications.~~

*Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student is specifically informed otherwise.*

**6. The right to request that that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the Charter School is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the School not release this information, and the School will comply with the request.

**7. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA.**

The name and address of the office that administers FERPA is:

U.S. Department of Education  
Student Privacy Policy Office  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

## STUDENTS

3570P

### Student Records

#### Maintenance of School Student Records

The Charter School shall maintain a record for each student that shall contain information, including but not limited to the following items listed below, if the School has created or received such information. Items 1 through 7 must be included.

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. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of student's record; and
17. Disciplinary information.

The information described above shall be maintained in student records permanently. Other content of the student record shall be maintained for a period of seven years after a student graduates or permanently leaves the School, except for those records for which longer retention is required.

**Special Education Records shall be maintained in accordance with then-applicable special education laws, as such may change from time to time.**

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

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 district or local educational agency (LEA) or upon return to a district or LEA after an absence no matter the length of absence.

## Access to Student Records

The Charter School shall grant access to student records as follows:

1. The School or any School 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 five school15 days of the School's receipt of such a request unless state or federal law specifically provides another length of time.

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 School shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

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

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

Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has waived ~~their~~his or her right of access, after being advised of ~~their~~his or her right to obtain the names of all persons making such confidential letters or statements.

3. The School may grant access to, or release information from, student records to employees or officials of the School 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 School shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The School 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 School 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 Charter 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 School 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 School shall grant access to or release information from any student record as specifically required by federal or State statute.
  8. The School 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 Executive Director. Whenever the School 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 School may release student records to the Executive Director 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 School 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 School 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 School 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 School 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 School 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 School 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 Charter School 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;~~
- 4.2. Grade level;
- ~~5. Birth date and place;~~
- ~~6.3. Parents'/guardians' names and addresses;~~
- ~~7.4. Academic awards, degrees, and honors;~~
- ~~8.5. Information in relation to School-sponsored activities, organizations, and athletics;~~
- ~~9.6. Major field of study;~~
- 10.7. Period of attendance in School;

~~11.8. A student's photo solely for the purpose of publication or recognition of a student's honors, awards, or achievements or for any Charter School informational or promotional use on its social media or other publications, or for any yearbook~~

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 Charter School 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

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

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

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

Procedure History:

Promulgated on:

Revised on:

Reviewed on:



Visitors to the Schools

While the Charter School encourages visits by Board members, parents, and citizens to the Charter School, all visitors are required to report to the Principal's office upon entering the School building.-

The Principal shall ensure that prominent notices are posted at each entrance requiring that all visitors must first report to the Principal's office. This includes all parents, Directors, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the Charter School, salespersons, representatives of the news media, former students, and any other visitors.

Visits to ~~An individual who wishes to visit a classrooms during instructional time may only do so shall be permitted only with prior approval from the Principal's and classroom teacher.'s approval and~~ Parents/guardians of School students shall have reasonable access to observe all School activities during school hours in which the child is enrolled, provided they have received prior permission. Parents/guardians who are otherwise legally prohibited from such access shall not be granted this permission. sSuch visits shall not be permitted if their occurrence, duration, or frequency, or conduct on campus interferes with the delivery of instruction or disrupts the normal school environment.

Nothing in this section shall prevent a reasonable denial of entry due to emergency or safety drills, situations outlined in School safety plans, an emergency lockdown, periods of statewide testing, School officials' enforcement of the provisions of section IC 33-512, or other specific situations listed in School policy or building rules.

Conferences should be held outside school hours or during the teacher's conference or prep time.

Conduct on School Property

The School expects mutual respect, civility, and orderly conduct among all individuals on School property or at a School event. No person on School property or at a School event shall:

1. Injure, threaten, harass, or intimidate a staff member, a Board Member, sports official or coach, or any other person;
2. Damage or threaten to damage another's property;
3. Damage or deface School property;
4. Violate any Idaho law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons except in accordance with Policy 3330;

7. Impede, delay, disrupt, or otherwise interfere with any School activity or function, including using cellular phones in a disruptive manner;
8. Make an audio or video recording in the classroom without prior approval of the building principal and classroom teacher;
9. Enter upon any portion of School premises at any time for purposes other than those that are lawful and authorized by the School Board;
10. Operate a motor vehicle:
  - A. In a risky manner;
  - B. In excess of 20 miles per hour; or
  - C. In violation of an authorized School employee's directive;
11. Engage in any risky behavior, including rollerblading, roller skating, or skateboarding; or
12. Violate other School policies or regulations, or an authorized School employee's directive.

Enforcement

The principal has authority to request assistance from law enforcement if any visitor or unauthorized individual refuses to leave School grounds or creates a disturbance. Violation of School policy may lead to removal from the building or grounds and denial of further access to School buildings or grounds.

Anyone observing a person violating this policy shall immediately notify the building principal or designee. The principal or designee may direct the person to leave or remove them from the School premises or area. If the individual does not leave voluntarily or resists removal, law enforcement shall be notified and requested to assist in the removal. The principal or designee shall notify the Executive Director's office immediately if such a situation develops.

Unauthorized persons loitering in or about any School building, or on School grounds shall be asked to leave the premises. Any such person failing to leave the premises shall be considered to be in probable violation of disorderly conduct or trespassing statutes. Law enforcement shall be notified and requested to remove the individual from the building or grounds.

Cross References:	3330	<u>Student Discipline</u>
	4320	<u>Disruption of School Operations</u>
	4420	<u>Visits to School Property by Sex Offenders</u>

Legal References:	IC § 33-512	<u>Governance of Schools</u>
	IC § 33-5210(3)	<u>Application of School Law — Accountability — Exemption from State Rules</u>
	IC § 33-6601(8)	<u>Parental Rights</u>

Policy History:

Adopted on:

Revised on:

Reviewed on:

COMMUNITY RELATIONS

Visitors to School Property by, Including Sex Offenders

The ~~[[School Name]]~~ recognizes the danger sex offenders pose to student safety. Therefore, the School implements this policy in an effort to protect students while under the control and supervision of the Charter School, ~~the Charter School is implementing this policy.~~

Visitors to and Conduct on School Property

For purposes of this policy, “school property” means Charter School buildings, whether or not they are being used as a school; vehicles used for Charter School purposes; any location being utilized during a Charter School athletic event or other Charter School-sponsored event; properties posted with a notice that they are used by a Charter School; and Charter School grounds.

