



Board of Directors Meeting Agenda

Team:	FBCS Board of Directors	Chairperson:	Shawn Burns
Meeting Date:	August 19, 2026	Start Time:	4:00 PM
Minutes:	Secretary – Collin Day	Location:	FBCS Millar Building
Address:	615 S. Madison Ave, Sandpoint, ID 83864		

Call to Order @ 4:30 PM: BOD Chairperson – *Shawn Burns*

ITEM

Pledge of Allegiance

Shawn Burns

Action Item: Approval of minutes

Shawn Burns

Public Comment

Shawn Burns

Executive session: Student A Disciplinary Appeal

Mary Jensen

Financials

- Action Item: Approval of Financial Reports

Mary Jensen

Open Business

- Action Item: Policies 2253, 3295, 3295P, 3330, 3331, 3500, 3500F, 3515P, 3540, 5100, 5100F, 5210, 5260, 5335, 5500, 5900
- Action Item: Approval of Student Handbook
- Review: FBCS Bylaws (Term Limits)

Mary Jensen

Mary Jensen

Shawn Burns

Adjourn @ :00 PM: BOD Chairperson

Shawn Burns

Next Meeting Date and Time: TBA



Board Meeting
Forrest M. Bird Charter High School
615 S. Madison,
Sandpoint, ID 83864
Date: June 17, 2026

	Board Meeting Minutes
Minutes taken by	Collin Day
Board members Present	Susan Roberts, Shawn Burns
Excused Board Members	Stephanie Hawkins
Staff present	Mary Jensen, Gretta Warren
Guests	
Call to Order	Meeting Called to Order at 4:00, Quorum established at 4:00

Minutes	Action Item: Approval of Minutes: ○ Motion – Susan Roberts ○ 2nd - Collin Day Approved: Unanimously
Public Comment	NA

Financials	• Approval of Financial Reports ○ Motion: Susan Roberts ○ 2nd : Collin Day ○ Unanimous ○ Approval of 26/27 budget ○ Motion: Susan Roberts ○ 2nd : Collin Day ○ Unanimous ○ Information – 2025/26 Budget update for Next school year
Open Business	• Scout Gates Charter Teacher Certificate ○ Motion: Susan Roberts ○ 2nd: Collin Day ○ Unanimous • Election of Officers 26/27 ○ Motion to stay as is ▪ Susan Roberts ▪ 2nd : Collin Day

	▪ Unanimous • Oaths of Office (Chair / Board combined)": ○ Motion to do it all at once: ▪ Collin Day ▪ 2nd Susan Roberts ▪ Unanimous • Selection of Meeting Dates 26/27 ○ Motion: Susan Roberts ○ 2nd: Collin Day ○ Unanimous
Adjourn	• Motion: Sussan Roberts • 2nd : Collin Day • Unanimous End at 4:20

Next Board Meeting	August 19th, 2026
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Respectfully Submitted: Mary J. Jensen

Date:

Signed: _____
Board Chair, date

Signed: _____
Board Secretary, date

Forrest M Bird Charter School Check Detail Report

Type	Date	Num	Name	Amount
Mountain West Bank				
Bill Pmt -Check	07/01/2026	12064	Brent L. Edwards	-1,800.00
Bill Pmt -Check	07/01/2026	12065	ICRMP	-9,681.00
Bill Pmt -Check	07/01/2026	12066	Instructure, Inc.	-6,680.40
Bill Pmt -Check	07/01/2026	12067	Lightspeed Solutions, LLC	-3,864.00
Bill Pmt -Check	07/01/2026	12068	OETC	-75.00
Bill Pmt -Check	07/01/2026	12069	PowerSchool Group LLC	-4,461.45
Bill Pmt -Check	07/01/2026	12070	Rain Networks	-2,602.80
Bill Pmt -Check	07/01/2026	12071	Regence Blue Shield of Idaho	-39,694.98
Check	07/10/2026	eft	Mountain West Bank	-15,927.15
Bill Pmt -Check	07/15/2026	12072	Anderson, Julian and Hull	-40.00
Bill Pmt -Check	07/15/2026	12073	Cognia	-1,400.00
Bill Pmt -Check	07/15/2026	12074	First Bankcard - 6058	-8,133.37
Bill Pmt -Check	07/15/2026	12075	First Bankcard - 7871	-2,214.68
Bill Pmt -Check	07/15/2026	12076	Idaho School Boards Association, Inc.	-1,634.99
Bill Pmt -Check	07/15/2026	12077	Johnson Controls	-1,430.83
Bill Pmt -Check	07/15/2026	12078	Panhandle Driving School	-2,250.00
Bill Pmt -Check	07/15/2026	12079	Sandpoint Super 1 Foods	-1,334.16
Bill Pmt -Check	07/15/2026	12080	Johnson Controls	-4,252.00
Bill Pmt -Check	07/15/2026	12081	Wayfinder	-4,500.00
Bill Pmt -Check	07/15/2026	12082	Tork Electric, Inc.	-1,914.50
Bill Pmt -Check	07/15/2026	eft	AFLAC	-512.74
Bill Pmt -Check	07/15/2026	eft	American Fidelity Assurance-FSA	-929.93
Bill Pmt -Check	07/15/2026	eft	City of Sandpoint	-815.52
Bill Pmt -Check	07/15/2026	eft	Delta Dental	-1,678.26
Bill Pmt -Check	07/15/2026	eft	Fatbeam LLC	-262.50
Bill Pmt -Check	07/15/2026	eft	GreatAmerica Financial Svcs.	-372.31
Bill Pmt -Check	07/15/2026	eft	Harlows School Bus Service Inc. of MT	-7,260.20
Bill Pmt -Check	07/15/2026	eft	New York Life	-734.90
Bill Pmt -Check	07/15/2026	eft	Solomon Enterprises, Inc.	-945.00
Bill Pmt -Check	07/15/2026	eft	USABLE Life	-109.35
Paycheck	07/21/2026	eft	Angela Evans	-1,980.11
Paycheck	07/21/2026	eft	Benjamin M Evans	-3,701.69
Paycheck	07/21/2026	eft	Blakey Wilkins	-3,595.69
Paycheck	07/21/2026	eft	Derek May	-3,318.20
Paycheck	07/21/2026	eft	Lyndsay Holland	-4,502.83
Paycheck	07/21/2026	eft	Mary Mikell Zimmerman	-3,179.97
Paycheck	07/21/2026	eft	Rachel Askew	-3,818.97
Paycheck	07/21/2026	eft	Shainnie Wade	-3,244.20
Paycheck	07/21/2026	eft	Skyler Kent	-1,626.33
Paycheck	07/21/2026	eft	Amber Williams	-5,514.71
Paycheck	07/21/2026	eft	Branden Lange	-3,945.03
Paycheck	07/21/2026	eft	Christine Burns	-973.59

Forrest M Bird Charter School Check Detail Report

Type	Date	Num	Name	Amount
Paycheck	07/21/2026	eft	Danika Jerald	-3,216.81
Paycheck	07/21/2026	eft	Darryl Claunch	-3,379.38
Paycheck	07/21/2026	eft	David Lien	-3,957.66
Paycheck	07/21/2026	eft	Deborah Eagley	-1,681.04
Paycheck	07/21/2026	eft	Greta M Warren	-3,435.39
Paycheck	07/21/2026	eft	Holland Walker	-3,970.12
Paycheck	07/21/2026	eft	Janenne Russell	-3,621.42
Paycheck	07/21/2026	eft	Kenda Russell	-4,506.12
Paycheck	07/21/2026	eft	Kevin Kless	-3,290.16
Paycheck	07/21/2026	eft	Lora Scott	-3,889.31
Paycheck	07/21/2026	eft	Mary Jensen	-3,211.97
Paycheck	07/21/2026	eft	Michael E Bigley	-3,341.77
Paycheck	07/21/2026	eft	Molly Bond	-1,975.54
Paycheck	07/21/2026	eft	Morgan Allen	-3,480.40
Paycheck	07/21/2026	eft	Orion Syth	-3,080.05
Paycheck	07/21/2026	eft	Rachel Castor	-3,212.22
Paycheck	07/21/2026	eft	Sarah Evans	-2,684.29
Paycheck	07/21/2026	eft	Scout Gates	-615.35
Paycheck	07/21/2026	eft	Wendy Thompson	-2,105.59
Paycheck	07/21/2026	eft	Sidney Brown	-1,002.00
Paycheck	07/21/2026	eft	Skyler Kent	-643.32
Paycheck	07/21/2026	eft	Timothy E. Stouvenel	-1,427.76
Paycheck	07/21/2026	12083	Mark Webber	-3,446.70
Liability Check	07/21/2026	12084	Washington State Support Registry	-255.60
Liability Check	07/24/2026	eftps	United States Treasury	-30,455.58
Liability Check	07/24/2026	eft	Idaho State Tax Commission	-3,668.00
Check	07/24/2026	eft	PERSI	-32,335.73
Check	07/24/2026	eft	Empower	-4,995.26
Bill Pmt -Check	07/30/2026	eft	American Fidelity Assurance	-589.22
Bill Pmt -Check	07/30/2026	eft	Avista Utilities Commercial	-1,193.06
Bill Pmt -Check	07/30/2026	eft	Elias Mandela	-700.00
Bill Pmt -Check	07/30/2026	eft	Leaf	-294.85
Bill Pmt -Check	07/30/2026	eft	Regence Blue Shield of Idaho	-39,694.98
Bill Pmt -Check	07/30/2026	eft	State Insurance Fund	-4,025.00
Bill Pmt -Check	07/30/2026	eft	Verizon Wireless	-572.88
Bill Pmt -Check	07/30/2026	eft	Ziply Fiber (052410-5)	-180.66
Bill Pmt -Check	07/30/2026	12085	Insight Distributing, Inc.	-2,425.00
Bill Pmt -Check	07/30/2026	12086	Johnson Controls	-527.51
Bill Pmt -Check	07/30/2026	12087	Txtwire	-11.10
Bill Pmt -Check	07/30/2026	12088	Z Chemical of Washington	-2,317.72
Check	07/31/2026		Mountain West Bank	-12.00
Total Mountain West Bank				-356,341.86
TOTAL				-356,341.86

7:44 AM
08/12/26
Accrual Basis

Forrest M Bird Charter School
Credit Card Detail Report

July 2026

	Type	Date	Name	Memo	Amount
Jul 26					
	Credit Card Charge	07/01/2026	MetroFax	online fax service	99.50
	Credit Card Credit	07/03/2026	Amazon.com	admin supplies	-130.97
	Credit Card Charge	07/11/2026	Stamps.com	monthly postage fee	20.99
	Credit Card Charge	07/13/2026	Amazon.com	maint supplies	529.81
	Credit Card Credit	07/29/2026	Amazon.com	maint supplies	-66.97
	Credit Card Charge	07/31/2026	Flipped Math Store	SPED curriculum	350.00
Jul 26					<u>802.36</u>