Sample Posted Notice

The School shall post a notice, as required by Idaho Code, that shall be at least 100 square inches, be placed at commonly used entrances to the property, and contain the following statement:

“This property is used by or as a school. Pursuant to IC § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school district at \_\_\_\_\_ (telephone number) or your probation/parole officer for more information.”

~~Visitors are welcome on school property provided their presence will not be disruptive. All visitors, including parents of students (unless otherwise exempted), must initially report to the Executive Director’s office. Any person wishing to confer with a staff member must contact that staff member by telephone to make an appointment. Conferences with teachers are held outside school hours or during the teacher’s conference or preparation period.~~

~~The Charter School expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:~~

- ~~1. Injure, threaten, harass or intimidate a staff member, a school board member, sports official or coach, or any other person;~~
- ~~2. Damage or threaten to damage another’s property;~~
- ~~3. Damage or deface Charter School property;~~
- ~~4. Violate any Idaho law, or town or county ordinance;~~
- ~~5. Smoke or otherwise use tobacco products;~~
- ~~6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;~~

- ~~7. Impede, delay, disrupt or otherwise interfere with any Charter School activity or function, including using cellular phones in a disruptive manner;~~
- ~~8. Enter upon any portion of Charter School premises at any time for purposes other than those that are lawful and authorized by the Board of Directors;~~
- ~~9. Operate a motor vehicle in a risky manner, in excess of 20 miles per hour, or in violation of an authorized Charter School employee's directive;~~
- ~~10. Engage in any risky behavior, including rollerblading, roller skating, or skateboarding; or~~
- ~~11. Violate other Charter School policies or regulations, or an authorized Charter School employee's directive.~~

### Convicted Sex Offender Prohibitions

State law prohibits a person who is currently registered or is required to register under the sex offender registration act to:

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and are involved in a school activity or when children are present within 30 minutes before or after a school activity;
2. Loiter on a public way within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present;
3. Be in any vehicle owned, leased or contracted by a school to transport students to or from school or school-related activities when children under the age of 18 years are present in the vehicle; or
4. Reside within 500 feet of a school, measured from the nearest point of the exterior wall of the offenders' dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

~~All notices posted as required by Idaho Code, shall be at least 100 square inches, make reference to I.C. § 18-8329, include the term "registered sex offender" and be placed at commonly used entrances to the property.~~

Sample posted notice:-

*~~This property is used by or as a school. Pursuant to I.C. § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school at [redacted phone number] or your probation or parole officer for more information.~~*

Provided, however, section numbers Items 1 and 2 from the list immediately above shall not apply when the person:

1. Is a student in attendance at the school;
2. Resides at a state licensed or certified facility for incarceration, health care, or convalescent care;
3. Is exercising their ~~his or her~~ right to vote in public elections;

4. Is taking delivery of ~~their~~his or her mail through an official post office located on school grounds;
5. Has contacted the Charter School Office annually to obtain written permission from the Charter School to be on the school grounds or upon other property posted with a notice that the property is used by a school; or
6. Stays at a homeless shelter or resides at a recovery facility if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

An individual seeking written permission as outlined above must contact the Charter School at least ten work days prior to the first visit. In determining whether to grant written permission as provided above, the Charter School may, in its discretion, consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The Charter School will provide a response to the requesting individual within seven days of receipt of the request.

#### Sex Offender Registry Notification

The Executive Director or designee shall request notification of registered sex offenders in the same or contiguous zip codes as the Charter School. The request can be made of either the Idaho State Police, the local sheriff's department, or the Idaho State Superintendent of Public Instruction. Such request and notification shall be made in accordance with Idaho Code. The information in the sex offender registries is for purposes of protecting the public. It is not to be used for the purpose of harassing or intimidating anyone.

#### Staff Notification

At a quarterly meeting, the Executive Director or designee shall disseminate sex offender registry information received. The Executive Director or designee shall inform staff of the roles and responsibilities of staff in dealing with instances of convicted sex offenders on school property, including, but not limited to, sex offenders on school property without approval, and whetherif a staff member is the school official assigned to escort the sex offender.

When sex offender registry information is disseminated by the Executive Director or designee, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed in this policy and in accordance with Idaho Code. Employees who share registry information with others may be disciplined.

#### Enforcement

Any staff member may request identification from any person on Charter School property. Any staff member shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the Charter School’s administrators shall take appropriate action to enforce this policy. ~~Violations will be handled as follows:~~

~~Anyone observing a parent/guardian or other person violating this policy shall immediately notify the Executive Director or designee. The Executive Director or designee will request that the person act civilly or otherwise refrain from the prohibited conduct. If the person persists with uncivil or prohibited behavior, the Executive Director or designee shall request that the person immediately leave Charter School property and may contact law enforcement, if appropriate; and~~

If a sex offender violates this policy, Charter School officials shall immediately contact law enforcement.

Legal References:	IC § 18-916	Abuse of School Teachers
	IC § 18-8323	Public Access to Sexual Offender Registry Information
	IC § 18-8324	Dissemination of Registry Information
	IC § 18-8326	Penalties for Vigilantism or Other Misuse of Information
	IC § 18-8329	Adult Criminal Sex Offenders – Prohibited Access to School Children
	IC § 33-512(11)	Governance of Schools – District Permitted to Prohibit Entry to School Grounds
	IC § 33-5210(3)	Application of School Law - Accountability - Exemption from State Rules

Policy History:

Adopted on:

Revised on:

Reviewed on:

COMMUNITY RELATIONS

Public Gifts to the School: Donations of Material/Equipment Affecting Building Structure or Maintenance

Organizations desiring to donate equipment or material that will affect the physical structure of a building, either in appearance or in operating maintenance expense, must have the project approved by the school administration.

Items to be donated must meet the technical specifications and standards of similar equipment or materials purchased by the Charter School. If items are not new, the condition of the equipment or materials must be evaluated by qualified persons other than the organization making the donation.