Forrest M Bird Charter School Check Detail Report

Type	Date	Num	Name	Amount
Mountain West Bank				
Check	06/10/2026	eft	Mountain West Bank	-19,445.56
Bill Pmt -Check	06/15/2026	12039	DMV	-50.85
Bill Pmt -Check	06/15/2026	12040	Elias Mandela	-1,400.00
Bill Pmt -Check	06/15/2026	12041	Pointe Pest Control	-170.00
Bill Pmt -Check	06/15/2026	12042	Primepay, LLC	-95.67
Bill Pmt -Check	06/15/2026	12043	ProCare Therapy/VocoVision, LLC	-3,300.00
Bill Pmt -Check	06/15/2026	12044	Royal Business Systems, Inc (Spokane)	-52.70
Bill Pmt -Check	06/15/2026	12045	Sandpoint Super 1 Foods	-556.53
Bill Pmt -Check	06/15/2026	12046	Z Chemical of Washington	-915.16
Bill Pmt -Check	06/15/2026	12047	OETC	-25,925.00
Bill Pmt -Check	06/15/2026	eft	First Bankcard - 6058	-1,347.39
Bill Pmt -Check	06/15/2026	eft	First Bankcard - 7871	-2,007.03
Bill Pmt -Check	06/15/2026	12048	Txtwire	-10.00
Bill Pmt -Check	06/15/2026	eft	AFLAC	-512.74
Bill Pmt -Check	06/15/2026	eft	City of Sandpoint	-1,012.92
Bill Pmt -Check	06/15/2026	eft	Delta Dental	-1,911.54
Bill Pmt -Check	06/15/2026	eft	Fatbeam LLC	-262.50
Bill Pmt -Check	06/15/2026	eft	GreatAmerica Financial Svcs.	-372.31
Bill Pmt -Check	06/15/2026	eft	Harlows School Bus Service Inc. of MT	-36,269.77
Bill Pmt -Check	06/15/2026	eft	Solomon Enterprises, Inc.	-2,933.30
Bill Pmt -Check	06/15/2026	eft	Waste Management of Idaho	-1,256.20
Paycheck	06/18/2026	eft	Derek May	-5,693.99
Paycheck	06/18/2026	eft	Amber Williams	-5,514.70
Paycheck	06/18/2026	eft	Angela Evans	-1,980.13
Paycheck	06/18/2026	eft	Benjamin M Evans	-3,851.39
Paycheck	06/18/2026	eft	Blakey Wilkins	-3,595.68
Paycheck	06/18/2026	eft	Branden Lange	-3,945.02
Paycheck	06/18/2026	eft	Danika Jerald	-3,216.82
Paycheck	06/18/2026	eft	Deborah Eagley	-1,681.02
Paycheck	06/18/2026	eft	Greta M Warren	-3,511.31
Paycheck	06/18/2026	eft	Holland Walker	-3,970.11
Paycheck	06/18/2026	eft	Janenne Russell	-3,621.41
Paycheck	06/18/2026	eft	Kenda Russell	-4,506.10
Paycheck	06/18/2026	eft	Lora Scott	-3,889.32
Paycheck	06/18/2026	eft	Lyndsay Holland	-4,502.83
Paycheck	06/18/2026	eft	Mary Jensen	-4,743.93
Paycheck	06/18/2026	eft	Mary Mikell Zimmerman	-2,970.36
Paycheck	06/18/2026	eft	Orion Syth	-2,997.42
Paycheck	06/18/2026	eft	Rachel Askew	-3,818.96
Paycheck	06/18/2026	eft	Rachel Castor	-3,212.21
Paycheck	06/18/2026	eft	Sarah Evans	-2,684.28
Paycheck	06/18/2026	eft	Shainnie Wade	-3,244.21

Forrest M Bird Charter School Check Detail Report

Type	Date	Num	Name	Amount
Paycheck	06/18/2026	eft	Christine Burns	-994.98
Paycheck	06/18/2026	eft	Darryl Claunch	-3,379.37
Paycheck	06/18/2026	eft	David Lien	-3,957.66
Paycheck	06/18/2026	eft	Kevin Kless	-3,290.17
Paycheck	06/18/2026	eft	Michael E Bigley	-3,341.78
Paycheck	06/18/2026	eft	Molly Bond	-1,975.55
Paycheck	06/18/2026	eft	Morgan Allen	-3,480.41
Paycheck	06/18/2026	eft	Scout Gates	-1,953.01
Paycheck	06/18/2026	eft	Wendy Thompson	-2,105.60
Paycheck	06/18/2026	eft	Skyler Kent	-1,605.50
Paycheck	06/18/2026	eft	Brenda Morton	-1,883.72
Paycheck	06/18/2026	eft	Brittany Twomey	-545.09
Paycheck	06/18/2026	eft	Megan Herron	-3,391.44
Paycheck	06/18/2026	eft	Sidney Brown	-193.93
Paycheck	06/18/2026	eft	Skyler Kent	-1,272.91
Paycheck	06/18/2026	eft	Timothy E. Stouvenel	-1,341.65
Paycheck	06/18/2026	12050	Amanda Bailey	-387.87
Paycheck	06/18/2026	12051	Arleen Erland	-76.18
Paycheck	06/18/2026	12052	Gabriel Fahling	-60.03
Paycheck	06/18/2026	12053	Krista Webber	-1,911.04
Paycheck	06/18/2026	12054	Mark Webber	-3,521.39
Paycheck	06/18/2026	12055	William Krutz	-558.71
Paycheck	06/18/2026	12049	Alice Griffith	-1,454.51
Liability Check	06/18/2026	12056	Washington State Support Registry	-255.60
Check	06/23/2026	eft	Empower	-5,025.67
Check	06/23/2026	eft	PERSI	-35,946.44
Liability Check	06/24/2026	eftps	United States Treasury	-34,532.38
Liability Check	06/24/2026	eft	Idaho State Tax Commission	-4,069.00
Bill Pmt -Check	06/30/2026	eft	American Fidelity Assurance	-589.22
Bill Pmt -Check	06/30/2026	eft	Avista Utilities Commercial	-1,671.93
Bill Pmt -Check	06/30/2026	eft	Bonner County Daily Bee	-227.56
Bill Pmt -Check	06/30/2026	eft	Elias Mandela	-1,750.00
Bill Pmt -Check	06/30/2026	eft	Leaf	-294.85
Bill Pmt -Check	06/30/2026	eft	New York Life	-734.90
Bill Pmt -Check	06/30/2026	eft	Staples Business Credit	-1,790.12
Bill Pmt -Check	06/30/2026	eft	USAbile Life	-109.35
Bill Pmt -Check	06/30/2026	eft	Verizon Wireless	-353.05
Bill Pmt -Check	06/30/2026	eft	Ziply Fiber (052410-5)	-180.22
Bill Pmt -Check	06/30/2026	12057	Big Horn Service	-1,889.84
Bill Pmt -Check	06/30/2026	12058	DMV	-50.85
Bill Pmt -Check	06/30/2026	12059	Idaho State Board of Education	-7.44
Bill Pmt -Check	06/30/2026	12060	Intechtel Corporation	-2,906.42
Bill Pmt -Check	06/30/2026	12061	Sandpoint Super 1 Foods	0.00

Forrest M Bird Charter School Check Detail Report

Type	Date	Num	Name	Amount
Bill Pmt -Check	06/30/2026	12062	United Data Security, Inc.	-49.50
Bill Pmt -Check	06/30/2026	12063	Idaho Department of Education	-107.00
Check	06/30/2026		Mountain West Bank	-12.00
Total Mountain West Bank				-312,194.21
TOTAL				-312,194.21

Forrest M Bird Charter School
Credit Card Detail Report
June 2026

	Type	Date	Name	Memo	Amount
Jun 26					
	Credit Card Charge	06/01/2026	Chevron	fuel for school van	105.05
	Credit Card Charge	06/03/2026	Amazon.com	office supplies	73.98
	Credit Card Charge	06/03/2026	Amazon.com	PBL Supplies	32.94
	Credit Card Charge	06/03/2026	Amazon.com	classroom supplies	75.47
	Credit Card Charge	06/03/2026	Amazon.com	classroom supplies	104.90
	Credit Card Charge	06/03/2026	Amazon.com	office supplies	128.51
	Credit Card Charge	06/04/2026	Wal Mart	staff breakfast	124.16
	Credit Card Charge	06/06/2026	Yokes	flowers for graduation	51.36
	Credit Card Charge	06/08/2026	School Connect	curriculum subscription	450.00
	Credit Card Charge	06/08/2026	Amazon.com	washer/dryer	1,497.00
	Credit Card Charge	06/08/2026	Amazon.com	portable cart	499.98
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	33.73
	Credit Card Charge	06/08/2026	Amazon.com	market stands	1,159.14
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	33.50
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	1,496.11
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	40.58
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	209.98
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	135.80
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	92.97
	Credit Card Charge	06/08/2026	Amazon.com	48" freezer	1,709.99
	Credit Card Charge	06/08/2026	Amazon.com	teaching supplies	48.49
	Credit Card Charge	06/11/2026	Stamps.com	monthly postage fee	20.99
	Credit Card Credit	06/15/2026	Amazon.com	admin supplies	-48.49
	Credit Card Charge	06/17/2026	USPS	postage	10.48
	Credit Card Charge	06/17/2026	Tandoori Grill	maintenance staff lunch	140.04
	Credit Card Charge	06/18/2026	Amazon.com	office supplies	52.48
	Credit Card Charge	06/18/2026	Amazon.com	office supplies	6.81
	Credit Card Charge	06/18/2026	Amazon.com	office supplies	14.90
	Credit Card Charge	06/25/2026	Amazon.com	tech supplies	1,668.89
	Credit Card Charge	06/30/2026	Wal Mart	CTE supplies	15.94
Jun 26					<u><u>9,985.68</u></u>

MINUTE OF SILENCE

2253

At or near the beginning of each school day, all grade levels should observe at least 60 seconds of silence as required by Idaho Code. During this minute, students may sit quietly or engage in any silent activity permitted by school rules and Forrest M. Bird Charter School policy, provided the activity does not distract or interfere with other students. Engaging in noisy or disruptive activities during this time is prohibited and may result in disciplinary action.

Staff shall not direct students regarding the nature of any reflection the students may choose to engage in during this time.

Each year, FBCS shall provide notice to parents/ guardians informing them of the school observance of this minute of silence and directing parents/ guardians to provide guidance to their children regarding the minute of silence.

Legal References: I.C. § 33-1639 Moment of Silence in Public Schools

Cross Reference: Code 4175 Required Annual Notice

Policy History:

Adopted on:

Revised on:

Reviewed on:

STUDENTS

3295

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying

The Board of Directors is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyberbullying, or bullying by students or third parties is strictly prohibited and shall not be tolerated in the Charter School. This includes, but is not limited to, actions on school grounds, school property, school buses, at school bus stops, and at school-sponsored events and activities.

Any cyberbullying or other inappropriate online content or behavior, including but not limited to such that

1. Harms the reputations, dignity, or safety of any student or school employee; or
2. Contains obscene or discriminatory content directed at any public school employee, students, parent/ guardian of a student or volunteer,

shall qualify for investigation and possible discipline regardless of whether it occurred during or outside of school hours or using school property.

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is harmful to another student or the property of another student. The Board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for School personnel, and for the educational purpose underlying all School activities.

Investigation and Notification

Information on Forrest M. Bird's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to school personnel, parents, and students in the school and shall be included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

Investigation activities, as appropriate for each allegation or event, will be conducted by the school's personnel or designee.

Upon receipt of an allegation of inappropriate online behavior toward a public school employee or other person, the allegation shall be investigated to determine the veracity of reported claims and the parent/ guardian shall be notified about the report. If appropriate, the school shall notify law enforcement.

Discipline

Students whose behavior is found to be in violation of this policy will be subject to discipline and graduated consequences, up to and including expulsion consistent with the Board's policy on

student discipline. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Executive Director or Board.

Students or third parties may also be referred to law enforcement officials.

Notification

~~Information on the Charter School's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to School personnel, parents, and students in the School and included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.~~

Procedures

The Executive Director is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, rules for disciplining students who violate this policy, a process for mandatory reporting of serious incidents to parents/ guardians of alleged offenders and victims, and provisions to ensure notice of this policy is provided to students, teachers, and third parties.

Reporting

The Charter School shall annually report bullying incidents to, and in the manner and on the form provided by, the State Department of Education.

The Board shall review this policy annually and make the required disciplinary reports, where applicable to the appropriate governmental entities.

Cross References: § 3330 Student Discipline
 § 5265 Employee Responsibilities Regarding Student
 Harassment, Intimidation, and Bullying

<u>Code</u>	<u>Description</u>
<u>2335</u>	<u>Digital Citizenship and Safety Education</u>
<u>3085</u>	<u>Sexual Harassment, Discrimination, and Retaliation Policy</u>
<u>3085</u>	<u>Sexual Harassment, Discrimination, and Retaliation Policy</u>
<u>3085</u>	<u>Sexual Harassment, Discrimination, and Retaliation Policy</u>
<u>3260</u>	<u>Bring Your Own Technology Program</u>
<u>3260</u>	<u>Bring Your Own Technology Program</u>
<u>3281</u>	<u>Gender Identity and Sexual Orientation</u>
<u>3296</u>	<u>Bullying Awareness Week</u>
<u>3297</u>	<u>Names, Pronouns, and Titles</u>
<u>3330</u>	<u>Student Discipline</u>
<u>4175</u>	<u>Required Annual Notices</u>
<u>4300</u>	<u>Conduct on School Property</u>
<u>5265</u>	<u>Employee Responsibilities Regarding Student Harassment</u>
<u>8705</u>	<u>Generative Artificial Intelligence</u>

Legal References: 20 USC § 1681, *et seq.* Title IX of the Educational Amendments

 34 CFR Part 106 Nondiscrimination on the Basis of Sex in
 Education Programs or Activities Receiving
 Federal Financial Assistance

 I.C. § 18-917 Hazing

 I.C. § 18-917A Student Harassment – Intimidation – Bullying

 I.C. § 33-205 Denial of School Attendance

 I.C. § 33-512 Governance of Schools

 I.C. § 33-1630 Requirements for Harassment, Intimidation, and
 Bullying Information and Professional
 Development

 I.C. § 67-5909 Acts Prohibited

 IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: December 10, 2019

Revised on:
Reviewed on:

STUDENTS

3295P

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, and cyber bullying.

Definitions

1. "Third parties" include, but are not limited to, coaches, Charter School volunteers, parents, School visitors, service contractors or others engaged in School business, such as employees of businesses or organizations participating in cooperative work programs with the School and others not directly subject to School control at inter-school and intra-School athletic competitions or other School events.
2. "Charter School" includes School facilities, School property, buses (if applicable), electronic technology or electronic communication equipment on School computers, networks, or forums and non-School property if the student or employee is at any School-sponsored, School-approved or School-related activity or function, such as field trips or athletic events where students are under the control of the School or where the employee is engaged in School business.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any Charter School-sponsored activity or grade level attainment, such as forced consumption of any drink, alcoholic beverage, drug, or controlled substance; forced exposure to the elements; forced prolonged exclusion from social contact; sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.
4. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight.
5. "Harassment, intimidation, or bullying" means any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at the School, a student's opportunities or performance, that takes place on or immediately adjacent to School

grounds, School property, at any School-sponsored activity, on School-provided transportation or at any official School bus stop, and that has the effect of:

- A. Harming a student or damaging a student's property;
- B. Knowingly placing a student in reasonable fear of harm to the student or damage to the student's property; or
- C. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or hostile educational environment.

6. "Cyber bullying," which for purposes of this definition includes "inappropriate online behavior." It also includes, but is not limited to the following misuses of technology: posting or sharing content to harassing, teasing, intimidating, threatening, or terrorizing or engage in any other behavior that harms the reputation, dignity, or safety of another person. This includes sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, text messages, digital pictures or images or website postings, regardless of whether this is done through personal devices and networks through a Charter School's device or network. Any such behavior that is brought to the attention of School officials shall be referred for investigation. The Administration shall, at their discretion, contact local law enforcement, by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs through the Charter School's computer network and the internet, whether accessed on-campus or off-campus, during or after School hours or through any private electronic device done when the student is present at School. In the situation that cyber bullying originated from a non-School computer, but has been brought to the attention of School officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonably expected to materially and substantially interfere with or disrupt educational environment of the School or impinge on the rights of other students at School and/or in violation of School policy or state law. The Administration shall, at their discretion, contact local law enforcement.

7. "Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, gender identity and expression, or sexual orientation.

Retaliation/False Charges

Retaliation against any person who reports or is thought to have reported, filed a complaint, or otherwise participated in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyber bullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. When an act of alleged inappropriate online behavior is received, the parent/ guardian of students involved will receive notice of the report. When incidents reach the level of suspension or more serious disciplinary action for any student involved, the School will notify parents/ guardians of the offenders and victims that their student was involved in an incident of harassment, hazing, intimidation, bullying, or cyberbullying. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with in a manner that allows for as much confidentiality as can be provided while at the same time allowing for a thorough and appropriate investigation and report, where appropriate. Depending upon the circumstances, law enforcement may be notified. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with allowing for as much confidentiality as can be provided while, at the same time, allowing for a thorough and appropriate investigation and reporting, where appropriate.

Policy Distribution

Information about this policy must be distributed to the Charter School community annually, including to parents, students, and all School personnel. Information about the School's policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

The building principal and the Executive Director have responsibility for investigations concerning hazing, harassment, intimidation, bullying, and/or cyber-bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels ~~he or she~~they have been a victim of hazing, harassment, intimidation, or cyber-bullying, in violation of this policy shall immediately report ~~his or her~~their concerns.

All complaints will be promptly investigated in accordance with the following procedures:

- Step I: —Any hazing, harassment, intimidation, bullying, or cyber-bullying information (complaints, rumors, etc.) shall be presented to the building principal or Executive Director. Complaints against the building principal shall be filed with the Executive Director. Complaints against the Executive Director shall be filed with the Board Chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step II: The School official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The School official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an

opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The School official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Executive Director or their designee.

Step III: If the complainant is not satisfied with the decision at Step II, ~~he or she~~they may submit a written appeal to the Executive Director or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The Executive Director or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Executive Director or designee shall provide a written decision to the complainant's appeal within ten working days.

Step IV: If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within ten working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the School's administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within ten working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, or cyber-bullying, complaints and documentation will be maintained as a confidential file in the Charter School Office and reported as required by the State Department of Education.

Legal References

20 USC §§ 1681 - 1682

34 CFR Part 106

IC § 18-917

Description

Title IX of the Education Amendments of 1972

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Assault And Battery - Hazing

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<u>IC § 18-917A</u>	Student Harassment — Intimidation — Bullying	Formatted: Font: 12 pt
<u>IC § 33-1631</u>	Requirements for Harassment, Intimidation and Bullying	Formatted: Font: 12 pt
	Information and Professional Development	
<u>IC § 33-205</u>	Denial of School Attendance	Formatted: Font: 12 pt
<u>IC § 33-512</u>	Governance of Schools	Formatted: Font: 12 pt
<u>IC § 67-5909</u>	Commission on Human Rights - Acts Prohibited	Formatted: Font: 12 pt
<u>IDAPA 08.02.03.160</u>	Safe Environment and Discipline	Formatted: Font: 12 pt
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<u>Cross References</u>		Formatted: Font: Times New Roman, 12 pt

<u>Code</u>	<u>Description</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>2335</u>	<u>Digital Citizenship and Safety Education</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>3085</u>	<u>Sexual Harassment, Discrimination, and Retaliation Policy</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
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<u>3260</u>	<u>Bring Your Own Technology Program</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
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<u>3296</u>	<u>Bullying Awareness Week</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>3297</u>	<u>Names, Pronouns, and Titles</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>3330</u>	<u>Student Discipline</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>4175</u>	<u>Required Annual Notices</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>4300</u>	<u>Conduct on School Property</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>5265</u>	<u>Employee Responsibilities Regarding Student Harassment</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt
<u>8705</u>	<u>Generative Artificial Intelligence</u>	<u>Formatted:</u> Font: Times New Roman, 12 pt

Procedure History:

Promulgated on: December 10, 2019

Revised on:

Reviewed on:

STUDENTS

3330

Student Discipline

Disciplinary action may be taken against any student guilty of disobedience or misconduct, including, but not limited to:

1. Habitual truancy;
2. Incurability;
3. Academic dishonesty;
4. Conduct continuously disruptive of School discipline or of the instructional effectiveness of the Charter School;
5. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils;
6. Using, possessing, distributing, purchasing, or selling tobacco products;
7. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend School functions and shall be treated as though they had alcohol in their possession;
8. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who are under the influence are not permitted to attend School functions and shall be treated as though they had drugs in their possession;
9. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy;
10. Using, possessing, controlling, or transferring a weapon in violation of Policy 3331. ~~the~~ "Possession of Weapons in a School Building" section of this policy;
11. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
12. Disobeying directives from staff members or School officials and/or rules and regulations governing student conduct;
13. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;

14. Causing or attempting to cause damage to, or stealing or attempting to steal, School property or another person's property;
15. Engaging in any activity that constitutes disorderly conduct, or an interference with School purposes or an educational function or which is disruptive to the educational environment;
16. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
17. Hazing – For purposes of this policy, the term “hazing” shall have the meaning ~~set forth~~ outlined in Idaho Code;
18. Initiations;
19. The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the School;
20. Harassment, intimidation, ~~cyber-bullying~~ cyberbullying, inappropriate online behavior or bullying as defined in Idaho Code and Charter School policy.

These grounds for disciplinary action apply whenever the student's conduct is reasonably related to School or School activities, including, but not limited to:

1. On, or within sight of, School grounds before, during, or after School hours or at any other time when the School is being used by a School group;
2. Off School grounds at a School-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school
3. Traveling to and from the School or a School activity, function, or event; or
4. Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with the education environment. The school's prohibitions of cyberbullying and inappropriate online behavior include, but are not limited to, online behavior that contains obscene or discriminatory content against an employee, student, or other person or that harms the reputation, dignity, or safety of a public-school employee or other person and apply to conduct regardless of whether it occurs on or off school property, networks or devices.

Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

1. Expulsion;
2. Suspension;
3. Detention, including Saturdays;
4. Clean-up duty;

5. Loss of student privileges;
6. Loss of bus privileges (if applicable);
7. Notification to juvenile authorities and/or police;
8. Temporary removal from the classroom;
9. Meeting with the student and the student's parents; and
10. Restitution for damages to School property.

No person who is employed or engaged by the School may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and School personnel are permitted to use, reasonable force as needed to maintain safety for other students, School personnel, or other persons, or for the purpose of self-defense.

Alternative Disciplinary Measure

Alternative disciplinary action is discipline other than traditional suspension or expulsion from School that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or School, or restorative School practices to repair the harm done to relationships and persons from the student's misbehavior.

Alternative discipline includes, but is not limited to:

1. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
2. Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
3. Counseling;
4. Anger management;
5. Health counseling or intervention;
6. Mental health counseling;
7. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
8. Diversion or use of juvenile specialty courts;
9. Behavioral management plan;
10. Corrective instruction or other relevant learning or service experience;
11. Community service; and
12. In-School detention or suspension which may take place during lunchtime, after school, or on weekends; and
13. An online behavior awareness program.

Consequences for Harassment, Intimidation, and Bullying

Students engaging in harassment, intimidation, or bullying will be subject to graduated consequences appropriate to the severity of the violation as determined by the Board, School administrators, or designated personnel depending upon the level of discipline. Graduated consequences for bullying may include any of the above listed traditional or alternative disciplinary measures or a combination thereof in accordance with the nature of the behavior, the

developmental age of the student, and the student's history of problem behaviors and performance. However, depending upon the nature of the act, the School reserves the right to deviate from the process of graduated consequences to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings. School personnel may also report the student's conduct to the appropriate law enforcement officials. When incidents of harassment, intimidation, and bullying have reached the level of school suspension or more serious disciplinary action, the school shall notify the parents/guardians of the alleged victim and offender in a manner that complies to all applicable privacy laws.

Disciplining Students on Individual Education or Section 504 Plans

The School shall comply with the procedural safeguards enumerated in State and federal law and rule when disciplining students with individualized education plans or 504 plans.

Gun-Free Schools

~~A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, shall be expelled for a definite period of time of at least one calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.~~

~~If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.~~

~~Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.~~

Possession of a Weapon on School Property — Misdemeanor

~~No person shall possess a firearm or other deadly or dangerous weapon while on School property or in those portions of any building, stadium, or other structure on School grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding School provided transportation. This also applies to students of the School while attending or participating in any School sponsored activity, program, or event regardless of location.~~

~~As used in this section of this Policy only:-~~

- ~~1. "Deadly or dangerous weapon" means any weapon as defined in United States Code; and~~
- ~~2. "Firearm" means any firearm as defined in United States Code.~~

~~Any person who possesses, carries, or stores a weapon in a School building or on School property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the Charter School.~~

~~The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a School building. All persons who wish to possess, carry, or store a weapon in a School building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a School building.~~

~~This section of this policy does not apply to:~~

- ~~1. Law enforcement personnel;~~
- ~~2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, nonthreatening manner;~~
- ~~3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or School employees to and from the School or a School activity; or~~
- ~~4. An employee of the School or other person who is authorized to carry a firearm with the permission of the Board of Directors.~~

Delegation of Authority

Each teacher, and any other School personnel when students are under his or her charge, is authorized to impose any disciplinary measure (other than suspension, expulsion, corporal punishment, or in-School suspension) which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

Nondiscrimination

The School will ensure that student discipline is enforced in a nondiscriminatory manner to avoid subjecting similarly situated students to different treatment without a legitimate reason for doing so, or when such a reason is merely a pretext for discrimination. Such discrimination, which the School will endeavor to avoid, includes the following:

1. Adopting discipline rules which treat students differently based on race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical or mental handicap or disability, economic or social conditions, or actual or potential marital or parental status, or status as a homeless child;

2. Adopting any rule with the intention of targeting students based on the personal characteristics listed above, rather than for a legitimate purpose, regardless of whether the phrasing of the rule appears neutral with regard to students' personal characteristics;
3. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
4. Discipline of any student when it is motivated by intentional discrimination.