The following procedures shall apply to filing a project request:

1. The organization desiring to make the donation must ensure the proposed project will not cause inequitable treatment of any student(s) or student group(s).
2. The organization will discuss the proposed project with the Executive Director prior to filing a request with the central office.
3. After discussion with the Executive Director, the organization will submit a written request to the director of property services specifying the type of item to be donated; the technical specifications of the item; and information regarding installation, maintenance, and replacement of the item.
4. The request will be evaluated by a committee appointed by the Executive Director ~~Superintendent~~ or designee. The committee will use the following criteria in evaluating the proposed project:
  - A. Educational value to the student body;
  - B. Cost factors in relation to the Board's approved budget including:
    - i. Immediate costs such as installation or remodeling;
    - ii. Long-range costs such as operation and maintenance; and
    - iii. Replacement costs when the item is no longer operable.
  - C. Technical quality of the proposed donated item; and
  - D. Commitment of the donating organization to continuance of the project.
5. Based upon the committee's evaluation and recommendations, the Executive Director will approve or disapprove the request. If the request is disapproved, the committee will



make recommendations to the requesting organization as to requirements necessary to approve the request.

6. If a project is disapproved by the committee and the Executive Director, the requesting organization may appeal the decision to the Board.

Donations Regarding National Motto

In accordance with Idaho law, the School is prepared to receive donations to display the national motto as described in Policy 9802.

Cross Reference: 9802 Display of National Motto

Policy History:

Adopted on:

Revised on:

Reviewed on:

Restrictions on Contracts with Entities Boycotting Israel

Entities Boycotting Israel

For all contracts the Charter School enters into after July 1, 2021 to acquire or dispose of services, supplies, information technology, or construction:

1. For greater than \$100,000; and
2. With a company that employs ten or more people

the School shall include the following written certification in such contract:

“Section 67-2346, Idaho Code, prohibits Forrest M. Bird Charter School from contracting with any company (of more than ten employees) that engages in a boycott of Israel. Per Section 67-2346, such a boycott means ‘engaging in refusals to deal, terminating business activities, or other actions that are intended to discriminate against, inflict economic harm, or otherwise limit commercial relations specifically with the state of Israel or territories under its control, or persons or entities doing business in the state of Israel or territories under its control.’ By entering into this agreement, we acknowledge that we do not currently engage in – and will not engage in during the duration of this contract – a boycott against the State of Israel or its territories.”

Entities Owned or Operated by the Government of China

Any contract the School enters into after July 1, 2023, for any services, supplies, information technology, or construction, shall include the following written certification:

“Section 67-2359, Idaho Code, prohibits the [School Name] from contracting with any company unless it certifies that it is not currently owned or operated by the government of China – either in whole or in part – and will not be for the duration of the contract. By entering into this agreement, we affirm this company is not currently owned or operated by the government of China – either in whole or in part – and will not be for the duration of the contract.”

Contracts in Violation

If, subsequent to July 1, 2021 the School has entered or enters into a contract that does not include the required certifications subsequent to the applicable deadlines above, the School has a period of 90 days from discovery of this status to obtain the required certification. If the School fails to obtain such certification within the 90 day period, as a matter of law the contract is declared void.

For all contracts entered into by the School prior to the applicable deadlines above July 1, 2021, that do not contain the required certifications, the School shall not renew such contract without inclusion of the required certifications.

Legal Reference: IC § 67-2346 Anti-Boycott Against Israel Act  
IC § 67-2359 Contract With a Company Owned by the Government of China Prohibited

Policy History:  
Adopted on:  
Revised on:  
Reviewed on:

Entering into Professional Service Contracts with Design Professionals, Construction Managers, and Professional Land Surveyors — The Request for Qualifications Policy Procedure

Selection of Public Works Professionals to be Based on Qualifications

Notwithstanding any other provision of law to the contrary, it shall be the policy of this state that all public agencies and political subdivisions of the State of Idaho and their agents shall make selections for professional engineering, architectural, landscape architecture, construction management, and professional land surveying services, by persons and firms licensed pursuant to Idaho law to perform such professional services, on the basis of qualifications and demonstrated competence, and shall negotiate contracts or agreements with the licensed professional(s) selected to provide the requested professional service(s).

No proposal, bid, or qualifications shall be accepted or denied based on environmental, social, and governance (ESG) standards, including screening or scoring bids, in whole or in part, on subjective ethical or sustainability criteria unrelated to the specifications in a solicitation or qualifications of a bidder.

Procedures to Select Public Works Professionals for Contracts Greater than \$50,000

In carrying out this policy the Board shall use the following guidelines when securing contracts for engineering, architectural, landscape architecture, construction management, and land surveying services on projects for which the professional service fee is anticipated to exceed the total sum of \$50,000, excluding, however, those professional services contracts previously awarded by the School for an associated or phased project, and for which the expenditure is otherwise exempt from the bidding process otherwise required by law. To implement this policy:

1. The Board or its designee will provide a general description of the services being solicited and encourage persons or firms engaged in the services being solicited to submit statements of qualifications and past performance data.
2. The Board or its designee will establish and make available to the public a request for qualifications that includes the criteria and the procedures to be used for measurable scoring, ranking, and selection of qualified persons or firms to perform such services.
3. After receiving responses to a request for qualifications, the Board or its designee shall score and rank the responding persons and firms based on their qualifications and demonstrated competence pursuant to the Board's or its designee's established criteria and procedures. The list of ranked respondents, including the scoring used to develop the ranking, shall be made available to the public. Some examples of selection criteria for consideration may include but are not limited to:

- A. A description of the firm, including its location and longevity;
  - B. Its past performance;
  - C. Its project manager and key staff experience, education, and training;
  - D. Its experience with similar projects;
  - E. Its specific approach to projects or assignments;
  - F. Its proposed schedule, if applicable; and
  - G. Its quality control procedures.
4. The Board or its designee shall select for negotiation the persons or firms whom the public agency or political subdivision determines to be the highest-ranked and ~~best~~ qualified.
  5. The Board or its designee shall next negotiate with the highest ranked person or firm for a contract or an agreement to perform such services at a price determined by the Board to be reasonable and fair to the public after considering the estimated value, the scope, the complexity, schedule, and the nature of the services required.
  6. In the event the Board or its designee is unable to negotiate a satisfactory contract or agreement with the highest-ranked person or firm, it shall formally terminate negotiations and undertake negotiations with the next highest-ranked person or firm, following the procedure prescribed above.
  7. In the event the Board or its designee is unable to negotiate a satisfactory contract or agreement with any of the selected persons or firms, it may recommence negotiations as described in the two items immediately above, until a contract or agreement is reached, or may, in its discretion, cancel the procurement.
  8. **Published Request for Qualifications.** When the Board solicits proposals for qualifications for engineering, architectural, landscape architecture, construction management, or land surveying services; for which the professional service fee is anticipated to exceed the total sum of \$50,000; it shall publish public notice in the same manner as required for procurement of public works construction projects set forth at Procedure 7405P, which sets forth the procedures required by Section 67-2805(2) of Idaho Code.
  9. **A List of Qualified Professionals.** In fulfilling the requirements of the items above, the Board may establish and select from a list of two or more persons or firms selected and preapproved for consideration by the School. When creating a preapproved list of qualified professionals, the Board or its designee shall first publish notice as set forth in the item immediately above. When selecting from such list, no notice shall be required; and
  10. ~~and~~ Any list established under this item will be valid for up to five years, unless canceled by the Board prior to the list's expiration where the Board has first determined in open session that cancellation of the list would be in the public's best interest.