Notification

A summarized version of this policy shall be provided in writing at the beginning of each school year to the School personnel, parents, and students in the Charter School. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

Cross References:	§ 3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	§ 3340	Corrective Actions and Punishment
	§ 4320	Disruption of School Operations
Legal References:	18 U.S.C. § 921	Definitions
	18 U.S.C. § 930	Possession of Firearms and Dangerous Weapons in Federal Facilities
	20 U.S.C. § 7961	Gun-free requirements
	20 U.S.C. § 8921, <i>et seq.</i>	Gun Free Schools Act
	29 U.S.C. § 701	Rehabilitation Act of 1973
	I.C. § 33-205	Denial of School attendance
	I.C. § 18-917	Hazing
	I.C. § 18-917A	Student Harassment – Intimidation- Bullying
	I.C. § 18-3302D	Possession Weapons or Firearms on School Property
	I.C. § 18-3302I	Threatening Violence on School Grounds
	I.C. § 33-1224	Powers and duties of teachers
	I.C. § 33-1630	Requirements for Harassment, Intimidation, and Bullying Information and Professional Development
	IDAPA 08.02.03.109.05	Special Education
	IDAPA 08.02.03.160	Safe Environment and Discipline
Other Reference:	Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline	

Policy History:

Adopted on: December 10, 2019

Revised on:

Reviewed on:

WEAPONS AT SCHOOL

3331

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, shall be expelled for a definite period of time of at least one calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.

Possession of a Weapon on School Property – Misdemeanor

No person shall possess a firearm or other deadly or dangerous weapon while on School property or in those portions of any building, stadium, or other structure on School grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding School provided transportation. This also applies to students of the School while attending or participating in any School sponsored activity, program, or event regardless of location.

As used in this section of this Policy only:

1. "Deadly or dangerous weapon" means any weapon as defined in United States Code. This term does not include a pocket knife with a blade of less than 2 ½ inches in length, and
2. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a School building or on School property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the Charter School.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a School building. All persons who wish to possess, carry, or store a weapon in a School building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a School building.

This section of this policy does not apply to:

1. Law enforcement personnel;
2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, nonthreatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or School employees to and from the School or a School activity; or
4. An employee of the School or other person who is authorized to carry a firearm with the permission of the Board of Directors.

Legal References:

18 USC § 921	Firearms - Definitions
18 USC § 930	Possession of Firearms and Dangerous Weapons in Federal Facilities
20 USC § 7961	Gun-Free Requirements
29 USC § 701, et seq.	Section 504 of the Rehabilitation Act of 1973
IC § 18-3302D	Possessing Weapons or Firearms on School Property
IC § 18-3302I	Threatening Violence on School Grounds
IC § 18-917	Assault And Battery - Hazing
IC § 33-205	Denial of School Attendance
IDAPA 08.02.03.109.05	Special Education
IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Forrest M. Bird Charter School

STUDENTS

3500

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, Forrest M. Bird Charter School (FBCS) shall notify parent/guardians of health services offered or made available through the school or by private organizations partnering with FBCS that offer services on FBCS property or as a part of a FBCS 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 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 FBCS'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.

The School will not furnish health care services or solicit to furnish health care services to a student without parent/guardian consent to do so or by court order, except for non-emergency first aid, unless a medical emergency exists and ~~In general, the Charter School will not conduct a physical examination 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.~~

1. Furnishing the health care service is necessary to prevent death or address a serious bodily harm to the minor child ~~imminent, irreparable physical injury;~~ or
2. The health care provider can't contact the parent/guardian despite a reasonably diligent effort and the minor child's life or health would be seriously endangered by further delay in the furnishing of health care services ~~health care service is furnished to prevent loss of life or serious physical illness or injury to the minor child.~~

Nonemergency first aid includes dressing minor wounds, applying topical agents, providing fluids, or ice, and performing checks to identify minor illnesses.

Parents/guardians may be given the option to provide blanket consent to the School furnishing health care services or soliciting to furnish health care services to a student.

If a parent/guardian declines to consent to a health care service for their student, the staff member responsible for seeking such consent shall document their efforts to contact the parent/guardian to obtain their consent and shall also document the parent/guardian's refusal of such consent or failure to respond. If such health service was offered because the student is suspected of having a health problem, the parent/guardian will be notified of this suspicion according to Procedure 2425P Parent Rights — Parent/Guardian Notification of Changes in Student Health and Well-being. 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 FBCS is conducted which is:

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

All parents will be notified of the requirements of the FBCS'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. Testing for Sexually Transmitted Infections

If the Charter School provides testing for sexually transmitted infections, the School shall also provide information explaining current adoption practices and where to find resources and support in the State of Idaho.

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.

Legal References	Description
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20 USC § 1232h(b) Protection of Pupil Rights - Limits on Survey, Analysis, or Evaluations
IC § 18-8701, et seq. No Public Funds for Abortion Act
IC § 32-1015 Parental Rights in Medical Decision-Making
IC § 33-142 Adoption Education
IC § 33-6001 Parental Rights
IDAPA 08.02.03.160 Safe Environment and Discipline
20 USC § 1232h(b) Protection of Pupil Rights - Limits on Survey, Analysis, or Evaluations
IC § 18-8701, et seq. No Public Funds for Abortion Act
IC § 32-1015 Parental Rights in Medical Decision-Making
IC § 33-142 Adoption Education
IC § 33-6001 Parental Rights
IDAPA 08.02.03.160 Safe Environment and Discipline

Cross References

Code	Description
<u>2140</u>	<u>Student and Family Privacy Rights</u>
<u>2140</u>	<u>Student and Family Privacy Rights</u>
<u>2425</u>	<u>Parental Rights</u>
<u>2425</u>	<u>Parental Rights</u>
<u>2425</u>	<u>Parental Rights</u>
<u>3516</u>	<u>School-Provided Epinephrine</u>
<u>3523</u>	<u>Head Lice (Pediculosis)</u>
<u>3540</u>	<u>Emergency Treatment</u>
<u>4175</u>	<u>Required Annual Notices</u>
2140	Student and Family Privacy Rights
2140	Student and Family Privacy Rights
2425	Parental Rights
2425	Parental Rights
2425	Parental Rights
3523	Head Lice (Pediculosis)
3540	Emergency Treatment
4175	Required Annual Notices

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Policy History:

Adopted on: December 10, 2019

Revised on: August 22, 2023; August 20, 2024

Reviewed on:

Blanket Consent Form for Health Care Services for Minor Children

**Providing blanket consent is optional and
may, instead, be given on a case-by-case
basis.**

[Note: This title must be in bold, 30-point font and the sub-header must be in bold, 24-point font.]

Dear parent or guardian,

The purpose of this form and the attached copy of the Forrest M. Bird Charter School's policy on Student Health/Physical Screenings/Examinations is to provide notice of all health services offered or made available through the School by the Charter School or by any private organizations and to provide notice of the policy on physical examinations and screening of students and to obtain parent/guardian consent for these services.

FBCS will provide, under reasonable circumstances, nonemergency first aid services to a child appearing or representing to be sick or injured, such as dressing minor wounds, applying topical agents, providing fluids or ice, and performing checks to identify minor illnesses.

The Charter School may also provide health care services without parent/guardian consent if School staff reasonably determines that a medical emergency exists and:

1. Furnishing the health care service is necessary to prevent death or address a serious bodily harm to the minor child ; or
2. School staff can't contact the parent/guardian despite a reasonably diligent effort and the health care service is furnished to prevent loss of life or serious physical illness or injury to the minor child .

The School will provide the following additional health services or examinations which can only be provided with parental permission or in the event of an emergency as described above:

Health Service or Exam		Initial to Indicate Permission to Conduct the Health Service or Exam
Preventative health and wellness services and screenings as described in Policy 3500		
Administering or assisting with the administration of medication as described in Policy 3510		
Emergency care as described in Policy 3540		
Appropriate management of all health conditions with parental consent		
Any health services the Charter School deems appropriate		

Parent Emergency Contact Information

Parent 1: Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

Parent 2: Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

Please select one of the following options:

_____ I hereby designate the following emergency contact for my child and grant them authority to consent to health care services provided by the school in the absence of the School's ability to reach me.

Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

_____ I do NOT wish to designate an emergency contact to consent to health care services provided by the school in the absence of the School's ability to reach me.

Student Name

Parent Signature

Date

Parent Name

STUDENTS

3515P

Food Allergy Management

Medical Plans of Care

There are several written documents individualized for a particular student with a severe or life-threatening food allergy which may be used to address the student's needs throughout the school day. These may be developed with input from a core team, which may include the student (if appropriate), the student's parent/guardian, the principal or ~~his or her~~ their designee, the student's teacher, the School nurse, the cafeteria manager, the counselor, transportation staff, coaches, and other personnel deemed necessary to make decisions about food allergies. Medical plans of care may include the:

Emergency Care Plan: A medical plan of care distributed to all School personnel who have responsibilities for the care of the student. This plan specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed. In the event the student reports exposure to a food allergen or shows symptoms of anaphylaxis, ~~he or she~~ they may be treated according to the Emergency Care Plan. This plan may be developed from information provided by the student's physician and parent/guardian prior to the student's entry to school, or immediately after the student is diagnosed with a severe allergy. Similar plans may also be developed for staff members with severe allergies.

Individualized Healthcare Plan: A medical plan of care that may be developed by the School nurse in collaboration with the student's health care provider and core team to provide written direction for School personnel to follow in accommodating the student's needs throughout the day. It may address student conduct as well as ~~and~~ use of allergen-containing products in the classroom, the cafeteria, the library, at recess, on field trips, during extracurricular activities, and in other environments the student will face during the school day or during Charter School-sponsored activities. The plan may describe functional problem areas, set goals for overcoming problems, list tasks or interventions to meet the goals, and identify staff members responsible for implementing the plan. This plan may be developed prior to the student's entry to School or immediately after the student is diagnosed with a severe or life-threatening allergy. Input from the core team may be sought before changes are made to this plan. Similar plans may also be developed for staff members with severe allergies.

If a student's severe or life-threatening allergy is determined to be a disability, it may also be addressed in a Section 504 Service Agreement and/or in the Related Services Component of their Individualized Education Program (IEP).

A complete set of a student's current medical plans of care related to food allergies may be maintained by the School nurse. The Executive Director or building principal may also require that copies of the Emergency Care Plan be kept in other places where they may be needed.

The School nurse may provide information or copies of the different components of a student's medical plans of care to appropriate personnel, including teachers, cafeteria staff, Charter School staff supervising School-sponsored extracurricular activities, and others who may be involved in the implementation of the medical plans of care. Such information may be provided to substitute teachers along with contact information for the School nurse.

Students with Disabling Special Dietary Needs

When a student's food allergy is identified, evaluated, and determined to be a disabling condition, the School shall make appropriate accommodations, substitutions, or modifications for such students in accordance with the applicable policies relating to students with disabilities.

In such cases, the student may be required to have a written medical statement signed by a licensed physician to be included with the student's Individualized Healthcare Plan. The medical statement may identify:

1. The student's dietary disability;
2. An explanation of why the disability restricts the student's diet;
3. The major life activity(ies) affected by the disability;
4. The food(s) to be omitted from the student's diet; and
5. The food or choice of foods that must be provided as the substitute.

Students with Non-Disabling Special Dietary Needs

The Charter School may, at its discretion, make appropriate accommodations, substitutions, or modifications for students who have a special dietary need but whose needs do ~~do not~~ meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision may be required to have a written medical statement signed by a physician, physician assistant, or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet;
2. The food(s) to be omitted from the student's diet; and
3. The food or choice of foods to be substituted.