Procedures to Select Public Works Professionals for Contracts Less than \$50,000

When securing contracts for engineering, architectural, landscape architecture, construction management, or land surveying services on projects for which the professional service fee is anticipated to be less than the total sum of \$50,000, the Board may use the guidelines set forth in the above paragraphs, or may establish its own guidelines for selection based on demonstrated competence and qualifications to perform the type of services required, which shall then be followed by negotiation of the fee at a price determined by the Board to be fair and reasonable after considering the estimated value, scope, complexity, schedule, and nature of services required.

Approvals for Phased Projects

When the Board has previously awarded a professional services contract to a person or firm for an associated or phased project, the School may, at its discretion and in accordance with all provisions of Section 59-1026 of Idaho Code, negotiate an extended or new professional services contract with that person or firm.

Cross References:	7405P	Procuring Public Works, Services, and Personal Property
Legal References:	IC § 67-2320	Professional Service Contracts with Design Professionals, Construction Managers and Professional Land Surveyors
	IC § 67-2347	<u>Prohibition of Environmental, Social, and Governance Standards in Public Contracts</u>
	IC § 67-2805	Procurement of Public Works Construction
	IC § 59-1026	Willful and Knowing Avoidance of Competitive Bidding and Procurement Statutes
Other References:	Policies and Procedures Used Template, Idaho State Department of Education, <a href="http://www.sde.idaho.gov/sped/funding/">http://www.sde.idaho.gov/sped/funding/</a>	

Policy History:

Adopted on:

Revised on:

Reviewed on:

Display of the National Motto

In accordance with state law, the School is prepared to receive donations of a durable poster or framed copy of the national motto, "In God We Trust," and will display it in a conspicuous place if the following conditions are met:

1. The poster or framed copy includes a representation of the United States flag, the flag of the State of Idaho, or both.
2. The background, lettering, and framing on the poster or framed copy include the colors black, white, gold, or silver.
3. The poster or framed copy does not contain any other lettering, verbiage, images, logos, or likeness.
4. The size was approved by the Executive Director or their designee.
5. It was donated to the School.

The Executive Director or designee may reject a donation if the above conditions are not met, and will notify the donor of any unmet conditions where applicable.

Legal References: IC § 33-141 National Motto

Cross Reference: 4510 Public Gifts to the School

Policy History:

Adopted on:

Revised on:

Reviewed on:

Facilities Separated by Sex

For the purposes of this policy, a student's sex shall be the sex indicated on a student's birth certificate. If a student does not have a birth certificate, consistent with Section 18-4511, Idaho Code, an alternative form of governmental identification may be considered for determination of a student's sex under this policy. Under no circumstances shall School personnel require a medical exam or physical inspection to establish a person's sex.

This policy discusses the use of bathrooms, changing facilities, and sleeping rooms. It does not refer to any other spaces or activities separated on the basis of gender.

All areas assigned as a place to sleep during a School-sponsored overnight trip as well as all school restroom and changing facilities that can be used by more than one person at a time shall be designated for use either by people who are male or female. A person may only enter such a multi-occupancy sleeping area, restroom, or changing facility if the facility's designated sex corresponds to the user's sex, except in the following cases:

1. Sharing of facilities by members of the same family:
2. When a person requires use of such a multi-occupancy sleeping area, restroom, or changing facility and one corresponding to their sex is not reasonably available at the time. In such cases, steps shall be taken to protect the privacy of all students using the facility:
3. A person is employed to clean, maintain, or inspect a restroom, changing room, or sleeping room:
4. A person enters a restroom or facility to render medical assistance:
5. A person who needs assistance is accompanied by one of the following whose sex corresponds to the sex designated for the facility:
  - A. A family member:
  - B. A legal guardian: or
  - C. A designee chosen by the person requiring assistance.
6. Coaching staff and personnel during athletic events:
7. During an ongoing natural disaster or emergency: or
8. When entry to the facility is necessary to prevent a serious threat to good order or student safety.



The sex designation of restrooms and changing facilities may be temporarily changed.

Single-occupancy restrooms and changing facilities or restrooms and changing facilities may be designated for unisex or family use provided they are conspicuously marked as such.

Accommodation Upon Request

Upon written request for accommodation, each school shall provide reasonable accommodation to any individual who, for any reason, is unwilling or unable to use a multi-occupancy restroom, changing facility, or sleeping room designated for the person's sex. Such accommodation may include use of a single-occupant facility. Such accommodation may not include access to a multi-person restroom, changing room, or sleeping room when:

1. The facility is designated for the sex that does not correspond to the individual's own sex;  
and
2. A person whose sex differs from the person to be accommodated is or could be present.

The Board directs the Executive Director or designee to take reasonable steps to enforce and implement this policy.