Allergy Inservice Training

The Charter School may provide periodic training to teachers, aides, volunteers, substitutes, food service personnel, transportation personnel, and others as needed on any of the following topics:

1. Basic information such as signs, symptoms, and risks associated with food allergy and anaphylaxis;
2. Awareness of food and non-food items that might present risk;

3. Strategies that reduce risk of exposure to identified allergens throughout the school day;
4. Designation and maintenance of allergen-free zones;
5. Basic food handling procedures, including hand washing, avoiding cross-contamination, and cleaning surfaces;
6. School policies, procedures, and plans for managing students with chronic health conditions including allergies;
7. How to respond in the case of a possible severe or life-threatening allergic reaction;
8. Local emergency medical service providers;
9. Proper storage and administration of epinephrine delivery systems~~auto-injectors~~, antihistamines, and other medications;
10. Strategies to manage student privacy and confidentiality while maintaining an inclusive class environment; and
11. How to deal with food allergy-related bullying.

Epinephrine and Other Medications

Students with severe allergies may be permitted to carry an epinephrine delivery system~~auto-injector~~ with them, in accordance with Policy 3510. A student's epinephrine may also be kept in other locations where it would be easily accessible for the student, such as in their classroom, with a School employee supervising lunch or recess periods, or on their bus. Locations for storage will follow the manufacturer's guidelines. Staff may be notified of the locations of epinephrine in the School. The Executive Director or building principal may require that whenever students are present at a School, at least one person who has been trained to administer an epinephrine delivery system~~auto-injector~~ also be present.

Any student who receives epinephrine at School must be immediately transported to a hospital for evaluation by a licensed healthcare provider and further observation or must be immediately released into the care and custody of their parent(s)/guardian(s).

The Cafeteria

The Executive Director or building principal may require that cafeteria staff take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Prohibit specific foods;
2. Clean and sanitize kitchen surfaces and equipment to avoid cross contamination with potential food allergens;
3. Wear non-latex gloves, and change or wash gloved hands during extended use to avoid cross-contamination with potential food allergens;
4. Have photos of students with severe or life-threatening allergies placed in the kitchen, only for kitchen staff to view;
5. Make appropriate substitutions or modifications to meals served to students with serious allergies;
6. Be prepared to make food ingredient lists used in food production and service available. Maintain food labels from each food served to a child with allergies for at least 24 hours following service in case the student has a reaction from a food eaten in the cafeteria; and

7. With parental approval, set up cafeteria procedures such as entering a student's allergy into a computerized database. Such information would remain confidential and be shared on a need-to-know basis in compliance with federal privacy regulations.

Allergies and the Classroom

The School nurse, teacher, and parents/ guardians of any children with severe or life-threatening allergies, may collaborate to set a classroom protocol regarding the management of food in the classroom. This protocol will be communicated by the teacher to the students and parents of the affected class, and may include any of the following accommodations:

1. Parents of students with severe or life-threatening allergies may provide allergen-free snacks to be kept in the classroom and given to the student when treats are served in the classroom;
2. Students, parents, and staff may be prohibited from bringing homemade treats or specified foods for in-class consumption. Only commercially prepared treats with intact ingredient labels may be allowed in class;
3. Teachers may notify parents in writing of any School related activity that requires the use of food in advance of the project or activity;
4. Use of food for instructional lessons may be limited or eliminated;
5. Use of food or candy as part of a School project related to the curriculum may be prohibited; and
6. Allergen-containing foods may be prohibited in classrooms during after-school activities when that classroom will be used by a student with a known food allergy during the school day.

The Executive Director or building principal may require teachers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Post signs indicating rules for preventing exposure to life-threatening allergens in the classroom and ensure that these rules are enforced;
2. Eliminate the use of food allergens in the allergic student's educational tools, School-provided supplies, and incentives;
3. Participate in planning students' re-entry into school after an anaphylactic reaction; and
4. Send notices to parents of students in the classroom that the classroom is a free-zone to be kept free of the ~~with regard to~~ a specified food.

Teachers may be required to develop and implement age-appropriate lessons on allergies for such subjects as health, family and consumer sciences, biology, and physical education. Such lessons may emphasize:

1. Support for, and inclusion of, classmates with chronic health conditions, such as food allergies;
2. Bullying prevention, including reporting harassment, hazing, and bullying to School personnel;
3. Knowledge of potential allergens and the symptoms of a potentially life-threatening reaction;
4. Differences between life-threatening allergies and food intolerances;
5. Appropriate response to emergency situations such as life-threatening allergic reactions;
6. Developmentally-appropriate self-management of food allergies; and
7. The importance of following School health policies and guidelines, such as those regarding hand washing, food-sharing, and allergen safe zones.

Transportation

The School bus drivers may be informed when they are transporting a student with a life-threatening allergy. The Executive Director or building principal may require bus drivers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Strictly enforce a policy of no eating on the bus. Students with medically documented needs may be permitted to eat allergen-safe foods on the bus;
2. Refrain from handing out food treats; and
3. Assign seats to students, and/or seat students with life-threatening allergies immediately behind and to the right side of the bus driver.

The Executive Director or building principal may require the transportation department to send letters to parents of all students who use School transportation informing them that at least one student at the School has a life-threatening allergy, requesting that their child wash their face and hands after breakfast and before boarding the bus, and informing them of rules prohibiting students from eating on the bus.

Field Trips

The Executive Director or building principal may require that those organizing field trips take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Take into consideration the potential for exposure to the student's food allergens when determining sites for field trips, and consider ways of avoiding allergen exposure during the field trip;
2. Notify parents of students with severe or life-threatening allergies and the School nurse as soon as possible of any upcoming field trip;
3. Allow parents of students with severe or life-threatening allergies to accompany the student on field trips;
4. Store meals for students with food allergies separately to minimize cross-contamination;
5. Ensure that students do not eat on the bus;
6. Prepare ways for participants to wash hands before and after eating, such as with hand

- wipes;
7. Appoint a School employee attending the field trip to implement any student's Emergency Care Plan if necessary, and bring all supplies necessary to do so; and
 8. Note the location of closest medical facility ahead of time.

Other Accommodations

The Executive Director or building principal or the designee may require that any of following steps be implemented to accommodate students with severe or life-threatening allergies:

1. Prohibit food and utensil trading and sharing, and post signs in Schools informing students that they are expected to neither trade nor share food or utensils;
2. Designate particular tables in the cafeteria, particular classrooms, areas within classrooms, or other areas as allergen-free zones. These zones may be designated by a universal symbol, and be cleaned with a separate wash bucket and cloth with Charter School-approved cleaning agents;
3. Post signs at points of entry to each School and/or on the School website advising that there are students with life-threatening allergies. Such signs may not disclose the identity of the student with the food allergy unless theirhis or her parent has consented to that disclosure;
4. If at least one student attending the School has a known life-threatening allergy, have letters sent to all parents of children attending the School notifying them of the severity of the health threat, signs and symptoms to be aware of, and a concise list of foods and materials of concern and School policy regarding them. This will be done in a way that protects the confidentiality of the student with the life-threatening allergy. If other students or parents may be able to guess or deduce which student has the life-threatening allergy, approval of the student's parent may be sought before the letter is sent;
5. Hold Emergency Care Plan drills to assure the efficiency and effectiveness of such plans;
6. Ensure that there is at least one functioning emergency communication device, such as a walkie-talkie or cell phone, available at all times in classrooms, on field trips, at recess, during physical education class, at School-sponsored extracurricular activities, and/or on School buses (if applicable);
7. Develop a cleaning protocol to ensure the threat of allergens is minimized;
8. Prohibit the sale of particular food items in the School; and
9. Request that students refrain from bringing foods to which a student is known to have a severe or life-threatening allergy to School, and request that parents refrain from sending such foods to School. A Executive Director or building principal may completely prohibit particular food items from the School or School grounds when it is felt that the benefits of doing so would outweigh the difficulty of enforcing such a ban and the controversy such a measure is likely to

provoke.

Confidentiality

The Charter School will endeavor to maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. School staff shall maintain the confidentiality of student records as required by law, regulations, and Board policy.

Expectations of Students with Severe or Life-Threatening Allergies and their Parents

The Board expects students with life-threatening allergies to do the following, as age appropriate:

1. Take as much responsibility as possible for avoiding allergens, including refraining from sharing or trading of foods or eating utensils with others, refraining from eating anything with unknown ingredients or a known allergen; avoid putting anything in mouth, such as writing utensils, fingers, or other foreign objects;
2. Use proper hand washing before and after eating and throughout the School day;
3. Learn to recognize personal symptoms;
4. Notify an adult immediately if they eat something they believe may contain a food to which they are allergic;
5. Notify an adult if they are being bullied, harassed, hazed, or threatened by other students as it relates to their food allergy;
6. Carry their epinephrine ~~delivery system~~ auto-injector with them at all times if they are permitted to do so, or know where the ~~delivery system~~ auto-injector is kept and who has access to it;
7. Know how to get to the nurse's office;
8. Develop an awareness of their environment and their allergen-free zones; and
9. Know their overall Individual Healthcare Plan and understand the responsibilities of the plan.

The Board encourages parents of students with serious allergies to do the following:

1. As age appropriate, teach their child to:
 - A. Not share snacks, lunches, drinks, or utensils;
 - B. Know which foods are and are not safe for them to eat, and to read labels, and understand ingredient safety;
 - C. Understand the importance of hand washing before and after eating;
 - D. Recognize the first symptoms of an allergic or anaphylactic reaction;

- E. Communicate with School staff as soon as ~~they~~^{he or she} feels a reaction is starting;
 - F. Understand rules and expectations about bullying related to food allergies, and report such teasing and/or bullying;
 - G. Carry ~~their~~^{his or her} own epinephrine ~~delivery system~~^{auto-injector} when appropriate, or know where the epinephrine ~~delivery system~~^{auto-injector} is kept and who has access to it;
 - H. Administer ~~their~~^{his or her} own epinephrine auto-injector and be able to train others in its use; and
 - I. Develop awareness of their environments, including allergy-controlled zones.
2. Inform the School nurse of their child's allergies prior to the opening of school, or as soon as possible after diagnosis. All food allergies must be verified by documentation from physician, nurse practitioner, or physician assistant;
 3. Work with the core team collaboratively to develop the Individualized Healthcare Plan, and provide an Emergency Care Plan completed by the student's physician;
 4. Complete and submit all requested and required forms. Provide the School with current their cell phone number, pager, and other emergency contact numbers;
 5. Allow School health personnel to consult with the student's physician or healthcare provider, and provide current contact information for the healthcare provider;
 6. Provide the School nurse with up-to-date emergency medications so they can be placed in all required locations for the current school year. Parents may be requested to provide two or more epinephrine ~~delivery systems~~^{auto-injectors}. Medications provided must meet the requirements of the School medication policy of proper labeling and expiration;
 7. Consider providing a medical alert bracelet for their child;
 8. If requested, provide "safe snacks" for their student's classroom in case of an unplanned special event. Parents may also be asked to provide a nonperishable safe lunch to be kept at School in case the student forgets to bring lunch;
 9. Review policies, procedures, and plans with the core team annually and following any allergic reaction at School; and
 10. Provide the School nurse with at least annual updates on their child's allergy status. Inform the School of any changes in the child's life-threatening allergy status and provide a physician's statement if the student no longer has food allergies.

Procedure History:

Promulgated on: December 10, 2019

Revised on:

Reviewed on:

STUDENTS

3540

Emergency Treatment

The Board recognizes that Forrest M. Bird Charter School is responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent/guardian.

Each parent/guardian must provide an emergency telephone number where they can be reached and their designated emergency contact can be reached. FBCS recommends that parents/guardians regularly check and update the emergency contact information they've provided to FBCS. They must also provide a completed form 3500F ~~Form 3500F~~ indicating student health services to which they consent. If a student does not have a completed form 3500F ~~Form 3500F~~, the School shall presume there is no consent to provide any healthcare services, other than nonemergency first aid, such as dressing minor wounds, applying topical agents, providing fluids or ice, and performing checks to identify minor illnesses

The School may provide emergency treatment to the student ~~child~~ if:

1. The parent/guardian already consented to such treatment via Form 3500F or some other means; or
2. School staff reasonably determines that a medical emergency exists and:
 - A. Furnishing the health care service is necessary to prevent death or bodily harm to the minor child ~~imminent, irreparable physical injury~~; or
 - B. School staff can't contact the parent/guardian despite a reasonably diligent effort and the student's life or health would be seriously endangered by further delay in the furnishing of health care services; health care service is furnished to prevent the loss of life or serious physical illness or injury to the minor student.

When a student is injured or ill, the principal or designated staff member should immediately contact the parent/guardian so that the parent can arrange for care or treatment of the injured student and consent to providing treatment to the student ~~child~~ if they have not already done so.

If a student ~~child~~ develops symptoms of illness while at Forrest M. Bird Charter School (FBCS), the responsible FBCS officials shall do the following:

1. Isolate the student ~~child~~ immediately from other children in a room or area segregated for that purpose;
2. Inform the parent/guardian or designee as soon as possible about the illness and request that they pick up the student ~~child~~; and

3. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

3.4.

In the event of any medical emergency posing a serious threat to life or health, FBCS staff shall call the local emergency medical service provider.

Legal References

IC § 32-1015

Description

Parental Rights in Medical Decision-Making

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Cross References

Code

3500

Description

Student Health/Physical Screenings/Examinations

3500

Student Health/Physical Screenings/Examinations

3518

Treatment of Opioid Overdoses

Policy History:

Adopted on: December 10, 2019

Revised on: August 20, 2024

Reviewed on:

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PERSONNEL

5100

Hiring Process and Criteria

The Board of Directors has the legal responsibility of hiring all employees. The Board assigns to the Executive Director the process of recruiting staff personnel. The Executive Director may involve various administrative and teaching staff as may be needed in recruiting potential personnel. All personnel selected for employment must be recommended by the Executive Director or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

To aid in obtaining quality staff members, the following non-exclusive list of factors will be considered, along with any other factors relevant to the position: qualifications, training, experience, personality, character, and ability to relate well with students. Every effort will be exerted to maintain wide diversity in staff experience and educational preparation. However, the welfare of the ~~students~~ children of the Charter School will be a paramount consideration in the selection of teachers and administrators.

All applicants applying for a certificated position who are pursuing an alternate route to certification shall be considered on a case-by-case basis. They must hold or demonstrate ability to hold any state certification required for the position and demonstrate they meet the alternate route requirements.

Except where otherwise specified, this policy applies to the hiring of all certificated and classified staff members in the School except for the Executive Director. This policy shall be made available to any Charter School employee or person seeking employment with the School. This policy shall be made available to any Charter School employee or person seeking employment with the School.

Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.
2. If the vacant position is that of the Executive Director, the hiring process and review of all applicants is the responsibility of the Board of Directors.
3. Applicants for teaching and administrative positions shall provide evidence of meeting State requirements for certification as described below.
4. Applicants shall sign a statement authorizing current and past school district employers including those outside the state of Idaho, to release to the Charter School all information relating to:
 1. Job performance or job related conduct
 2. Any pending or prior investigations of the employee;

3. Any resignations during investigations or in lieu of contemplated disciplinary action:
and

4. Disciplinary actions for misconduct involving the applicant.

And making available to the School copies of all documents in the applicant's previous personnel files, investigative files, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. The Charter School will consider information received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied. No School employees shall disclose this information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the Charter School's request. See Forms 5100F1 and 5100F2.

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5. Applicants shall be required to provide a sworn written statement disclosing any pending or prior investigations, resignations during investigations, or in lieu of contemplated disciplinary action, or disciplinary actions involving the applicant for misconduct in connection with employment or professional licensure or certification. Applicants who make a material misrepresentation or willful omission associated with this sworn written statement or information required shall be subject to immediate termination of employment or rescission of the applicant's offer of employment contract.

6. Applicants must meet the applicable State standards for the position they are applying for. Applicants for high school and middle school teaching positions should have a major or its equivalent in the field they will be teaching). Applicants for elementary school teaching positions should have a major or its equivalent in elementary education or in their area of assignment(s).

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7. When considering assignments coaching secondary students, preference for hiring will be given to qualified certificated professional employees in the school where the coaching vacancy exists. The Executive Director will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position. Another individual who is not a certificated School employee may receive the position in question.

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8. As required in Idaho Code 65-505, the Charter School will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force.

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9. As required in Idaho Code 33-130 and 33-512(16), the School will conduct a criminal history check for applicable positions. See Policy 5110.

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10. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

11. Applicants must have an understanding of the Charter School mission and vision and a desire to meet the intent of the Charter School in addressing its unique reason for establishment.

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- ~~2. Applicants for teaching positions shall provide evidence of meeting State requirements for certification and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the Charter School all information relating to job performance or job related conduct, and making available to the School copies of all documents in the applicant's previous personnel files, investigative files, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The Charter School will consider information received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied and no one shall disclose such information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out of state employers are prevented from or refuse to cooperate with the Charter School's request. See Forms 5100F1 and 5100F2.~~
- ~~3. Applicants for high school and middle school positions should have a major or its equivalent in the specific teaching field(s). Elementary applicants should have a major or its equivalent in elementary education or in the special area of assignment(s). Applicants for specific teaching positions shall also meet the applicable State standards.~~
- ~~4. Applicants for all teaching positions should have a minimum over all grade point average of 2.5 (A 4, B 3, C 2, D 1). All candidates should have a grade point average of 2.75 in their respective major teaching field(s).~~
- ~~5. When considering coaching assignments in secondary schools, preference for hiring will be given to a qualified certificated professional employee in the school where the coaching vacancy exists. The Executive Director will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position. Another individual who is not a School employee may receive the position in question.~~
- ~~6. As required in Idaho Code 65-505, the Charter School will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force.~~

- ~~7. As required in Idaho Code 33-130 and 33-512(15), the School will conduct a criminal history check for applicable positions. See Policy 5110.~~
- ~~8. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.~~
- ~~9. Applicants must have an understanding of the Charter School mission and vision and a desire to meet the intent of the Charter School in addressing its unique reason for establishment.~~

The employment of any certified staff member is not official until the contract is approved by the Board and signed by both the Board Chair and the applicant.

To assist administrators in compliance with the above policy for the hiring of professional staff, the following guidelines shall be utilized:

Notice of Vacancies

Vacancies will be posted only after the Board has approved written resignation from a contracted professional employee of the Charter School, a termination has occurred, or if a new position is created within the School. The Executive Director shall develop procedures for the posting of available positions within the Charter School.

1. Job Vacancy Notices: Any notice from Forrest M. Bird Charter School will contain the following information:
 - A. Position available and job description.
 - B. Requirements for completed application, as applicable for position, include but are not limited to:
 - a. A completed Charter School application form;
 - b. Official transcripts of all university or college credits;
 - c. A placement center file;
 - d. A personal resume;
 - e. Verification or eligibility of Idaho certification; and
 - f. A signed statement/release for current and past school district employers.
 - C. Timeline for receiving application.
 - D. Process notification of how applications will be handled.
2. Application Procedures: It will be the responsibility of any applicant to provide the information listed in 1-B above.

- A. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
- B. It will be at the discretion of the Executive Director or the appropriate administrator to determine whether such deadlines should be extended to accommodate individuals where placement center files, transcripts, or other materials are not yet received by the Charter School for consideration. Such time extension will be restricted to a reasonable time frame.
- C. In addition to the certification information provided by the applicant, the Charter School will also request from the Office of the Superintendent of Public Instruction verification of certification status, any past or pending violations of the professional code of ethics, any detail as to any prior or pending conditions placed upon a certificate holder's certificate, any prior or pending revocation, suspension, or the existence of any prior letters of reprimand and information relating to job performance.
- D. Within three business days of receipt of the statement releasing information from prior school district employers, as required by I. C. 33-1210, such statement shall be sent to the prior employers with a request for release of information and documentation to be provided as required by that section.

Because responses to such requests may take up to 20 days, or possibly more for out-of-state school district employers, information received pursuant to such request may be reviewed prior to or after interviews have been concluded, at the discretion of the Charter School. Where possible, such information should be utilized as part of the screening process. However, due to considerations of time, such early review may not be possible, and such information received pursuant to this process may be reviewed or utilized up to any time prior to offering employment to an applicant.

- E. Upon receipt of the completed applications, those applications will be placed in a file for review and consideration at the Charter School Office.

Preliminary Screening

- I. At either the time the job vacancy is published, or prior to the conclusion of the application period, the Executive Director will provide notice to the appropriate administrator of the desired number of qualified individuals to be included in the "screening pool". The screening pool shall be defined as the number of individuals having completed applications that may be submitted to the administrator for final screening.

2. Should the Executive Director desire to have applicants prioritized, he or she shall make such known to the administrator who will provide the prioritized list of a number consistent with the pool.

Screening

1. The administrator may establish a committee to assist in the final screening process.
2. The committee, upon receiving the written applications from the administrator, will review those applications for the purpose of:
 - A. Determining those most suited to the position;
 - B. Making personal telephone contact with one or more references submitted by the applicant;
 - C. Contacting individuals who might know the candidate, but were not listed as references, if needed; and
 - D. Inviting the top candidates to be interviewed for the position.

~~3.~~ 3. The **Executive Director** will establish the procedures at the building or program level for interviewing the successful applicants and will have thoroughly vetted all applicants prior to committee review. The committee will establish the procedures at the building or program level for interviewing the successful applicants.

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~~4.~~ 3. For those applicants who have no prior public school work experience or whose out-of-state former employers will not release documentation requested pursuant to I.C. § 33-1210, the screening committee or administrator may engage in whatever background checks it deems appropriate but, at a minimum, shall verify all prior work experience and educational achievement listed by the applicant as the committee or administrator deems appropriate, preferably by contacting the prior employers and/or educational institutions listed by the applicant, and shall communicate with every person listed as a reference by the applicant.

~~5.~~ 4. Upon determining the qualified applicant, the administrator will submit to the Executive Director the written recommendation for the applicant to be offered a contract.

Acceptance Procedure

Once the Committee or administrator has selected the final candidate, the name will be provided to the Executive Director who will review the applicant's credentials with the administrator. If the Executive Director concurs with the recommendation, the Executive Director will:

1. Authorize a statement of intention to employ, pending Board approval, to be made to the candidate.
 - A. If, at the time the statement of intention to employ is made, the Charter School has not yet received documentation requested pursuant to I.C. 33-1210(3), the School may provisionally employ such applicant on a non-contracted basis for up to 30 days after receipt of the documentation. Within that 30 day time period, the

Board may issue a written statement to the applicant identifying why a standard contract will not be issued and specifying which information justifies such decision. The Board may not identify any reason for non-issuance of a standard contract not based on the documentation received. If, within 30 days from the receipt of the information requested pursuant to I.C. 33-1210(3) no contract is issued or the written statement of non-employment is not provided to the applicant, the employee will be deemed to be employed pursuant to a certificated employee contract. During this provisional employment, the applicant shall be provided the same compensation and benefits as if the employee had been employed on a standard certificated contract.

If no documentation is received from out of state employers, the Charter School may employ the applicant on the School's certificated employee contract without utilizing the provisional, non-contracted employment.

B. Upon receiving a verbal or written statement of intention to accept employment, pending Board approval, by the candidate, the Executive Director will prepare the necessary papers for recommendation to the Board of Directors at the next regular or special Board meeting.

C. Submit to the Board of Directors such recommendation.

Board Action

The Board of Directors of Forrest M. Bird Charter School will:

1. Have placed before it ~~the final~~ candidate names for the position; and
2. Discuss hiring and, in situations wherein the individual qualifications of the applicant are discussed, go into executive session pursuant to law; and
3. Vote relating to approval or disapproval of the candidates. If members of the Board personally have knowledge not available to the administrator and the screening committee the Board will not take action until all concerns have been reviewed by the administrator.

Approval of Candidate for Certificated Position

Upon approval by the Board of Directors, a contract, which may comply with the forms recommended by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-5206(4). The applicant must sign the contract and return it within ten days from the date the contract is delivered to them. Should the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the Board in the designated period of time, the Board or designee may declare the

Any person on provisional employment pursuant to I.C. 33-1210(7) shall be subject to the same time limits and provisions for return of a signed contract when and if such contract shall be provided to them for signature.

To qualify for employment, each teacher or administrator must have, and maintain during the entire school year, a valid Idaho teaching/administrative certificate on file in the Charter School Office at the beginning of the school year. If at any time the teacher/administrator's certification lapses, is revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and possible action to terminate the employment of the individual with the School.