Cross References:    2250                    Field Trips, Excursions, and Outdoor Education  
                                 3460                    School-Related Foreign Travel by Students

Legal References:    IC § 33-6602 et seq.                    Definitions

Policy History:

Adopted on:

Revised on:

Reviewed on:



~~Use of Restraint, Seclusion, and Aversive Techniques for Students~~

~~Conduct of Employees Directed Toward Students~~

~~The use by appropriately trained District personnel towards or directed at any student of any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a District employee, that the conduct of the student has placed the student, the employee, or any other individual in imminent danger of serious bodily harm.~~

~~The employee or any employee who is a witness to this event shall immediately seek out the assistance of the school's administration or, if such administrator is not available, a certificated or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior-trained individual on seclusion or restraint shall take control over the situation.~~

~~Seclusion or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him or herself or to any other third person or if it is determined that the student is exhibiting extreme distress or at such time that appropriate administrative personnel have taken custody of the child or upon such time that the parent/legal guardian of the child has retaken custody of the child.~~

~~Regardless of employee training status, no District personnel shall use any form of aversive technique against any school student.~~

~~If a situation occurs where a properly trained District employee must use acts of restraint or seclusion against a school student, the following shall occur:~~

- ~~1. The employee shall immediately report to their building principal, in writing, the following information:
  - ~~A. The date the event occurred;~~
  - ~~B. The circumstances leading to the event;~~
  - ~~C. The student involved; and~~
  - ~~D. Other witnesses or participants to the event.~~~~
- ~~2. The building principal shall notify the Superintendent's office of the event, providing the Superintendent's office with a copy of the report of events.~~

- ~~3. The building principal shall ascertain if any of the school's video equipment captured the event on a recording. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Superintendent's Office for the Superintendent's official records of the event.~~
- ~~4. The Superintendent or designee shall ascertain the special needs status of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not such events were consistent with or contraindicated due to the student's psychiatric, medical, or physical condition(s).~~
- ~~5. The Superintendent or designee of the Superintendent shall notify the parent or legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.~~
- ~~6. The Superintendent or designee of the Superintendent shall provide the parent/legal guardian of the student with written notice of the event of restraint or seclusion of their student.~~
- ~~7. The Superintendent's office shall maintain documentation as to events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to State and federal regulations.~~

#### Training of School Personnel

~~As part of the training and preparation of each certificated administrator, certificated teacher, and in building classified employee of the District, the following shall occur:~~

- ~~1. Training to personnel as to proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and restraint, safe physical escort, de-escalation of student crisis situations, and positive behavioral intervention techniques and supports;~~
- ~~2. Training of personnel in crisis/conflict management and emergency situations which may occur in the school setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting;~~
- ~~3. Techniques to utilize to limit the possibility of injury to the student, the employee and any other third party in the area;~~
- ~~4. Information as to the school's student seclusion areas in each respective school building to which the employee is assigned;~~
- ~~5. Training in CPR and basic first aid; and~~

~~6. Provision of the employee with a copy of this policy.~~

~~It is a goal that all new employees are trained in the area of student restraint and seclusion during their first week of employment. However, this may not be possible due to realities of the operation of a school district. If an employee has not yet undergone training and a situation necessitating student restraint or seclusion occurs, and another properly trained employee of the District is present at the event, the properly trained employee shall take the lead in addressing the student crisis.~~

Designated Locations

~~Each school building for which students are present must have a building designated location for student seclusion.~~

~~It is the responsibility of the building's principal, or designee of the principal, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.~~

~~Appropriate supervision shall include an adult in the seclusion location which has continuous visual observation of the secluded student.~~

Definitions

~~For the purposes of this policy, the following definitions shall apply:~~

~~**Restraint:** The immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through chemical, manual method, physical, or mechanical device, material, or equipment.~~

~~**Seclusion:** Involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believes that the he or she can leave or be prevented from leaving through manually, mechanically, or electronically locked doors that, when closed, cannot be opened from the inside; blocking or other physical interference by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.~~

~~**Aversive Technique:** Physical, emotional, or mental distress as a method of redirecting or controlling behavior.~~

Annual Review

~~On an annual basis, the Superintendent or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and should be proposed to the District's Board.~~

~~In conducting this annual review, such individual shall also review the reports of all events of seclusion or restraint that occurred with the District's students in the past school year. This review will include an analysis as to whether or not the District's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.~~

~~Cross Reference: 3360 Discipline of Students with Disabilities~~

It is the priority of Forrest M. Bird Charter School to promote a safe learning environment for all students and staff. The board recognizes that there may be emergency situations where it becomes necessary for a staff member to physically restrain or place a student in seclusion when the student's behavior poses an imminent risk of serious physical harm to self or others. The purpose of this policy is to ensure that all students and staff are safe in school, and that any student who may have a behavior crisis is free from the inappropriate use of physical restraint or seclusion.

The Board does not condone the use of restraint or seclusion when responding to student behavior and prohibits the use of corporal punishment and unreasonable use of physical force against a student as forms of discipline or methods of classroom governance. The Board recognizes, however, that it may be necessary to use reasonable and appropriate physical restraint and/or seclusion when it is the least restrictive intervention and when the student's behavior poses imminent danger of serious physical harm to self or others. The Board supports school-wide programs and services that promote positive student behavior to improve overall school safety and create an environment that is conducive to learning, while also minimizing the need for the use of physical restraint and seclusion and ensuring that they are only used as a last resort in an emergency.

#### DEFINITIONS

"Aversive technique" means physical, emotional, or mental distress as a method of redirecting or controlling behavior.

"Chemical Restraint" means using drugs or medication to control behavior; not including those prescribed by and administered in accordance with the directions of a qualified health professional.

"Crisis intervention" means implementation of a predetermined strategy to mitigate immediate harm to students or staff in a behavioral crisis.

"Corporal punishment" means knowingly and purposely inflicting physical pain on a student as a disciplinary measure.

"De-escalate" means utilizing strategically employed verbal or non-verbal interventions to reduce the intensity of threatening behavior before a crisis situation occurs.

"Emergency" means a situation in which a student's conduct creates a reasonable belief in another person that the student's conduct has placed the student or a third person in imminent danger of serious physical harm. An emergency requires an immediate intervention.

“Functional behavioral assessment (FBA)” means the evaluation process of gathering information that can be used to hypothesize about the function of student behavior to develop a behavior intervention plan (BIP) for those students demonstrating, or at risk for demonstrating, challenging behavior.

“Imminent” means likely to happen right away or within a matter of minutes.

“Mechanical Restraint” means the use of any device or equipment to restrict a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- a. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports
- b. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle
- c. Restraints for medical immobilization; or
- d. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm

“Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. In addition, physical restraint does not include behavioral interventions used as a response to calm and comfort (e.g., proximity control, verbal soothing) an upset student.

“Physical Restraint” means personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort.

“Life-threatening physical restraint” 1) restricts airflow to a student’s lungs, whether by compressing the student’s chest or otherwise, or 2) immobilizes or reduces a prone student’s ability to freely move his or her arms, legs, or head. The use of prone (i.e., lying face down) physical restraints should be avoided.

“Positive behavioral interventions and supports” means application of a broad range of systematic and individualized strategies for achieving important social and learning outcomes, while preventing challenging behaviors by making them irrelevant, inefficient, and ineffective.

“Seclusion” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

## PROHIBITED PRACTICES

The following are prohibited under all circumstances, including emergency situations:

1. The use of restraint and seclusion, and corporal punishment, as a form of discipline, punishment, or as a method of managing classroom behavior.
2. The use of chemical restraints (i.e., drugs or medication) to control behavior or restrict freedom of movement unless it is (1) prescribed by a qualified health professional, and (2) administered as prescribed by the qualified health professional.
3. School employees may not use a life-threatening physical restraint on a student.
4. The use of physical restraint or seclusion procedures when a known psychiatric, medical or physical condition of the student would make physical restraint or seclusion dangerous for that student. For example, seclusion is inappropriate for students who are severely self-injurious or suicidal.

## APPROPRIATE USE OF PHYSICAL RESTRAINT OR SECLUSION

Restraint or seclusion will only be implemented in situations where a student's behavior poses imminent danger of serious bodily harm to self or others, and not as a routine strategy to address classroom management or inappropriate behavior. School staff will implement positive behavioral interventions and supports, functional behavioral assessments and related behavior and crisis plans, and utilize constructive methods to de-escalate potentially dangerous situations.

Staff members are authorized to restrain a student or place a student in seclusion when an emergency exists, or when a student's individualized education program (IEP), behavioral intervention plan (BIP), or crisis plan describes the specific behaviors and circumstances in which restraint and seclusion may be used as a response to imminent danger of serious physical harm to self or others.

The following applies to the use of physical restraint or seclusion:

1. Staff members will take reasonable efforts to prevent the need for the use of physical restraint or seclusion by implementing positive behavioral interventions and supports.
2. Staff members will only use physical restraint or seclusion in situations where (1) the student's behavior poses imminent danger of serious bodily harm to self or others, **and** (2) efforts at de-escalation or interventions are ineffective.
3. Staff members will utilize the least restrictive technique necessary to end the threat of imminent danger of serious bodily harm.
4. Any behavioral intervention used by staff members must be consistent with the child's rights to dignity and to be free from abuse.
5. Staff members will carefully and continuously visually monitor the student when physical restraint or seclusion is used to ensure the appropriateness of its use and the safety of the student and others.
6. Staff members will immediately terminate the use of physical restraint or seclusion as soon as it is determined the student is no longer in imminent danger of serious bodily harm to self or others, or if the student is observed to be in severe distress.
7. Staff members will document in writing each incident requiring physical restraint or incident immediately and no later than 24 hours after the event.



8. All staff members directly assigned to students or classrooms who demonstrate aggressive or dangerous behaviors will receive training in crisis management, de-escalation techniques, classroom behavior management, functional behavior assessment, behavior intervention planning, and when appropriate, the safe use of physical restraint and seclusion. Only trained personnel will employ these interventions whenever possible.

9. Staff members will review and revise behavioral strategies as appropriate to address the underlying cause of the dangerous behavior and to prevent the repeated use of physical restraint or seclusion for managing the dangerous behavior.

10. Parents will be notified verbally regarding physical restraint or seclusion as soon as possible and no later than 24 hours following the restraint or seclusion. (See “Notice to Parent/Guardian” section).

#### NOTICE TO ADMINISTRATOR

Staff members must notify the building principal and, if appropriate, special education director, immediately when a student is physically restrained or placed in seclusion.

#### OBSERVATION OF STUDENT

Seclusion will not be used unless a staff member can continuously monitor the student for visual and auditory signs of physiological distress and can communicate with the student. A staff member will maintain continuous, direct visual and auditory contact with the student throughout the duration of any physical restraint or seclusion to ensure the appropriateness of its use and the safety of the student and others.

Students will be permitted to use the restroom upon request and will be escorted to and from the restroom. Students will also be provided with water on request. Students will not be denied access to meals. If the student’s level of escalation prevents the student from participating in planned mealtimes, the student will be permitted access to meals immediately as soon as the risk of serious physical danger to self or others has passed. See Time and Duration section below for information on allowable length of seclusion.

Monitoring will be conducted by a staff member who has received the required training to ensure the safety of the student and that procedures are appropriately implemented and documented.

#### SECLUSION AREA

If seclusion is to be employed by the district, each school building must designate a clean and safe seclusion area intended for confining a student without causing or allowing the student to harm him- or herself or others. The seclusion area will be of reasonable size; adequately lighted, ventilated, and heated/cooled; free from any objects or potential hazards that unreasonably expose the student or others to harm; permit direct, continuous visual and auditory monitoring of the student; must not be locked; and must comply with state and federal fire safety requirements. A push lock may be used with consistent monitoring but may not prevent the student from exiting the area should an emergency arise.

A staff member will visually inspect the seclusion area before and after each use to determine whether the area is clean and safe and address any concerns by cleaning the area and/or reporting the concerns to maintenance staff.

### TIME AND DURATION

Physical restraint and seclusion will not be used any longer than necessary to allow a student to regain control of his/her behavior and may not exceed thirty (30) minutes.

If an emergency seclusion lasts longer than thirty (30) minutes, the following are required: additional support (e.g., change of staff, introducing a nurse or specialist, or obtaining additional expertise) and documentation to explain the extension beyond the time limit.

### REINTEGRATION INTO THE CLASSROOM

Staff members will follow the steps outlined in the student's Crisis Plan to determine when the student is ready to be reintegrated into the classroom or activities. If no Crisis Plan is in place, staff members (at least two staff members) may make an independent judgment about when the student is ready to rejoin classmates or other activities. Reintegration may occur quickly, or may be very gradual, but will depend on the circumstances and the emotional state and readiness of the student to return to the normal situation.

### INCIDENT REPORTING

Immediately after the student has restored emotional and behavioral control following the use of physical restraint or seclusion, a staff member not involved with the incident will visually examine the student to ascertain if any injury has been sustained during the physical restraint or seclusion.