5110	Criminal History/Background Checks
5120	Equal Employment Opportunity and Non-Discrimination
5500	Personnel Records
5500	Personnel Records
5740	Reduction in Force
5740	Reduction in Force
5740	Reduction in Force
5750	Employing Retired Teachers and Administrators
5751	Employing Retired SROs and Employees Eligible to Drive a Bus
5100F1-F3	Hiring Process and Criteria Forms
5110	Criminal History/Background Checks
5120	Equal Employment Opportunity and Non-Discrimination
740PA1-2	Reduction in Force Procedures and Forms

<u>IC § 33-1210</u>	<u>Information on Past Job Performance</u>
<u>IC § 33-130</u>	<u>Criminal History Checks for School District Employees or Applicants for Certificates</u>
<u>IC § 33-512</u>	<u>Governance of Schools</u>
<u>IC § 33-5204</u>	<u>Nonprofit Corporation — Liability — Insurance</u>
<u>IC § 33-5206</u>	<u>Requirements and Prohibitions of a Public Charter School</u>
<u>IC § 33-5210</u>	<u>Application of School Law – Accountability – Exemption from State Rules</u>
<u>IC § 65-505</u>	<u>Officials to Observe Preference</u>
<u>IC § 74-206</u>	<u>Executive Sessions – When Authorized</u>

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IC 33-145	Idaho Student Safety and Educator Disclosure Act
IC § 65-501, et seq.	Rights and Privileges of Veterans
IDAPA 08.02.02.015.02	Standard Pupil Service Staff Certificate
IDAPA 08.02.04.300	Public Charter School Responsibilities
IDAPA 21.01.06	Rules for the Enforcement of the Veteran's Preference in Public Employment
I.C. § 33-130	Criminal History Checks for School District Employees or Applicants for Certificates or Individuals Having Contact with Students
I.C. § 33-1210	Information on Past Job Performance
I.C. § 33-5204	Nonprofit Corporation Liability Insurance
I.C. § 33-5206	Requirements and Prohibitions of a Public Charter School
I.C. § 33-5210	Application of School Law Accountability Exemption from State Rules
I.C. § 65-505	Officials to Observe Preference
I.C. § 65-501, et seq.	Rights and Privileges of Veterans
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Policy History:
 Adopted on: May 5, 2020
 Revised on:
 Reviewed on:

PERSONNEL

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[RECOMMENDED ITEM: This item addresses practices boards are required to comply with by law, administrative rule, or other guidance, or which are strongly recommended by one of the attorneys we consult on policy matters.]

[CHARTER SCHOOL LETTERHEAD]

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**AUTHORIZATION FOR RELEASE OF INFORMATION ON PAST
EMPLOYMENT WITH SCHOOL EMPLOYERS
IDAHO CODE 33-1210**

Idaho Law requires Applicants for any position at any Idaho public school to allow the hiring Charter School Employer to obtain a copy of past public school employer personnel file materials and other documentation relating to the performance of the applicant when the applicant was employed by any other public school, whether in Idaho or any other state.

Before hiring an applicant for any position, the Charter School must request the applicant sign this form. If the applicant refuses or fails to sign this form, the District is not permitted to hire the applicant for any position. This authorization does not limit any employer from seeking additional information or disclosures from any applicant.

This form:

1. Authorizes current and past public school employers of the applicant/undersigned on this form, including applicants outside of the State of Idaho, to release to the hiring charter school all information relating to:
 - A. The job performance and/or job related conduct of the applicant;
 - B. Any pending or prior investigations of the employee;
 - C. Any resignations during investigations or in lieu of contemplated disciplinary action; and
 - D. Disciplinary actions for misconduct involving the applicant

It also authorizes these parties to and make available to the hiring charter school copies of all documents in the previous employer's personnel file, investigative file (regardless of outcome or finding, if any), or other files relating to the job performance of the Applicant;

2. Releases the applicant's/undersigned's current and past employers, and employees acting on behalf of the employer, from any liability for providing the above-mentioned information.

Pursuant to state law, "documentation related to the job performance or job related conduct of any employee/applicant is defined as, and may be limited by the producing district to include: all annual evaluations, letters of reprimand, letters of direction, letters of commendation or award, disciplinary actions and documentation of disciplinary investigations, recommendations for probation, notices of probation, notices of removal from probation, recommendations for termination or nonrenewal, notices of termination or nonrenewal, notices from the professional standards commission of Idaho or any other such similar state agency of action taken against an individual's certificate and any rebuttal documentation filed by the employee relative to any of the above documents." IC § 33-1210(2)(b).

§ 33-1210 RELEASE:

I understand that the above requirements are a condition of my obtaining employment with the {{School_Name}}Forrest M. Bird Charter School and I consent to my current and former employers, both inside and outside the State of Idaho, upon receipt of this signed authorization, to comply with Idaho law. I further consent that such authorization may be provided to the hiring charter school via electronic means.

Signature of Applicant

Date

Printed Name of Applicant

Identifying Employee Number/Name of Applicant or other Identifying
Information for Past Employer

- Information obtained through the use of this release will be used only for the purpose of evaluating the qualifications of the applicant for employment. This information will not be disclosed in any manner other than as provided by statute.
- A copy of this release and all information obtained through use of this release will be placed into the applicant's personnel file with the Charter School upon employment of the applicant, if any.
- An applicant's failure to disclose any former school district employer, whether within or outside of the State of Idaho, will serve as the basis for immediate termination and, for certificated personnel, may also result in the Charter School's reporting of the individual

to the Idaho Professional Standards Commission for a potential violation of the Code of Ethics for Professional Educators.

- By accepting an executed copy of this form, the hiring charter school makes no guaranty or promise of employment to the applicant. Further, the hiring charter school may employ the applicant on a conditional basis pending review of information gathered pursuant to this release. Such conditional employment is not a guarantee or promise of continued employment with the hiring charter school for any length of time or pursuant to any additional conditions.

PERSONNEL

5210

Work Day

For purposes of this policy, ~~the~~ work day for ~~certified~~~~decertified~~ employees is defined as the time an employee is expected to be on the school's premises. This shall be between the following items:

Forrest M. Bird Charter School: 7:30am – 3:30pm

The Board and administration recognize that ~~certified~~~~decertified~~ teaching professionals put in hours far in excess of those hours which they are expected to be at the school; however, this excess time is not considered to be as part of the work day for the purposes of this policy.

Other conditions pertaining to certified work day, preparation periods, lunches, etc. are found in the employee handbook approved by the Board of Directors. Such handbooks may change from time to time and a new handbook will be approved by the Board for each school year.

Classified Employees

~~Work day f~~For classified employees, ~~the workday~~ is defined as the length of time of ~~scheduled-~~~~work for the individual classified employee~~ is scheduled to work. No work outside of this time frame is expected, required, or approved.

The length of a work day for a certified employee shall be 8 -hours for a full-time certified employee. The work day is generally exclusive of extracurricular assignments, but inclusive of preparation time and assigned duties. ~~Arrival time shall generally be one-half hour before classes begin or as otherwise directed by the Executive Director.~~

~~Other conditions pertaining to certified work day, preparation periods, lunches, etc., are found in the employee handbook approved by the Board of Directors. Such handbooks may change from time to time and a new handbook will be approved by the Board for each school year.~~

The workday is exclusive of lunch but inclusive of breaks unless the employee has been specifically directed otherwise. The schedule will be established by the employee's supervisor

Length of Work Day - Classified

The length of a classified work day is governed by the number of hours for which the employee is assigned. A "full time" employee shall be considered to be an eight hours per day, 40 hours-per week employee. The work day is exclusive of lunch but inclusive of breaks unless otherwise and specifically provided for by the individual contract. The schedule will be established by the supervisor. ~~Normal office hours in the Charter School will be 7:30 a.m. to 3:30 p.m.~~

Cross Reference: 5810 Compensatory Time and Overtime/Classified Employees
Legal References: 29 U.S.C. § 201, *et seq.* The Fair Labor Standards Act of 1985
29 C.F.R. Part 516 Records to be kept by Employers (Implementing
FLSA)
I.D.A.P.A. 08.02.04.300 Public Charter School Responsibilities

Policy History:

Adopted on: May 5, 2020

Revised on:

Reviewed on:

PERSONNEL

5260

Abused and Neglected Child Reporting

The personal safety and welfare of each child is of paramount concern to the Board of Directors, employees, and patrons of the Charter School. It is of particular importance that employees within the School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding observation and reporting of suspected child abuse, child abandonment, or child neglect. The Executive Director shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

"Abuse" is defined in I.C. § 16-1602 of the Idaho Code as any case in which a child has been the victim of conduct or omissions resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, or soft tissue swelling. Abuse is further defined in I.C. 16-1602 to include sexual conduct including rape; molestation; incest; prostitution; obscene or pornographic photographing, filming, or depiction for commercial purposes; or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child. Abuse also includes abandonment and neglect.

"Abandoned" is defined as the failure of the parent to maintain a normal parental relationship with ~~their~~^{his or her} child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one year is evidence of abandonment. I.C. § 16-1602(2).

"Neglected" means a child:

Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them with these items;

-I.C. § 16-1602(25).

A Charter School employee who has reasonable cause to suspect that a student may have been an abused, abandoned, or neglected as defined above or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment, or neglect shall report or cause to be reported such a case to local law enforcement or the Department of Health and Welfare within 24 hours.

Employees of the Charter School shall notify their supervisor immediately of the case. The supervisor shall immediately notify the Executive Director or ~~his or her~~ designee, who shall also, in turn, report or caused to be reported the case to local law enforcement or the Department of Health and Welfare. The School shall not conduct its own review or investigation of alleged abuse, abandonment, or neglect of a child in lieu of reporting to law enforcement as required by IC 16-1605. The School may conduct its own internal review or investigation and may take

administrative or employment action in addition to reporting the alleged abuse, abandonment, or neglect.

Any person who has reason to believe that a child has been abused, abandoned, or neglected and, acting upon that belief, makes a report of abuse, abandonment, or neglect as required in Idaho Code § 16-1605 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports that a child has been abused, abandoned, or neglected in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed, per I.C. § 16-1606.

In addition, according to I.C. § 16-1607:

Any person who makes a report or allegation of child abuse, abandonment, or neglect knowing the same to be false or who reports or alleges the same in bad faith or with malice shall be liable to the party or parties against whom the report was made for the amount of actual damages sustained or statutory damages of five hundred dollars (\$500), whichever is greater, plus attorney's fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater.

Any Charter School employee who fails to report a suspected case of abuse, abandonment, or neglect to the Department of Health and Welfare or local law enforcement, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination and if the employee is a certificated professional employee, reporting to the Professional Standards Commission for possible violation of the Code of Ethics for Idaho Professional Educators.

Legal References:	I.C. § 16-1602	Child Protective Act: Definitions
	I.C. § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	I.C. § 16-1606	Child Protective Act: Immunity
	I.C. § 16-1607	Child Protective Act: Reporting in Bad Faith-Civil Damages
	I.C. § 33-5204A	Applicability of Professional Codes and Standards – Limitations upon Authority
	I.C. § 33-5210	Application of School Law – Accountability – Exemption from State Rules
	IDAPA 08.02.04.300	Public Charter School Responsibilities

Policy History:

Adopted on: May 5, 2020

Revised on:

Reviewed on:

Forrest M. Bird Charter School

PERSONNEL

5335

Employee Use of Electronic Communications Devices

The Board recognizes that employees may carry electronic communications devices, either Charter School-issued or personally owned, and hereby adopts this policy.

Communication devices issued by the Charter School may include, for example, cellular telephones; walkie-talkies; laptop computers; and ~~citizens band (CB)~~ radios, either installed in vehicles or hand-held.

Before they are issued an electronic communication ~~mobile computing device~~, each staff member must submit an executed ~~Mobile Computing~~ Electronic Communications Device Agreement and the Employee Email and Online Services Usage Acknowledgment Agreement. Each form must be signed by the staff member.

Staff may take Charter School issued devices out of the State of Idaho at the discretion of the Executive Director. The Board directs the Executive Director to establish procedures for staff to request permission to take the device with them.

At the end of the school year, the school will collect all devices from staff. At the school's discretion, staff continuing under contract for the next school year and/or for the summer school session may be issued devices to support summer school programs, or other work-related activities.

The Executive Director shall establish procedures for the maintenance of records regarding the devices, including tracking device inventory and which device is issued to which staff member.