The staff member(s) involved with the incident will complete a written incident report immediately and no later than 24 hours after the event. The building principal or designee will place a copy of the report in the student's education file.

Each staff member involved in an incident will engage in a debriefing session within two (2) days of the incident to determine what could have been done to prevent the need for the use of physical restraint or seclusion for this student specifically and for other students in similar situations.

### Incident Report Requirements

The following information will be included in the incident report created after each instance of physical restraint or the use of seclusion:

1. Information about the student (i.e., name, grade, etc.).
2. If the student has a disability (IDEA or Section 504), and the type of disability.
3. The date and start and end times of the restraint or seclusion.
4. The location of the incident.
5. A description of the incident.
6. Possible events that triggered the dangerous behavior that led to restraint or seclusion.
7. Prevention, redirection, or pre-correction strategies that were used during the incident.

8. A description of the dangerous behavior that resulted in the implementation of physical restraint or seclusion.
9. A description of the restraint or seclusion strategies that were used during the incident and a log of the student's behavior during physical restraint or seclusion.
10. A description of any injuries or physical damage that occurred during the incident.
11. How the student was monitored during and after the incident.
12. A description of behaviors displayed demonstrating the student's ability to return to the educational environment.
13. The staff member(s) who participated in the implementation, monitoring, and supervision of physical restraint or seclusion and whether the person(s) had training related to restraint or seclusion.
14. The extent to which the staff member(s) adhered to state and district procedural implementation guidelines.
15. The follow-up that will occur to review or develop the student's positive behavioral interventions and supports in order to avoid the use of restraint or seclusion in the future.
16. The date and time the parent/guardian was notified.

#### FREQUENT USE OF RESTRAINT OR SECLUSION

Schools must follow these procedures in cases where a student is placed in physical restraint or seclusion four (4) or more times in 20 school days.

In cases where such a student requires, may require, or is being evaluated for special education services or a 504 plan, the student's planning and placement team must meet to (1) conduct or revise the student's functional behavioral assessment and (2) create or revise any applicable behavioral intervention plan, including the student's IEP or 504.

For all other students, a school administrator, at least one of the student's teachers, the student's parent, or guardian, and, if any, a mental health professional must meet to (1) conduct or revise the student's behavioral assessment, (2) create or revise any applicable behavioral intervention plan, and (3) determine if the student may require special education services.

#### NOTICE TO PARENT/GUARDIAN

The building principal or designee will verbally notify the parent/guardian of a student requiring physical restraint or seclusion as soon as possible and no later than 24 hours following the incident.

Verbal notice will include a brief summary of the incident and contact information for the staff member who will provide additional information. The delivery of the notice will be documented by the district.

Verbal notice will be provided via telephone or in person. In the event a staff member is unable to speak directly to the parent via telephone, a message will be left on the individual's voicemail, if

available. If unable to reach the parent via telephone or leave a message on voicemail, the staff member will send an e-mail to the parent, if the e-mail address is known. Parents/guardians will receive written, annual notice about the district's policies and procedures for restraint and seclusion. Parents/guardians will be notified within thirty (30) days of any changes to such policies and procedures.

All student handbooks in our schools will contain a statement regarding the use of restraint and seclusion consistent with this policy and outline reporting procedures.

### CRISIS INTERVENTION TRAINING

The district will provide all staff directly assigned to students or classrooms with annual professional development training regarding positive behavior supports, de-escalation techniques, and classroom behavior management. This training will be recurrent and will be provided to new staff during orientation.

All staff directly serving students or classrooms with students who demonstrate aggressive or dangerous behaviors will receive annual professional development training in crisis management, de-escalation techniques, the correct use of restraints and seclusion when required, and the implementation of functional behavior assessment, behavior intervention plans, and crisis plans. This training will be recurrent and will be provided to new staff during orientation.

Restraint and seclusion techniques will only be utilized by a person who has been trained in crisis intervention. Untrained staff should request assistance from trained staff as soon as possible.

### MONITORING AND REPORTING

The superintendent or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy in the district. The superintendent or designee will comply with all state and federal requirements for reporting incidents of physical restraint or seclusion. The building principal or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy within the school.

### ANNUAL POLICY REVIEW

The district will, not less than annually, review this policy and related procedures to determine the efficacy of the policy and procedures; whether modification of the policy or procedures is necessary; and whether selected school staff should receive additional training on positive behavior intervention and supports, or the proper use of restraint, seclusion, and other aversive techniques. The review must include a review of the documentation and reporting of incidents involving physical restraint and seclusion.

In conducting this annual review, the district shall also review the reports of all events of seclusion or restraint that occurred with the district's students in the past school year. This review will include an analysis as to whether or not the district's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Annually, the superintendent designee shall submit to the Board a report containing all the following disaggregated data:

- a. The total number of incidents of seclusion during the previous school year.

- b. The total number of students (i.e. students with and without disabilities) who were involved in incidents of seclusion during the previous school year;
- c. The number of students with disabilities who were involved in incidents of seclusion during the previous school year;
- d. The number of incidents of physical restraint during the previous school year;
- e. The total number of students (i.e. students with and without disabilities) who were involved in incidents of physical restraint during the previous school year; and
- f. The number of students with disabilities who were involved in incidents of physical restraint during the previous school year.

Policy History:

Adopted on: December 10, 2019

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Reviewed on:



Student Questioning and Arrests

Interviews by School Administrators (Student Victims/Witnesses)

When a violation of Board policy or school rule occurs, the school principal or designee may question a potential student victim or students who may have relevant information without prior consent of the parent/guardian. Another adult should be present during the questioning of students.

Interviews by School Administrators (Student Suspect)

In situations where a student is suspected of violating Board policy or school rule, the principal or designee may interview or question the suspected student without the prior consent of the student's parent/guardian. The school official must first have reasonable grounds to suspect that the student committed such a violation. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies involvement or culpability in any part of the suspected activities, the student will be afforded the opportunity to present their side of the story, orally or in writing.

Interviews and Questioning by Law Enforcement Officials

If a law enforcement officer is present on school property solely to question a specific, identified student, the school's administrative personnel shall bring the student to a designated location for questioning. Law enforcement officers who are present for such an interview should not otherwise roam the school's facility in an effort to locate the student. They should remain in the administration office while school personnel seek out the student. However, if there is a safety concern or other emergency situation involving a student, the school and law enforcement official shall work together on the best way to contact that student.

Any questioning of a student by law enforcement should take place in a private room or area where confidentiality can be maintained.

When reasonably possible, parents/guardians should be given the chance to be present for questioning. A public school shall notify a student's parent or legal guardian by phone call or text message if a minor student has been or may be questioned by a school resource officer or other law enforcement official, unless the child is a victim or suspected victim of physical child abuse, abandonment, and/or neglect.

The District recognizes that it is not always possible to notify a parent/guardian of a student prior to an interview by law enforcement, whether by an SRO or otherwise. At minimum, when the District is aware that such questioning has occurred, the building principal or designee shall notify the parent/guardian of such event by phone call or text before the end of the day when the interview occurred.

**The School Board prefers that any interview of a student or a detainment of a student occur outside of school hours and outside the school setting, when possible. However, when such activities cannot occur outside of the school setting, the principal or designee will notify a parent/guardian of an interview or detainment of a minor student by law enforcement officials.**

School personnel shall not require any student to subject themselves to any law enforcement interview. If a parent/legal guardian directs that a student is not to be subject to a law enforcement interview, such direction will be honored by the school and law enforcement will have to make other arrangements to conduct such questioning. Such parental direction shall be required for each case in which a law enforcement officer asks to question a student.

The building principal or their designee may request to be present at the interview, but should not take part in any questioning. If present, the principal or designee should at all times remain a neutral observer.

When students are questioned by law enforcement officers, District personnel are not responsible for a police officer's compliance with the law. If a parent/guardian or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

#### Questioning by Law Enforcement Officials About School-Related Violations

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or at an activity involving school operations, law enforcement officers may be notified by school officials to request a criminal investigation. Law enforcement officers may also independently determine that an investigation requiring student interviews is necessary.

School discipline investigations conducted by school administrators and criminal investigations conducted by law enforcement officers – with the exception of SRO personnel – shall be conducted in a parallel manner rather than as a joint investigation. Therefore, a school discipline investigation need not stop as soon as the school administrator believes that a crime has been committed. The results of the parallel investigations may be shared among school officials and the police.

#### Questioning by Law Enforcement Officers About Non-School-Related Violations

The District strives to maintain cooperative working relations between law enforcement, child protective authorities, and school authorities. Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to question students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, conducting such interviews during the student's class time is discouraged. Whenever possible, such questioning on matters not related to school should take place away from school and outside of school hours. Whether an interview will be permitted at school during



school hours shall be at the discretion of the principal, except when a warrant or court order requires that it be conducted immediately. The principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews. In the event of disagreement, the principal or designee shall immediately contact the area administrator or District legal counsel for assistance.

Before any student interview begins regarding suspected criminal activity, the principal or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The Idaho Department of Health and Welfare or law enforcement may exclude school personnel from any child abuse investigations and related interviews and may use a school building to conduct the interview.

#### Arrests by Law Enforcement Officers

A law enforcement officer may take a student into custody if the student has been placed under arrest, if the officer declares the student to be in imminent danger, or if the student's parent/guardian and the student consent to such release. When practical, the officer must first notify the principal or designee so that the student may be summoned to the principal's office and taken into custody in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on school premises without prior notification to the principal or designee, the law enforcement officer should notify school authorities of the situation as soon as possible.

When a student is removed from school by law enforcement officers for any reason, the building principal or designee will make every reasonable effort to notify the student's parent/guardian, including attempts to contact them by phone call or text message. The school official will document such effort in writing. When law enforcement officers make a formal arrest or the student is otherwise in law enforcement custody, any and all responsibility for that student is transferred to law enforcement personnel. If a school official has reason to believe a student is wrongly detained or arrested, they shall not interfere in any way but will contact the Superintendent explaining their reason which will be documented by the Superintendent and reported to the parent/guardian.

School officials will notify the appropriate area administrator of the removal of any student from school by law enforcement under any circumstance. District personnel are not responsible for an officer's legal compliance with respect to said arrest.

#### Definitions

"Interview" or "questioning" means asking a student about an incident.

“Reasonable Suspicion” means a common-sense belief based on the information at hand that criminal activity or a violation of school rule/policy has happened or will happen.

Cross References:	4400	Relations with Law Enforcement and Child Protective Agencies
	4410	Investigations and Arrests by Police
	5260	Abused and Neglected Child Reporting
Legal References:	IC § 6-904(1)	Tort Claims Against Governmental Entities — Exceptions to Governmental Liability
	IC § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	IC § 16-1606	Child Protective Act: Immunity
	IC § 16-1607	Child Protective Act: Reporting in Bad Faith- Civil Damages
	IC § 16-1631	Child Protective Act: Authorization for Department to Act
	IC § 20-516	Juvenile Corrections Act — Apprehension and Release of Juveniles — Detention
Other References:	Idaho Att'y Gen. Ann. Rpt. 93-2 (1993) (available at <a href="https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf">https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf</a> ) (last accessed November 18, 2019)	

#### Policy History

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Investigations and Arrests by Police

All contact between the school and the police department on matters involving students shall be made through the administrative office. The police have ample opportunity to talk to a student away from the school and before or after school hours. They should be encouraged to do so. Law enforcement authorities should only be allowed to conduct an interview in the school if they can show that special circumstances exist or if the interview is at the request of the school. This determination should be made by the principal or Superintendent.

If the police have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the principal's office out of view of other students. Before removing a student from school, the police shall sign a release form in which they assume full responsibility for the student;

1. Law enforcement personnel should not be allowed to roam about the school until the student is found. They should remain in the administration office while school personnel seek out the student;
2. —
3. If possible, the educational program of the student should not be disrupted to allow for police questioning;
4. Any questioning by police should be conducted in a private room or area where confidentiality can be maintained;
5. —

If law enforcement officials are to be allowed to question a student under the age of 18, a reasonable attempt shall be made to notify the parents, except in cases of suspected child abuse or child neglect involving the parent. The parents should be given the opportunity to come to the school prior to the questioning; and

6. If the parents are notified and are able to attend, they should be allowed to be present at the interview. The administrator should be present at the interview, but should not take part in any questioning. The administrator should at all times remain a neutral observer.

Cross References: 3545 Student Interviews, Interrogations or Arrests  
5260 Abused and Neglected Child Reporting

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