Care and Safety

Employees in receipt of Charter School-issued equipment shall be held responsible for the safekeeping of the equipment and for the exercise of reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of School equipment, resulting in loss or damage may result in the employee having to reimburse the Charter School for any associated costs of replacement or repair.

Managing Files

The Executive Director will set a procedure for where staff should save important documents.

Staff members should also back up their work frequently.

Software

The software originally installed by the Charter School must remain on the device in usable condition and be easily accessible at all times.

From time to time the school may add or update software applications. The licenses for this software sometimes require that the software be deleted from devices at the completion of a course taught by staff. Periodic reviews of devices may be made to ensure that staff members have deleted software that is no longer required, that the school has not exceeded its licenses and that unauthorized software has not been installed by the staff member.

All devices will be equipped with anti-virus protection software which will be upgraded regularly.

Staff members wishing to add additional software onto a device must first obtain the permission of the school's technology director. Each staff member is responsible for ensuring that only licensed software pre-approved by the school's technology department is loaded onto their device.

Staff members shall refrain from downloading the TikTok app onto any School issued device. If TikTok has already been downloaded onto a device issued to a staff member, they shall delete the app or seek assistance from school technology personnel in deleting it.

Inspection and Filtering

Filtering software will be used to prevent access to material considered inappropriate or harmful to minors. Such filter shall also block access to the TikTok website. Measures shall also be undertaken to prevent the downloading of TikTok onto any School devices or via the School's electronic network.

If technical difficulties occur or unauthorized software or any other violation of Charter School policy is discovered on the device, any/all files on the device may be deleted and programs may be uninstalled and the hard drive may be reformatted. Only authorized software will be installed. The School does not accept responsibility for the loss of any software or other materials deleted due to a reformat and reimage.

Email, network usage, and any stored files shall not be considered confidential and may be monitored at any time by designated Charter School staff. The School or its designee may demand the return of the device at any time for inspection, copying, or review of all files, histories, saved data, meta-data, or other information on the device. After the inspection, copying, or review of the device, ~~unless there is cause to refrain from doing so,~~ it shall be returned to the employee. Failure to turn over the device upon demand may result in disciplinary action, up to and including termination. The School will cooperate fully with local, State, or federal officials in any investigation concerning or relating to violations of law.

Remote Access of Devices

Devices may be equipped with the ability to be accessed remotely in the case of technical problems requiring remote assistance, missing or stolen devices, or for any other appropriate Charter School purpose. A staff member does not need to be asked for permission prior to remote software maintenance.

Any individual in receipt of a school-issued device does not have the authority to deactivate the remote access feature of the device. Any employee doing ~~do may~~ such will be subject to discipline and may be required to return the device to or reclamation of the device by the Charter School.

Personalizing Charter School-Issued Electronic Communication-Mobile Computing Devices

While at no time does the device become the personal property of staff members; they may place individualized items on the device, which are limited to music, pictures, and other items that do not hinder the network or device functionality.

Staff members may be permitted to select their own screen savers and backgrounds provided they are appropriate.

Staff members may not add options or upgrades to the device, change the operating system, or add unauthorized software or safety controls.

Should staff members place personalized items on the device, such items may be accessed or viewed by Charter School staff at any time, for any reason, including randomly selected device reviews. Further, the content on such device may be subject to disclosure pursuant to a public records request under the Idaho Public Writings Act. No content placed on School provided devices is privileged or confidential.

Electronic Communications with Students

Electronic Communications between any Charter School employee and any Charter School student must be via a School-approved device and via a School-approved platform. The following are devices approved by the School.

1. School-issued electronic devices; and
2. A personal staff cell phone provided the staff notified the building principal or their supervisor they will be using the device for this purpose.

The following are platforms approved by the School:

1. A School-issued email account; and
2. Any other platform approved by the school.

Both an approved device and approved platform must be used for any electronic communication between staff and students.

A student's parent/guardian shall be included on any email, text message, or other electronic communication between the staff member and the student.

The Board delegates to the Executive Director the ability to temporarily approve additional platforms and devices. The Executive Director shall report such temporary approvals at the next board meeting. The Board may then revise this policy to include such devices or platforms permanently or direct the Executive Director to discontinue approval of them.

Use

Any such devices issued shall be with the expectation that they are to be used for Charter School-related business purposes and are not intended for personal use except in emergencies involving employee health or safety and/or as specifically authorized under this policy.

School-issued equipment shall be used in a manner that does not disrupt instruction or other work-related activities unless there is a reason of personal health or safety involved.

Charter School-issued equipment may be used only in a manner consistent with the Code of Ethics for Idaho Professional Educators as well as all State and federal laws relating to electronic communications with students and/or minors.

Use of this equipment for local education association activities, as described in Policy 5296, shall be prohibited.

Any Charter School-issued equipment is to be surrendered to the School immediately upon request.

Protecting and Storing Devices

Staff members are expected to password protect their devices and shall keep their password confidential, except for requested disclosure by the School's administration or technology department personnel.

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds, the cafeteria, computer lab, locker rooms, the library, unlocked classrooms, dressing rooms, and hallways.

Repair of Devices

Staff members are to report all device problems to Charter School technology personnel.

The Executive Director will issue a document clarifying staff responsibility for lost and damaged devices when the details of the Charter School's insurance policy are known.

Personally-Owned Communications Devices

Employees may carry and use personally-owned electronic communications devices during the school day on school property, except that personally owned hand-held CB radios, portable police scanners, and long or short-range walkie-talkies should not be used or carried by employees on school property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Personal electronic communications devices should not be used during the employee's normal duty times to send or receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Personally owned devices should not be used during the employee's normal duty times unless ~~they are such~~ is being used solely for the purposes of one's job duties for the School. Use of personal electronic communication devices should be curtailed during instructional time or at School-sponsored programs, meetings, in-services, parent/guardian conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

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Any employee violating the above rules may be subject to disciplinary action.

Cross References:	5330	Employee Electronic Mail and Online Services Usage
	5330F	Employee Electronic Mail and Online Services Usage Acknowledgment
	5335F	Mobile Computing Device Agreement

Legal Reference:	IC § 18-6726	<u>TikTok Use by State Employees on a State-Issued Device Prohibited</u>
	<u>Idaho Executive Order 2022-06</u>	

Policy History:

Adopted on: May 5, 2020

Revised on: May 23, 2023

Reviewed on:

PERSONNEL

5500

Personnel Files

The Charter School maintains a complete personnel record for every employee, certificated and classified. Much of the information contained in employee personnel files is confidential and access to such files should be limited to the Executive Director, principal, supervisor, the employee, the employee's designee or representative, and Idaho public schools requesting information based upon Idaho Code for hiring.

A log of those persons other than the Executive Director, principal, or other administrative staff will be kept indicating the date and time of inspection; name of person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested. In accordance with federal law, the Charter School shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school. Access to other information contained in the personnel records of Charter School employees is governed by Policy 4260 Records Available to the Public.

Not later than 20 days after receiving a request from another Idaho public school, the Charter School shall release information regarding job performance or job related conduct, as defined by Idaho Code, to the Idaho public school requesting such information for hiring purposes. The Charter School shall also release materials as required by IC 330145. See Policy 5100 Hiring Process and Criteria and Procedure 5100P1 Procedures for Obtaining Personnel Records for Applicants.

The Charter School shall maintain official Charter School files for employees.

An employee's official file shall be kept in the School administrative office. It should, at a minimum, contain the following records:

1. Application materials;
2. Contracts of employment;
3. Communications from the administration;
4. Performance evaluations;
5. Rebuttals to performance evaluations;
6. Parental input materials;
7. Written reprimands, directives, commendations, or awards;
8. Original statements and releases to and from hiring Charter Schools;
9. A copy of the employee's job description signed by the employee;
10. A signed acknowledgement that the employee has received a copy of the Charter School's sexual harassment policy;

11. A signed acknowledgement that the employee has received a copy of the School's email and internet use policy;
12. Documentation of additional training received, course work completed, in-services attended, etc.;
13. Documentation of fingerprints and background checks;
14. Documentation of record and reference checks pursuant to Idaho Code 33-1210;
15. Rebuttal documents;
16. Copies of certifications from the Office of the Superintendent of Public Instruction;
17. Transcripts of credits earned for credit review purposes;
18. Salary schedule placement; and
19. Any information relevant to the evaluation of the employee.

The file may contain notes and observations. Letters of recommendation will be kept in a separate, sealed file maintained by the Executive Director or a separate, sealed portion of the personnel file. Personal notes of supervisors should be placed in the personnel file, if they are relevant to the evaluation of the employee.

Each employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten days of placement of information in the employee's file or, if possible, presented to the employee prior to placement in the file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have 21 days from the date of written notice of placement to attach a statement or notification of rebuttal.

Upon request, an employee or the employee's designee or representative will have access to the employee's personnel file, with the exception of letters of recommendation, and will be provided copies, upon request within a reasonable period of time. The request, inspection, and/or copying of the file will be logged indicating the date and time; name of the person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested.

Other Files upon Separation

Idaho law recognizes that other files may be kept relative to employees, such as investigative files. Upon separation of employment, all documents from such files, including investigative files, shall be moved into the employee's personnel file. Names of students, fellow employees, or complainants (with the exception of the employee's administrative supervisor or other administrative authors) shall be redacted from such documents before they are placed in the personnel file. Copies of such documents shall be provided to the employee within ten days of placement in the personnel file and written notice of their inclusion in the file shall be provided by sending such to the employee's last known address. The employee shall be given the opportunity to file a rebuttal to such information in the same manner outlined above.†

Record Keeping Requirements under the Fair Labor Standards Act

In addition to the information to be placed in an employee's personnel file set forth hereinabove, any and all payroll information required by the Fair Labor Standards Act shall also be kept for each employee as follows:

1. Records required for ALL employees:

- A. Name in full (same name as used for Social Security);
- B. Employee's home address, including zip code;
- C. Date of birth if under the age of nineteen;
- D. Gender (may be indicated with Male/Female, M/F, or a Mr., Mrs., Miss, or Ms.);
- E. Time of day and day of week on which the employee's work week begins;
- F. Basis on which wages are paid (such as \$15/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the "regular rate";
- H. Total wages paid each pay period; and
- I. I-9.

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any ~~work day~~workday, meaning a consecutive 24 hour period;
- C. Hours worked in any work week, or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings, including payment for hours in excess of 40 per week, but excluding premium pay for overtime;
- E. Total overtime premium pay for a work week;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;

Cross References:	4260	Records Available to the Public
	5100	Hiring Process and Criteria
	5205	Job Descriptions
	5240F	Sexual Harassment/Intimidation in the Workplace Policy Acknowledgement
	5330F	Employee Electronic Mail and On-Line Services Use Acknowledgment
	5340	Evaluation of Certificated Personnel
Legal References:	5820	Evaluation of Non-Certified Staff
	29 U.S.C. § 201, <i>et seq.</i>	The Fair Labor Standards Act of 1985
	29 C.F.R. § 516.2	Employees subject to minimum wage or minimum wage and overtime provisions

29 C.F.R. § 516.3	pursuant to section 6 or sections 6 and 7(a) of the Act. Bona fide executive, administrative, and professional employees (including academic administrative personnel and teachers in elementary or secondary schools), and outside sales employees employed pursuant to section 13(a)(1) of the Act.
I.C. § 33-517	Non-Certificated Personnel
I.C. § 74-106	Records Exempt from Disclosure – Personnel Files, etc.

Policy History:

Adopted on: June 23, 2020

Revised on:

Reviewed on:

Prohibition on Staff Support of Social Transitions

Any staff member who receives a request from a student for the following shall report the request to the building principal immediately.

1. A request to be referred to by a pronoun or title that does not traditionally correspond to the sex identified on the student's official School record unless their parent/ guardian has granted permission for this as described in Policy 3297;
2. A request to be referred to using a name other than their legal name, a nickname or a derivative of their legal name or nickname, or a name for which the parent/ guardian has provided permission as described in Policy 3297.
3. A request to use restrooms, locker rooms, changing rooms, or overnight lodging designated for a sex other than that indicated on their official School record. Such requests shall be addressed as described in Policy 9605.
4. A request to participate in an athletic team or other sex-separated School activity designated for a sex other than that indicated on their official school record.

The building principal or their designee will inform the student's parent/guardian of the request within 72 hours.

The Board may direct the Executive Director to develop procedures consistent with this policy.

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Reviewed on:

