

It is the policy of this ~~board~~-District to provide a learning and working environment free from ~~discrimination and harassment~~~~not to discriminate~~ on the basis of race, color, creed, national origin, sex, sexual orientation, gender identity or expression, religion, age, disability, genetic information, protected veteran status or ~~sex~~any other characteristic protected by law in its educational programs or employment practices. The purpose of this policy and accompanying Civil Rights Grievance Procedure (Policy 294P1) is to provide a method for the expeditious processing of grievances and a means to eliminate unlawful discrimination or harassment within the District.

Anyone who believes that he/she has been the recipient of illegal discrimination or harassment, based on race, color, national origin, sex, sexual orientation, gender identity or expression, religion, age, disability, genetic information, protected veteran status, political beliefs, or marital or family status may file a grievance in accordance with this policy and the procedures outlined in Policy 294P1.



LEGAL REFERENCE:

Title VII of the Civil Rights Act of 1965; (42 USC §§~~Section~~-2000e; *et seq.*)
Title VI of the Civil Rights Act of 1964; (42 USC §§~~Section~~-2000d; *et seq.*)
Section 1981 of the Civil Rights Act of 1866; (42 USC §~~Section~~-1981)
Section 1983 of the Civil Rights Act of 1871; (42 USC §~~Section~~-1983)
The Equal Pay Act 1963; (29 USC §~~Section~~-206d)
Title IX of the Education Amendments of 1972; (20 USC §~~Section~~-1681)
Age Discrimination and Employment Act of 1967; (29 USC §§~~Section~~-621; *et seq.*)
Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008)
(42 USC §§~~Section~~-12101; *et seq.*)
Section 504 of the Vocational Rehabilitation Act 1973; (29 USC §~~Section~~-794)
Idaho ~~Commission on~~ Human Rights Act; (Idaho Code §§~~Section~~-67-5901; *et seq.*)
Bostock v. Clayton County, Georgia, -U.S.- (Slip Op. No. 17-1618, June 15, 2020)

CROSS-REFERENCE:

Civil Rights Grievance Procedures – Policy 294P1
Title IX Grievance Procedures – Policy 296P1
Non-Discrimination in Employment – Policy 410
Sexual Harassment – Policy 414
Student Harassment – Policy 506
Prohibition Against Harassment, Intimidation and Bullying – Policy 506.50

ADOPTED:

AMENDED:

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal law that prohibits sex-based discrimination in all educational programs and activities, including athletic programs. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by the district. Title IX protects all participants in the district’s educational programs and activities, including students, parents, employees and job applicants. The district does not discriminate on the basis of sex in its education programs and activities. As used in this policy and accompanying Title IX grievance procedures (see Policy 296P1), sex discrimination includes complaints of sexual harassment or sexual violence.

All questions regarding Title IX requirements may be referred to the district’s Title IX Coordinator, [name]. The Title IX Coordinator may be contacted at: [address], [phone number], [email address]. The Title IX Coordinator can provide information on Title IX, including information about the Coordinator’s position, complaint procedures and applicable district policies to any student or employee who feels that his or her rights under Title IX have been violated by the district or its officials. In addition, any student or employee may make an inquiry or complaint directly to the U.S. Department of Education, Office for Civil Rights.

This policy, and the procedures for filing a Title IX grievance, will be available in every school site administrative office, posted on the district’s website, and included in student handbooks *or other policy and procedure notices provided to students on an annual basis.*

RETALIATION

Intimidation, harassment or retaliation against any person filing a grievance or any person participating in the investigation or resolution of a grievance is a violation of law and constitutes the basis for filing a separate grievance. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, constitutes retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation, provided, however, that a determination of responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. District students, employees or visitors shall not retaliate against an individual who in good faith reports, associates with the individual reporting, participates in the investigation, or investigates a grievance filed in accordance with this procedure. Any person engaged in retaliatory actions may be subject to disciplinary actions.

RECORDKEEPING REQUIREMENTS

In accordance with applicable Title IX regulations, the district will retain all of the following records for a period of seven (7) years:

- Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district’s education program or activity;
- Any appeal and the result therefrom;
- *Any informal resolution and the result therefrom;*
- For each report of sexual harassment, whether or not a formal complaint was filed, the district will create and maintain records of any actions take, including supportive measures; why the response was not deliberately indifferent; measures taken to restore or preserve equal access to the district’s educational program or activity; and, if no supportive measures were taken, why that was not deliberately indifferent; and
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. All such training materials will be made publicly available on its website or, if the district does not maintain a website, such materials will be made available upon request for inspection by members of the public.

In the event an investigation reveals a violation of the district’s Title IX grievance policy or these procedures by an employee or student, any disciplinary action taken as a result of the investigation will be placed in the appropriate employee or student file. Upon separation of employment, any investigative file maintained pursuant to this policy involving an employee shall be moved into the personnel file and shall be redacted as required by Idaho Code §33-1210.

FALSE COMPLAINTS

Individuals who knowingly file false or misleading complaints alleging harassment, discrimination or retaliation are subject to appropriate disciplinary action, including, but not limited to, dismissal of the complaint and discipline under applicable board policy.

TRAINING

In accordance with Title IX regulations, the district will ensure that the Title IX Coordinator(s), investigators, decision-makers, *and any person who facilitates an informal resolution process* receive training on the definition of sexual harassment as set forth in the Title IX regulations, the scope of the district’s education programs or activities, how to conduct an investigation and grievance process including hearings, appeals, *and informal resolution processes*, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. In addition, decision-makers will receive training on any technology to be used at live hearings and on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. All investigators will be trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence.



LEGAL REFERENCE:

Title IX of the Education Amendments of 1972 (20 USC Section 1681)
34 CFR Part 106 (Title IX Regulations)
Idaho Code §33-1210 (Information on Past Job Performance)
Idaho Code §67-5901 *et seq.* (Idaho Human Rights Act)

CROSS-REFERENCE:

Civil Rights Grievance Policy – Policy 290
Title IX Grievance Procedures – Policy 296P1
Non-Discrimination in Employment – Policy 410
Sexual Harassment (employees) – Policy 414
Student Harassment – Policy 506
Prohibition Against Harassment, Intimidation and Bullying – Policy 506.50

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

The purpose of these procedures is to secure prompt and equitable resolutions of complaints based on sex discrimination, including complaints of sexual harassment or sexual violence in violation of Title IX of the Education Amendments of 1972 (“Title IX”), and violation of district policies that prohibit these types of discrimination. These procedures apply only to complaints alleging discrimination prohibited by Title IX (including sexual harassment and sexual violence). Regardless of whether a formal complaint is filed as set forth herein, when this district has actual knowledge of sexual harassment in its education programs or activities against a person in the United States, it will respond promptly and in a manner that is not deliberately indifferent. For purposes of this policy, the district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

These procedures shall be available in every school site administrative office, posted on the district website, and included in student handbooks *or other policy and procedure notices provided to students and families on an annual basis.*

DEFINITIONS

“Actual Knowledge” means notice of sexual harassment or allegations of sexual harassment to the district’s Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary or secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. As used in this definition, “notice” includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator by any person (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment) in person, or by mail, telephone or email, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Although the Title IX Coordinator may sign a formal complaint of sexual harassment, the Title IX Coordinator is not a complainant for purposes of the procedures set forth herein.

“Day,” for purposes of this procedure, means the calculation of time in complaint processing and, except as otherwise expressly provided, shall exclude Saturdays, Sundays, and federal, state and school holidays or closures.

“District Official” means an employee of the school district, including, but not limited to, teacher, school counselor, school nurse, coach, activities director, principal, assistant principal or district administrator.

“Education Program or Activity” includes, for purposes of this policy, locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

“Formal Complaint” means a document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Responsible Administrator” means the Title IX Coordinator, *Superintendent, disciplinary committee, the authorized designee of these persons/committee, or the administrator designated by the Superintendent, as appropriate.*

“Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
- Acts of sexual violence, including sexual assault (as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act at 20 U.S.C. §1092(f)(6)(A)(v)), dating violence (as defined by the Violence Against Women Act at 34 U.S.C. §12291(a)(10)), domestic violence (as defined by the Violence Against Women Act at 34 U.S.C. §12291(a)(8)) and stalking (as defined by the Violence Against Women Act at 34 U.S.C. §12291(a)(30)).

“Supportive Measures” means non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint of sexual harassment as defined under Title IX has been filed. Such measures are designed to restore or preserve equal access to the district’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of district schools and facilities, and other similar measures.

“Title IX Coordinator” means the employee or employees designated and authorized by the district to coordinate its efforts to comply with its responsibilities under Title IX.

FILING A TITLE IX GRIEVANCE COMPLAINT – TIME LIMITS AND DISMISSAL

The Title IX Coordinator or designee shall receive grievances, actively and independently investigate the merits of grievances, and assist the parties in resolving grievances. A complaint should be filed by the complainant as soon as possible after the time of occurrence of the alleged conduct. The Title IX Coordinator or designee may also sign a formal complaint to initiate an investigation. Complaints may be filed in person, by mail, or by email. Any complaints received by this district by telephone or verbally will be recorded by the district in written form. The complaint should set forth the date, place, and nature of the discriminatory conduct, and request that the district investigate the allegation of sexual harassment.

The complaint must be filed with the Title IX Coordinator or designee within one hundred eighty (180) days of the alleged discriminatory action or from the date the complainant could reasonably become aware of such occurrence. Failure of the complainant to comply with any time limitation in these procedures may result in dismissal of the complaint. The timelines set forth in herein may be waived at the discretion of the Title IX Coordinator or designee if such waiver is determined to be in the best interest of the individuals involved. Good cause for delay or extension of timeframes provided herein include considerations such as the absence of a party, a party's advisor or witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Coordinator or designee will provide written notice to all parties of the reason for the waiver.

Dismissal**Mandatory Dismissal**

The district is required by law to investigate the allegations in a formal complaint. However, the district will dismiss formal complaints in the following circumstances:

- The conduct alleged in the formal complaint would not constitute sexual harassment as defined herein, even if proved; or
- The conduct alleged did not occur in the recipient's education program or activity; or
- The conduct alleged did not occur against a person in the United States.

Within five (5) days after the filing of a formal complaint under this policy, the Title IX Coordinator shall either initiate investigation of the matters alleged or inform the complainant in writing that the matters alleged are not within the jurisdiction of the district to investigate under one or more of the conditions noted above and that the district will not carry out any further investigation. A dismissal of a formal complaint under any of the foregoing circumstances does not preclude the district from taking action under any other district code of conduct or other policy.

Permissive Dismissal

The district may dismiss a formal complaint or any allegations therein if, at any time during the investigation, one of the following circumstances arises:

- The complainant notifies the Title IX Coordinator in writing that he/she would like to withdraw the formal complaint or any allegations therein; or
- The respondent is no longer enrolled or employed by the district; or
- Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted under this policy, the district will promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

CONSOLIDATION OF FORMAL COMPLAINTS

The district may consolidate formal complaints as to allegations of sexual harassment against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

CONFIDENTIALITY

It is the policy of this district to process all grievances in a fair and expeditious manner. Confidentiality will be maintained to the greatest extent possible. Examples of exceptions to maintaining confidentiality include:

- Information required by law to be reported;
- Information imparted to others in supervisory positions in order to further an investigation or halt a discriminatory practice;
- Information given to the respondent in order to have sufficient information to respond to the allegations.

The district will take all reasonable requests to investigate and respond to a complaint consistent with a request by the complaining party not to disclose his/her name. However, such requests for confidentiality may limit the district's ability to adequately investigate and respond to the allegations raised in the complaint. Requests for confidentiality will therefore be evaluated in the context of the district's responsibility to provide a safe and nondiscriminatory environment for all students, and the request will be weighed against whatever factors the district deems relevant, including, without limitation:

- The complainant's age;
- Circumstances that suggest there is an increased risk of future acts of harassment and/or sexual violence under similar circumstances; and
- Whether the district possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence);

GRIEVANCE PROCESS

Initial Response

(a) **Reporting.** A complainant is encouraged to report allegations of sex discrimination, including sexual harassment, to a district official with the objective of resolving the matter promptly. Grievances under this section should be discussed with a district official who is not involved in the alleged discrimination or harassment. The district official to whom the report is made will promptly notify the Title IX Coordinator of the report.

(b) **Contact by Title IX Coordinator.** The Title IX Coordinator or designee will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

(c) **Equitable Treatment.** Upon receipt of a report of sex discrimination, including sexual harassment, under this policy, the district will treat complainants and respondents equitably and will offer supportive measures to both. The district will follow the grievance process outlined herein before imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent.

(d) **Emergency Removal or Administrative Leave.** The district may remove a respondent on an emergency basis after a report of sexual harassment where such removal is necessary to protect a student or other individual from immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment. Such removal will be based on an individualized safety and risk analysis. In the event of a decision to remove a respondent on an emergency basis, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. Emergency removals under this policy do not affect the rights of a respondent under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. Thus, for example, this policy does not require an emergency removal of a student where the district has determined that the threat posed by the student, arising from the sexual harassment allegations, is a manifestation of the student's disability, such that the district is constrained by IDEA requirements.

Where the complaint of sexual harassment involves an employee as the respondent, the district may place the employee respondent on administrative leave during the pendency of the formal grievance process. Any such administrative leave will be processed in accordance with district policies and procedures and applicable Idaho law. Administrative leave under this policy does not affect the rights of an employee respondent under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Formal Complaint Procedures**Step 1: Reporting.**

(a) A complainant may file a written, signed statement of the grievance with the Title IX Coordinator or designee. The Title IX Coordinator may also sign a formal complaint. The statement must fully set out the following information:

- The nature of the grievance;
- The remedy requested; and
- The signature of the grievant and the date signed.

(b) A grievance shall be made in writing and addressed to the Title IX Coordinator:

[Staff Member Name or Names, if more than one (for example, one for elementary students and one for secondary students, or one for employees and one for students, etc.)]

Address

Phone ##:

Fax ##:

Email address:

(c) The Title IX Coordinator or designee will notify the complainant and respondent(s) within a reasonable time frame that the complaint was received and is being processed. Such notice will include all of the following:

- Notice of the district's grievance process, *including the informal resolution process*, set forth herein;
- Notice of the allegations of sexual harassment (as defined herein), including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment; and the date and location of the alleged incident, if known;
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the parties may have an advisor of their choice who may be, but is not required to be, an attorney; and that they may inspect and review evidence directly related to the allegations, including evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation; and

- Notice of any provision in the district’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of investigation of the complaint, the district decides to investigate allegations about the complainant or respondent that were not included in the original notice, the district will provide notice of such additional allegations to the parties whose identities are known.

Step 2: Investigation.

(a) The Title IX Coordinator will oversee that an adequate, reliable and impartial investigation of the complaint is conducted by the principal or designee of the school site where the student is enrolled, the employee is assigned, and/or where the alleged discrimination occurred. Until a determination is made at the conclusion of the grievance process, the respondent will be presumed to not be responsible for the alleged conduct.

(b) In order to provide a neutral and objective investigation, neither the designated investigator nor other Responsible Administrator shall be a party to the complaint being investigated.

(c) In conducting the investigation, the designated investigator shall interview all parties identified in the complaint and other witnesses that the investigator determines may provide information relevant to resolving the complaint allegations. Both the complainant and respondent shall have the opportunity to identify witnesses, including expert witnesses, to be interviewed and provide documentation or other evidence for the designated investigator to review. Nothing in this policy shall limit the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. In conducting the investigation, the district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

(d) The district’s investigation and resolution of the complaint does not allow the investigator, Responsible Administrator, Title IX Coordinator or any other district official to access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional action in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party’s voluntary, written consent to do so. For parties who are under 18 years of age, such written permission shall be from the party’s parent or guardian.

(e) The district’s investigation and resolution process includes allowing the parties the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of the party’s choice (which may be an attorney), and not limiting the choice or presence of advisor for either

party in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, which restrictions will apply equally to both parties.

(f) Written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews or other meetings will be provided to all parties whose participation is invited or expected, with sufficient time for the party to prepare to participate.

(g) Both parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the designated investigator will provide to each party and respective advisor(s), if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have at least ten (10) days after receipt of the evidence to submit a written response, which responses will be considered by the investigator prior to completion of the investigative report.

(h) The investigator will create an investigative report that fairly summarizes relevant evidence, which report will be provided to each party and their respective advisor(s), if any, *fourteen (14)* days prior to the time set for determination regarding responsibility. The report will be provided in electronic format or hard copy.

Step 3: Hearing and Resolution.

(a) *With or without a hearing*, after the designated investigator has sent the investigative report to the parties and before the time set for determination, each party will be (i) afforded the opportunity to submit written, relevant questions that a party wants asked of any party or witness; (ii) provided with the answers to such questions; and (iii) given the opportunity to ask limited follow-up questions. The Responsible Administrator(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

(b) In no case will questions and evidence about the complainant's sexual predisposition or prior sexual behavior be considered relevant, unless (i) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or (ii) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

(c) *Live hearings may be held following completion of the question and answer process set forth in Step 3(a) herein where the allegations involve [choose: high school students, secondary students, students over the age of [xx] and/or employees]. Hearings will only be held if both parties agree in writing. In the event a live hearing is held, the Responsible Administrator(s) will provide the parties with written notice of (i) the time, date and place of the*

hearing; (ii) the right of the parties to have an advisor, who may be an attorney, attend the hearing with the party; and (iii) the right of the parties to appear and present evidence, including cross-examining adult witnesses who may appear, subject to any evidentiary rules provided for in this procedure. Such notice will be provided at least ten (10) days prior to the date set for hearing to allow the parties to prepare for the hearing.

(d) After the question and answer process set forth in Step 3(a) is completed, and after a hearing, if one is held, the Responsible Administrator(s) will issue a written decision regarding responsibility based on the preponderance of the evidence (i.e. it is more likely than not that discrimination did or did not occur). The decision will be based on an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Additionally, any credibility determinations made by the Responsible Administrator(s) may not be based on a person's status as a complainant, respondent or witness. The written decision will include:

- Identification of the allegations;
- A description of the procedural steps taken to investigate the allegations;
- The findings of fact supporting the determination;
- The conclusions regarding the application of the district's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; any disciplinary sanctions imposed on the respondent; and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- The procedures and permissible bases for the complainant and respondent to appeal the decision.

(e) The Responsible Administrator will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final on the date that the Responsible Administrator provides the parties with written determination of the result of an appeal, if one is filed, or if an appeal is not filed, on the date which an appeal would no longer be considered timely.

Step 4: Appeal Rights.

(a) Within *ten (10) days* of the date the district provides the parties with a written determination regarding responsibility or notice of dismissal of the formal complaint or allegations therein, either the complainant or respondent may file a written appeal of such determination or dismissal with the [choose: *board of trustees, superintendent or designee*] (the "appellate decision-maker"), on the following bases:

- Procedural irregularity that affected the outcome of the matter;

- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

(b) Upon receipt of an appeal, the appellate decision-maker will notify the other party in writing of the appeal. The parties shall have *fifteen (15) days* after receipt of the appeal to submit a written statement in support of, or challenging, the outcome. The appellate decision-maker(s) will not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s) or the Title IX Coordinator.

(c) *Within ten (10) days* of convening, the board shall issue a written decision describing the result of the appeal and the rationale for the result. The decision shall be submitted to the Title IX Coordinator and the parties to the grievance simultaneously.

(d) The decision of the appellate decision-maker with regard to implementing the decision is a final decision and is not appealable.

(e) The complainant is not precluded from filing complaints at any time during or after the grievance process with state or federal agencies listed below.

Step 5: Complaints to an External Agency.

If a party is not satisfied with a decision, the party may file a complaint with the following external agencies:

Idaho Human Rights Commission
317 W. Main Street
Boise, ID 83720
Phone: (208) 334-2873

Office for Civil Rights
U.S. Department of Education
915 Second Ave., Suite 3310
Seattle, WA 98174-1099
Phone: (206) 607-1632
Fax: (206) 607-1601

INFORMAL RESOLUTION [Note: This section is optional; districts are not required to provide an informal resolution process].

The district will not require as a condition of enrollment, continued enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Similarly, the district will not require the parties to participate in an informal resolution process. However, after a formal complaint is filed, and at any time prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process that does not involve a full investigation

and adjudication in any case that does not involve allegations that an employee of the district sexually harassed a student.

After a formal complaint is filed, the Title IX Coordinator will notify the parties of their right to participate in an informal resolution of the complaint. Such notice will provide:

- The allegations in the complaint;
- The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- Notice of the parties' right to withdraw from the informal resolution process at any time prior to agreeing to a resolution; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The parties must agree in writing to participate in the informal resolution process and submit such written consent to the Title IX Coordinator. The Title IX Coordinator shall then select a facilitator to conduct the informal resolution process with the parties, which facilitator shall be from a different school than that school where the parties attend or are employed, and who shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The identity of the facilitator shall be provided to the parties in writing, together with notice of the date and time set for the facilitated meeting. The facilitator shall have discretion as to how to conduct the facilitated meeting, based on the facts of the case and consistent with training, district policies and applicable law (e.g., the facilitator may decide to keep the parties in separate rooms during the meeting or otherwise set reasonable ground rules for conducting the facilitation, including what information will be shared with the other party during the meeting).

The district will maintain a record of any informal resolution and the result therefrom in accordance with the recordkeeping requirements of this policy.

SUPPORTIVE MEASURES PENDING FINAL DETERMINATION OF THE COMPLAINT

Title IX requires the district to take steps to ensure equal access to its education programs and activities and protect the parties as necessary, including providing supportive measures before the final outcome of an investigation. The district will take these steps promptly once it has notice of a sexual harassment or sexual violence allegation and will provide the complainant with periodic updates on the status of the investigation. Supportive measures may include modifications in academic or extracurricular activities and schedules, restrictions on contact between the parties, monitoring of certain areas of campus, and other similar accommodations.

The specific supportive measures implemented and the process for implementing those measures will vary depending on the facts of each case. The Title IX Coordinator or designee should consider a number of factors in determining what supportive measures to take, including, for

example, the specific needs expressed by the parties; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and respondent share class, transportation or extracurricular activities; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

DISCIPLINARY SANCTIONS OR REMEDIES

Employees and students may be disciplined if it is determined through this procedure that sexual harassment, as defined herein, or retaliation for reporting, complaining, participating, testifying, assisting or refusing to participate in any manner in an investigation, proceeding, or hearing under this procedure, occurred. In no case will disciplinary sanctions or other actions that are not supportive measures be implemented against a respondent until after a determination of responsibility has been made pursuant to this procedure, including through an informal resolution process, if any.

The Responsible Administrator, including any appellate decision-maker, may impose remedies or sanctions authorized by district policy and applicable state or federal law. Remedies will be designed to restore or preserve equal access to the district’s education program or activity. Such remedies may include the same individualized services described as supportive measures herein; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. Such remedies may include, but are not limited to:

For students:

- Short or long-term suspension;
- Expulsion;
- Behavior contracts;
- Limitations on extracurricular activities;
- Changes in class schedules.

For employees:

- Suspension;
- Termination of employment;
- Letters of reprimand;
- Reassignment;
- Referral to the Idaho Professional Standards Commission.

If the remedy imposed is a long-term suspension or expulsion of a student or termination of any employee, any such discipline will be imposed in accordance with applicable due process rights under district policy or state law.



LEGAL REFERENCE:

Title IX of the Education Amendments of 1972 (20 USC Section 1681)

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

20 U.S.C. §1092(f)(6)(A)(v) (definition of sexual assault)

Violence Against Women Act

34 U.S.C. §12291(a)(8) (definition of domestic violence)

34 U.S.C. §12291(a)(10) (definition of dating violence)

34 U.S.C. §12291(a)(30) (definition of stalking)

34 CFR Part 106 (Title IX Regulations)

Idaho Code §33-1210 (Information on Past Job Performance)

Idaho Code §67-5901 *et seq.* (Idaho Human Rights Act)

CROSS-REFERENCE:

Civil Rights Grievance Policy – Policy 290

Non-Discrimination in Employment – Policy 410

Sexual Harassment – Policy 414

Student Harassment – Policy 506

Prohibition Against Harassment, Intimidation and Bullying – Policy 506.50

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

The board recognizes the need of its employees, particularly its administrative staff, to have periods of relief from their duties and provides for annual paid vacation periods. It is the intent of the board that vacation will be used annually in accordance with the schedule approved by the superintendent for all staff on 12-month contracts. All personnel are encouraged to use their vacation during a contract year.

Vacation time will be granted to employees according to the following schedule:

Superintendent--as specified by the Board of Trustees

District administrators	(12 months-- 260 220 days)	15 days
District Office secretaries	(12 months-- 260 220 days)	15 days

Administrators may have no more than thirty-eight (38) vacation days during the current fiscal year and year-round classified staff members may have no more than thirty (30) vacation days during the current fiscal year. Although the board encourages district administrators to use their vacation during the contract year, they understand that the nature of these positions could create situations in which district administrators' vacation days exceed the yearly thirty-eight (38) day limit. If this situation arises, the superintendent will notify the board at the annual July board meeting at which time the board will approve/disapprove payment for excess unused vacation days.

No administrator or classified staff member may have more than the maximum number of accumulated vacation days as of the last day of their individual contract year. Upon retirement, resignation, or termination, an administrator or classified staff member will only be reimbursed for the maximum number of 18 vacation days.

The district office will be open for business every working day that is not a holiday as designated by board policy. Administrators will not be required to work on the following holidays designated by board policy: Labor Day, Thanksgiving (2 days), Christmas (2 days), New Year's Day, Presidents' Day (when school is not in session), Good Friday (when school is not in session), Memorial Day, and July 4 (2 days).



LEGAL REFERENCE:

Idaho Code Section 33-506; 33-1216

ADOPTED: December 26, 1996

REVISED: December 17, 1998;
 September 26, 2002
 December 18, 2003
 April 19, 2007
 June 18, 2015
 October 15, 2015
 October 20, 2018

*Recognizing the need for administrators to make personnel management decisions in a timely manner and to provide for the efficient operation of this district, the board of trustees of Blackfoot School District No. 55 delegates to the superintendent or designee the ongoing authority to **immediately suspend or temporarily place district employees on administrative leave with pay.***

VOLUNTARY LEAVE

~~Upon the superintendent or designee's decision granting an employee's request for voluntary leave of absence, the board will ratify or nullify the action at the next regularly scheduled board meeting.~~

INVOLUNTARY LEAVE WITH PAY

The superintendent or designee will have ongoing authority to place any employee on a period of **temporary** involuntary leave of absence should he or she believe that such action is in the best interest of the district. ~~Circumstances in which it may be determined to be in the best interest of the districts supporting a temporary administrative leave with pay include, but are not limited to, those in which the employee has or is alleged to have: (1) violated the Idaho Code of Ethics; (2) created an immediate or imminent threat to the safety and wellbeing of a student or other district employee; (3) violated a district policy or policies; ~~or~~ (4) when such leave is necessary to conduct an investigation involving alleged misconduct by the employee; or (5) the presence of the employee may unduly influence or undermine an investigation.~~

~~The board will ratify or nullify the superintendent or designee's action of placing a certificated employee on involuntary administrative leave at the next regularly scheduled board meeting, or at a special meeting if the regularly scheduled meeting will not occur within twenty one (21) days from the date of the action. The superintendent or designee shall have the authority to suspend with pay the employee pending the next regularly scheduled board meeting or twenty-one (21) business days, whichever comes first. The board reserves the right to continue or discontinue the administrative leave with pay.~~

~~The involuntary leave of absence for certificated employees will be paid leave, unless there is a criminal court order that effectively prevents the employee from performing the essential functions of the employee's position as detailed below. The district will also continue to pay the district's portion of monthly costs associated with the certificated employee's health insurance benefits.~~

INVOLUNTARY LEAVE WITHOUT PAY DUE TO COURT ORDER

~~The~~ **A** certificated employee's involuntary leave of absence will be without pay where there is a criminal court order preventing the certificated employee from being in the presence of minors or students, preventing the employee from being in the presence of any other adult individual

employed at the school, or detaining the employee in prison or jail due to the certificated employee's inability to perform the essential functions of the employee's position. If there are dual court orders preventing more than one (1) employee from being in the presence of one (1) or more other employees, all employees subject to the court order will be excluded from the school.

During the period of unpaid leave, the district will continue to pay the district's portion of monthly costs associated with the certificated employee's health insurance benefits and maintain the certificated employee's salary in a district account. Should the certificated employee return to the district for active employment subsequent to the removal or dismissal of the court order, acquittal or adjudication of innocence, the district will remit the salary funds, less the cost incurred by the district for the substitute hired to replace the employee, and will arrange to have the employee credited with the public employee retirement system of Idaho (PERSI) for the employee's time away from work during the period of leave of absence.

TIMELINE FOR INVESTIGATION

In the event a certificated employee is placed on involuntary leave of absence based on the district's need to conduct an investigation into the employee's conduct, and no related criminal investigation or charges are pending, the investigation will be completed by the superintendent or designee within sixty (60) working days. On or before the sixtieth (60th) working day, the administrative leave will either cease and the employee will be returned to his position of employment, or the superintendent or designee will advance a personnel recommendation to the board. If a recommendation is advanced, the involuntary leave of absence will continue until the board has made its decision in regard to the personnel recommendation with the decision effectively concluding the involuntary leave of absence.

No timeline for involuntary leave will apply if a criminal investigation is ongoing and/or criminal charges are pending, or if waived by mutual agreement.

CERTIFICATED

~~Upon recommendation of the superintendent, the board of trustees may suspend a certificated employee, provided that the suspension is to allow time for investigation of an incident, which might be cause for dismissal. Such suspension may be with or without pay depending on the circumstances relative to the suspension as determined by the superintendent and the board of trustees.~~

CLASSIFIED

~~Classified personnel are under the supervision of the building principal and may be suspended for just cause by that principal and/or respective classified supervisor with the approval of the superintendent of schools. Such suspension may be with or without pay depending on the circumstances.~~

This policy is not intended to limit the authority of the superintendent or designee to hire, suspend, discipline, terminate or initiate any other action related to the employment of classified employees, subject to the right of grievance set forth in Idaho Code §33-517.



LEGAL REFERENCE:

Idaho Code ~~§Section~~ 33-506(3)(a) – Organization and Government of Board of Trustees

Idaho Code §33-513 – Professional Personnel

Idaho Code §33-517 – Noncertificated Personnel

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

The board is committed to a policy of non-discrimination in relation to race, color, religion, sex, national origin, citizenship, alienage or disability.



LEGAL REFERENCE:

Title VII of the Civil Rights Act of 1965 42 U.S.C. Section 2000e *et seq.*;
Title VI of the Civil Rights Act 1964, 42 U.S.C. Section 2000d *et seq.*;
Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. Section 1981;
Section 1983 of the Civil Rights Act of 1871 42 U.S.C. Section 1983;
The Equal Pay Act of 1963, 29 U.S.C. Section 206d;
Title VIV of the Education Amendments of 1972 20 U.S.C. Section 1681;
The Age Discrimination and Employment Act of 1967 29 U.S.C. Section 621 *et seq.*;
The Americans with Disabilities Act of 1990 42 U.S.C. Section 12101 *et seq.*;
Section 504 of the Vocational Rehabilitation Act of 1973 29 U.S.C. Section 794;
Idaho Commission on Human Rights Idaho Code Section 67-5901 *et seq.*

ADOPTED: March 27, 1997

REVIEWED: January 21, 2016

Year-round classified employees are entitled to fifteen (15) working days vacation each year with pay, provided this has been earned. No vacation is earned until the employee works to or beyond his or her first ten (10) months of employment.

Classified staff members may have no more than thirty (30) vacation days during the current fiscal year. Vacation time with pay for classified employees may accumulate to a maximum of eighteen (18) working days. No classified staff member may have more than the maximum number of accumulated vacation days as of the last day of their individual contract year. Upon retirement, resignation, or termination a classified staff member will only be reimbursed for the maximum number of accumulated vacation days listed above.

Arrangements for vacations for classified employees must be with, and have the approval of, the employee's immediate supervisor. ~~Vacation time shall not be split into increments smaller than one (1) week, except in special circumstances and only with the prior approval of the building principal and supervisor.~~

~~Elementary secretaries and school year secondary secretaries (clerical employees who work 210 days or less)~~ **Full-time classified employees who work at least 167 days** shall be entitled to the same holidays that the certificated employees receive.

~~Maintenance and custodial employees~~ **Year-round classified employees who work at least 195 days** shall be entitled to the following eleven (11) paid holidays: Labor Day, Thanksgiving (2 days), Christmas (2 days), New Year's Day, President's Day (when school is not in session), Good Friday (when school is not in session), Memorial Day, and July 4 (2 days).

~~Year-round secretaries or other year-round clerical employees who work more than 220 days shall be entitled to the six (6) paid holidays for certificated employees plus July 4 (2 days), Thanksgiving (1 additional day), President's Day (when school is not in session), and Good Friday (when school is not in session). Clerical employee vacations shall be granted and taken in accordance with Board Policy 480.~~



LEGAL REFERENCE:

Idaho Code Section 33-1216

ADOPTED: March 27, 1997

AMENDED: December 17, 1998

September 26, 2002

January 21, 2016

Blackfoot School District No. 55 recognizes the value and importance of electronic communication, online presence, and innovative technology tools to enhance the learning experience and work environment within the ~~D~~istrict. However, student use of personal electronic communication ~~and entertainment~~ devices during school hours may interfere with or disrupt the educational process.

DEFINITIONS

“~~Electronic communication and entertainment devices~~ Personal Communication Device (PCD)” includes, but ~~is are~~ not limited to, personal cell phones, tablets (e.g. iPads and similar devices), personal computers, laptops, ~~iPads~~, iPods/MP3 players, electronic readers (e.g. Kindles and similar devices) ~~Blackberries~~, pagers, ~~MP3 players~~, and other similar devices or media players, without regard to the commercial name or manufacturer of the device, whether handheld, car models, laptop or other computer usage, or combinations of any of the above.

“Social media networks” include, but are not limited to, websites, web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public that does not fall within the district’s technology network (e.g., Facebook, Twitter, LinkedIn, Flickr, YouTube, Instagram, Snapchat, ~~MySpace~~, blog sites, Wikipedia, etc.).

GENERAL PROVISIONS

Students may not use ~~electronic communication or entertainment devices~~ PCDs on school property or at school-sponsored activities without prior authorization. A student may possess ~~an electronic communication or entertainment device~~ PCD in school, on school property, and at school-sponsored activities, provided that during school hours and on school vehicles the device remains off (not just placed into vibrate or silent mode) and stored out of sight.

Students may not use ~~electronic communication or entertainment devices~~ PCDs on school property or at school-sponsored activities to access and/or view Internet websites, including social media networks, that are otherwise blocked to students at school or to take part in any activity prohibited in the district’s acceptable use policy (see Policy No. 698, Acceptable Use of Internet, Computer and Network Resources for Students).

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using a PCD during the school day, including while off campus on a field trip, to capture, record and/or transmit audio or images (i.e. pictures/video) of any student, staff member or other person. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

The use of PCDs with built-in cameras is prohibited at all times in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, bathrooms, shower facilities, and other locations where

~~students or others may change clothes or be in any stage or degree of disrobing or changing clothes in which inappropriate or privacy violating images may be obtained. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited. The use of electronic communication or entertainment devices with built-in cameras is prohibited at all times in locker rooms, bathrooms, and locations in which inappropriate or privacy violating images may be obtained.~~

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated (See Policy 506.50 – Prohibition Against Harassment, Intimidation and Bullying). In particular, students are prohibited from using PCDs to:

1. Transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, disability, age, religion, or ancestry; and
2. Engage in “sexting,” i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, emails or other materials of a sexual nature in electronic or any other form.

Students are also prohibited from using a PCD to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using their PCDs to receive such information.

The district is not responsible for theft, loss, damage, or vandalism to ~~electronic communication or entertainment devices~~ PCDs brought onto its property.

Parents/guardians are advised that the best way to get in touch with their child during the school day is by calling the school's main office. Students may use designated school phones to contact parents/guardians during the school day.

CYBERBULLYING

Cyberbullying, including, but not limited to, using any electronic communication device to convey a message in any format (audio or video, text, graphics, photographs, or any combination thereof) that intimidates, harasses, or is otherwise intended to harm another individual is prohibited.

EXCEPTIONS

~~Electronic communication or entertainment devices~~ PCDs may be used in the following circumstances:

1. With prior approval from the building principal.

2. *During approved classroom instruction.*
3. *During an emergency situation involving the immediate health/safety of a student or other individual(s).*

CONSEQUENCES FOR VIOLATION

Possession of ~~electronic communication or entertainment devices~~ PCDs by a student is a privilege, which may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Students who violate the privacy provisions of this policy and/or use a PCD to violate the privacy rights of another person may have their device confiscated and held until a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity the confiscated device may be turned over to law enforcement.

For the first violation, the device will be confiscated until the end of the school day at which time the student may reclaim it from the building principal's office.

Subsequent violations of this policy will result in confiscation of the device for a period of time to be determined by the building principal. Devices confiscated on two (2) or more occasions must be reclaimed from the building principal's office by the student with his/her parent or guardian present.

The district will use reasonable care to safeguard confiscated devices by designating a locked storage area, but does not assume liability in the event such confiscated device is lost, stolen, or damaged.

Repeated violations of this policy may result in disciplinary action up to and including suspension. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity.



LEGAL REFERENCE:

20 U.S.C. §1232g (Family and Educational Rights Privacy Act)

34 C.F.R. Part 99

Idaho Code ~~§Section~~ 33-512 – Governance of Schools

ADOPTED:

AMENDED:

This district is committed to assisting families who are members of the United States Armed Forces enroll their children in this district and register for courses in a timely manner. Any member of the U.S. Armed Forces who has received transfer orders to a location in Idaho and will, upon such transfer, reside in this district, may enroll and/or register their children in this district regardless of where such children reside at the time of enrollment or registration. *Proof of residency in this district shall be provided by the parent/guardian within ten (10) school days of the date the child first begins attending school in this district.*



LEGAL REFERENCE:

Idaho Code §33-524 (Note: this law was enacted by the 2020 legislature as a new section 33-524; however, because another section 524 was also enacted, it is compiled in Idaho Code as section 33-525)

CROSS-REFERENCE:

Policy 520 – Proof of Age and Identification

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

It is the responsibility of the district to meet Idaho Department of Health and Welfare requirements and regulations with regard to the control of communicable diseases in school settings. It is also the responsibility of the district to protect the rights of employees and students who may be infected with a communicable disease. Therefore, the board adopts the following policies to implement district responsibilities in this area. *The board authorizes the superintendent to implement appropriate procedures to address any communicable or infectious disease outbreak, in accordance with applicable law and district policy.*

COMMUNICABLE DISEASES

A communicable disease is any illness or condition which is identified as such by the Idaho Department of Health and Welfare. With any communicable disease infection, the district will consult with [name of applicable local health district] and follow recommended guidelines specific to each disease concerning exclusion and treatment of contacts.

When an employee or student reports that he/she has contracted a communicable disease, the district will determine whether the employee or student poses a risk of harm to students and other staff members after consulting with [name of applicable local health district] and reviewing recommended guidelines, specific to the disease, concerning exclusion and treatment of contacts. In addition, the district will determine what precautions, if any, are necessary.

Each school year, the district will provide instruction to all building staff including custodial and food service staff in the employment of the most current version of Universal Precautions. Universal Precautions as recommended by the Centers for Disease Control (CDC) include established routines for handling body fluids and providing sanitary environments.

REPORTING OF COMMUNICABLE DISEASES TO THE LOCAL HEALTH DEPARTMENT

Pursuant to the Idaho Reportable Diseases Regulations, IDAPA 16.02.10, the district will file a report with [name of applicable local health district] in the event an employee or student is known, or reasonably suspected, to have a reportable communicable disease.

CONFIDENTIALITY

Information regarding an employee's or student's medical status, including the presence of a communicable disease, shall be treated as confidential. No information known to the district or its employees regarding an employee's or student's medical status shall be divulged, directly or indirectly, to any other individuals or groups unless:

- The employee or student's parent/guardian gives prior approval for the disclosure; or
- Such disclosure is required by law.

PREVENTING THE SPREAD OF INFECTION

The district will take reasonable precautions to ensure a safe and clean school environment as may be recommended by the CDC, [name of local public health agency], the Governor or local county or city authorities. Such precautions may include, but are not limited to: posting of signs in school facilities identifying symptoms to watch for, providing information to students, employees, patrons and families regarding steps that will be taken by the district in the event of an illness or outbreak, requiring the use of masks, and providing alcohol-based hand sanitizers throughout school facilities. Specific procedures and requirements will be communicated pursuant to the district's applicable Health or State/National Emergency Plan.

In the event of an infectious disease outbreak, the district may implement some or all of the following to limit the spread of infection.

Telecommuting

Telework for employees will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to [identify one of the following: superintendent, building principal, human resources manager, business manager, etc.] for consideration.

Staying Home When Ill

During an infectious disease outbreak, it is critical that students do not come to school and employees do not report to work while they are ill and/or experiencing symptoms associated with the applicable infectious disease outbreak. Examples of symptoms include, but are not limited to: fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue. Currently, the CDC recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. For some infectious diseases, such as COVID-19, the CDC additionally recommends staying at home for at least 10 days after symptoms first appeared and symptoms have improved. For those who have tested positive for COVID-19 but had no symptoms, the CDC recommends staying home for 10 days after the test.

Requests for Medical Information and/or Documentation

For students or employees who are out sick or show symptoms of being ill, it may become necessary to request information from sick individuals and/or their health care provider. In general, the district would request medical information to confirm the need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for such individuals to return to school or work. As noted above, all medical information received will be deemed confidential.

Social Distancing Guidelines for Infectious Disease Outbreaks

In the event of an infectious disease outbreak, the district may implement some or all of the following social distancing guidelines at some or all of its facilities to minimize the spread of the disease among students and staff, taking into consideration the age of students at a particular school, building design and other factors:

- *Cancellation of field trips, assemblies and other large gatherings;*
- *Cancellation or modification of classes where students are likely to be in very close contact;*
- *Increasing space between desks;*
- *Changes to cafeteria schedules and food service;*
- *Staggering arrival and/or dismissal times;*
- *Limiting non-essential visitors to school facilities; and*
- *Limitation of cross-school transfers for special programs (e.g. music, academic clubs, STEM centers, etc.).*

**LEGAL REFERENCE:**

Idaho Code §33-512(4) and (7) – Governance of Schools

Idaho Code §33-1612 – Thorough System of Public Schools

34 C.F.R. Part 104 - Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance

28 C.F.R. Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

29 C.F.R. §1910.1030b – OSHA Definitions

IDAPA 16.02.10 – Idaho Reportable Diseases

Idaho Back to School Framework 2020 (7/9/20), available at:

sde.idaho.gov/re-opening/files/Idaho-Back-to-School-Framework-2020.pdf

CDC Interim Guidance for Administrators of US K-12 Schools and Childcare Programs (3/25/20), available at:

cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools-h.pdf

CROSS REFERENCE:

Policy 562 – Exclusion for Communicable Diseases

ADOPTED:**AMENDED:**

**Language in text set forth in italics is optional.*

All students graduating from Blackfoot School District No. 55 will meet all state and district graduation requirements. High schools in this district will offer a wide variety of courses to satisfy state and local graduation requirements, including instructional offerings in physical education and Career Technical Education (CTE). Additionally, each student's parent-approved learning plan will be reviewed and updated annually with the student (*see Policy No. 608, Middle/Junior High School Required Instruction*).

STATE STANDARDS FOR GRADUATION

The Idaho State Board of Education (SBOE) has established that all students graduating from an Idaho public high school must meet the following minimum requirements:

1. Local Achievement Standards. A student must meet locally established subject area achievement standards as demonstrated through various measures of accountability including examinations or other measures. The local standards must meet or exceed the standards set by the state.
2. Course Credit and Core Instruction. A student must successfully complete a minimum of forty-six (46) credits, which must include twenty-nine (29) credits in core subjects as set forth below and in IDAPA 08.02.03.105. One (1) credit equals sixty (60) hours of instruction unless the district has been granted a waiver by the Idaho State Department of Education (SDE).
 - a. Secondary Language Arts and Communication—nine (9) credits required.
 - 1) Eight (8) credits of language arts consisting of language study, composition, and literature aligned to the Idaho Content Standards for the appropriate grade level.
 - 2) One (1) credit of instruction in communications consisting of oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the Idaho Speech Content Standards requirements.
 - b. Mathematics—six (6) credits required. Secondary mathematics includes Integrated Mathematics, Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and quantitative reasoning.
 - 1) Two (2) credits of Algebra I, Algebra I level equivalent Integrated Mathematics or courses that meet the Idaho High School Algebra I Content Standards.

- 2) Two (2) credits of Geometry, Geometry level equivalent Integrated Mathematics, or courses that meet the Idaho High School Geometry Content Standards.
 - 3) Two (2) credits of mathematics of the student's choice.
 - 4) Two (2) credits of the required six (6) credits of mathematics must be taken in the last year of high school in which the student intends to graduate. The last year of high school includes the summer preceding the fall start of classes. Students who return to school during the summer or the following fall for the next year for less than a full schedule of courses due to failing to pass a course other than math are not required to retake a math course as long as they have earned six (6) credits of high school level mathematics.
 - 5) Students who have completed six (6) or more credits of math prior to the fall of their last year of high school, including at least two (2) semesters of an Advanced Placement (AP) or dual credit calculus or higher level course, are exempt from taking math during their last year of high school. High school mathematics credits completed in middle school shall count for the purposes of this section.
 - 6) Students who earn eight (8) or more high school credits of mathematics that include Algebra II or higher level of mathematics class before the student's senior year are not required to take mathematics during their last year of high school. High school mathematics credits earned in middle school shall count for purposes of this section.
 - 7) Dual credit engineering and computer science courses aligned to the state standards for grades 9-12, including AP computer science, dual credit computer science, and dual credit engineering courses may also be counted as a mathematics credit if the student has completed Algebra II (or equivalent integrated mathematics) standards. Such courses may not concurrently count as both a math and science credit.
- c. Science—six (6) credits required four (4) of which must be laboratory based. Secondary sciences include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences.
- 1) Secondary sciences include instruction in the following areas: biology; physical science or chemistry; and earth, space, environment, or approved applied science. Four (4) credits of these courses must be laboratory based.
 - 2) Up to two (2) credits in dual credit engineering and computer science courses aligned to the state standards for grades 9-12, including AP computer science, dual credit computer science, and dual credit engineering may be used as science credits. Such courses may not concurrently count as both a math and science credit.

- d. Social Studies—five (5) credits required.
- 1) Two (2) credits in government.
 - 2) Two (2) credits in U.S. history.
 - 3) One (1) credit in economics.
 - 4) Courses such as geography, sociology, psychology, and world history may be offered as electives, but will not be counted as a social studies requirement.
- e. Humanities—two (2) credits required.
- 1) Humanities courses include instruction in visual arts, music, theatre, dance, or world language aligned to the Idaho Content Standards for those subjects.
 - 2) Courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course is approved by the Idaho Interdisciplinary Humanities Content Standards.
- f. Health/Wellness—one (1) credit required.
- 1) The course must be aligned to the Idaho Health Content Standards.
 - 2) Each student must receive a minimum of one (1) class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in American Heart Association (AHA) guidelines for CPR including the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course.
- g. Physical Education—no credit requirement.
- 1) Students who participate in one (1) season in any sport recognized by the Idaho High School Activities Association (IHSAA) or club sport recognized by the district or eighteen (18) weeks of a sport recognized by the district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the content standards for physical education in a format provided by the district.
 3. Mastery. A student may achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the district. The board will appoint a committee to develop a process whereby students may be awarded credit upon demonstrating mastery of a subject's content standards.
 4. College Entrance Examination. A student must take one (1) of the following college entrance or placement examinations before the end of the student's 11th grade year: SAT,

ACT. Students who participated in the Compass assessment prior to its final administration may also use the Compass to meet this requirement. Students receiving special education services through a current Individualized Education Plan (IEP) may utilize the ACCUPLACER placement exam in lieu of the SAT or ACT.

- a. A student who misses the statewide administration of the college exam during the student's 11th grade year for any one (1) or more of the following reasons may take the examination during their 12th grade year to meet this requirement:
 - 1) Transferred to an Idaho school district during the 11th grade year and has not previously participated in one of the allowed college entrance exams outlined above;
 - 2) Was homeschool during the 11th grade year and is enrolled in an Idaho high school as a diploma seeking student; or
 - 3) Missed the spring statewide administration of the college entrance exam dates for documented medical reasons.
 - b. A student may elect an exemption in their 11th grade year from the college entrance exam requirement if the student is:
 - 1) Enrolled in a special education program and has an IEP that specifies the student meets the alternate assessment eligibility criteria;
 - 2) Enrolled in a Limited English Proficient (LEP) program for three (3) academic years or less; or
 - 3) Transferring from out of state to an Idaho high school in 12th grade.
 - c. This school district may, on behalf of a student, on a form established by the State Department of Education, submit an appeal application requesting the Superintendent of Public Instruction or their designee consider another college entrance exam or college placement exam to fulfill this requirement, or exempt the student due to extenuating circumstances.
5. **Senior Project.** The senior project is a culminating project to show a student's ability to analyze, synthesize, and evaluate information and communicate that knowledge and understanding. A student must complete a senior project that includes a written report and oral presentation by the end of the student's 12th grade year. Senior projects may be multi-year projects, group or individual projects, or approved, pre-internship or school to work internship programs, at the discretion of the district. The project must include elements of research, development of a thesis using experiential learning or integrated project based learning experiences and presentation of the project outcome. The district may impose additional requirements at its discretion. Completion of a postsecondary

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

6. **Civics and Government Proficiency.** All secondary students must show they have met the state civics and government standards for such instruction through the successful completion of the civics test, participation in a course in United States government and politics and participation in an associated college credit-bearing examination, or alternate path established by the district. The district may establish an alternate path for determining if a student has met the state civics and government content standards. Alternate paths are open to all students in grades 7-12. Any student who has been determined proficient in the state civics and government content standards either through the completion of the civics test or an alternate path will have it noted on the student's high school transcript. A student may take the civics test, in whole or in part, any time after enrolling in the 7th grade and may repeat the test as often as necessary to pass the test. The applicability of this requirement to a student who receives special education services shall be governed by such student's individualized education plan. "Civics test" means the one hundred (100) questions used by officers of the United States citizenship and immigration services as a basis for selecting the questions posed to applicants for naturalization, in order that the applicants can demonstrate a knowledge and understanding of the fundamentals of United States history and the principles and form of United States government, as required by 8 U.S.C. §1423.
7. *Middle School Courses.* See Policy No. 609.50, Awarding High School Credit for Courses Taken Before Ninth Grade.

DISTRICT REQUIREMENTS

[Insert district graduation requirements.]

ADDITIONAL GRADUATION REQUIREMENTS

As a further condition of graduation and as a condition of issuance of a diploma or certificate or as a condition for issuance of a transcript, all indebtedness incurred by a person when he or she was a student must be paid. Furthermore, all books or other instructional material, uniforms, athletic equipment, advances on loans, or other personal property of the school district borrowed by the person when he or she was a student of the district must be returned. The payment of fees may be excused upon an adequate showing of financial need or other exigency.

CREDIT CALCULATION

Credits toward graduation requirements cannot be counted more than once for meeting the minimum requirements.



LEGAL REFERENCE:

Idaho Code Sections

18-4511 – School Duties – Records of Missing Child – Identification upon Enrollment –
Transfer of Student Records

33-119 – Accreditation of Secondary Schools – Standards for Elementary Schools

33-512C – Encouragement of Gifted Students

33-603 – Payment of Fees or Returning of Property

33-1601 *et seq.* – Courses of Instruction

IDAPA 08.02.03.104 – Other Required Instruction

IDAPA 08.02.03.105 – High School Graduation Requirements

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

Helping Idaho students continually progress in their mastery of the English language is an integral part of the education process. All students, including English ~~language~~-learner (ELL) students, represent a broad range of abilities and interests. For this reason student progress alone cannot serve as the only criterion for the placement and retention of students in special programs for EL students; neither can it be the only criterion used to judge the success of a school program.

The schools in this district are required to make a reasonable effort to address the special language deficiencies of EL students. The programs and practices used in this district will be reasonably calculated to effectively implement the educational theory adopted by each school. However, there is no guarantee for the success of every individual student in meeting pre-specified criteria of English language proficiency.

DEFINITIONS

An EL student is defined as ~~a student who~~one:

1. Who is aged 3 through 21;
2. Who is enrolled or preparing to enroll in an elementary school or secondary school;
3. (i) Who was not born in the United States or whose native language is a language other than English; ~~or~~
 (ii) ~~and who is migratory, whose native language is a language other than English, and who~~ -comes from an environment where a language other than English is dominant; ~~or~~
 (iii) ~~who is~~ a Native American ~~or Alaska Native, or a native resident of outlying areas~~ and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency; ~~and-~~
4. ~~Such student must also have~~Whose difficulties~~y~~ speaking, reading, writing, or understanding the English language, ~~whose difficulties~~ may be sufficient to deny the ~~student individual~~:
 - (i) the ability to meet the challenging state academic standards;
 - (ii) the ability to achieve ~~opportunity to learn~~ successfully in classrooms where the language of instruction is English; ~~or~~
 - (iii) ~~or the opportunity to fully~~ participate fully in ~~our~~ society; ~~and who meets one or more of the following criteria.:~~

“Immigrant” refers to an individual who is (i) aged 3 through 21; (ii) was not born in any state; and (iii) has not been attending one or more schools in any one or more state for more than three full academic years.

“IRI” means the Idaho Reading Indicator.

“ISAT” means the Idaho Standards Achievement Test.

“L1 EL Student” means a student who qualifies as EL and who is new to a U.S. school within the last twelve (12) months.

“LIEP” means language instruction educational program(s) adopted by the district that may include one or more methods of instruction that are effective in teaching ELs.

PROCEDURES FOR IDENTIFYING AND SCREENING STUDENTS

The following procedure will be used for the identification of EL students:

1. Within ~~two (2) weeks~~ *thirty (30) days* following commencement of the school year, or when a student first enrolls in this district, students should be identified as potential EL through appropriate screening and teacher observation *in accordance with this policy and the Idaho State Department of Education “EL Identification and Screening Mini-Manual.”*
2. The district will administer the ~~statewide~~ *home language survey (HLS) (available in English and Spanish) to all newly enrolling students to determine, whether a language other than English is spoken in the home. The district will endeavor to communicate clearly with parents to assure that answers given on the HLS are accurate and reflect possible influence of other language(s) on the child. If the data seems incorrect or is unclear, the district may contact the parent/guardian for clarification on the information provided in the HLS and make appropriate changes with a note (initialed and dated) of the personal conversation;*
3. Prior to administering an English language proficiency screener assessment, district personnel will check the English Learner Management System (ELMS) to make immediate programmatic decisions for incoming students who may already be ELs, exited ELs, or potential ELs who need to be screened for English language proficiency;
4. If a student is identified as a potential EL, the district will use additional resources and data to determine whether administration of an EL screener is appropriate. No EL screener is necessary where (i) the student already has an EL proficiency score in ELMS; (ii) the student’s cumulative file contains WIDA assessments from another state, if the student has screener scores that meet Idaho’s screen out criteria, or if the student has ACCESS scores that meet Idaho’s exit criteria; or (iii) if the student has an EL Exit Form from another state regardless of the language proficiency test used to determine exit criteria. The district will administer a screener (i) if a student’s EL history in ELMS

states “no EL history;” or if the student has current non-WIDA language proficiency assessment reports that qualify him/her as an EL in their cumulative file.

5. If the student is identified as a potential EL student, the district will proceed with administration of an appropriate language proficiency screener, either Kindergarten W-APT or WIDA Screener, depending on the student’s grade level and time of year of enrollment, to determine district LIEP eligibility. The district will use statewide EL entrance criteria to determine whether a student qualifies for EL or whether they screen out of EL eligibility.
6. Screener assessment and program placement will occur within thirty (30) days of the student’s enrollment in the district.
7. If the student’s assessment score qualifies him/her for participation in the district’s language instructional education program, the district will notify the parents/guardians by letter in a language understandable to the parents (to the extent practicable) indicating that their child was identified as needing specific English language development services. Parents/guardians will be given an opportunity each year their child is enrolled to waive any English language development services, but not annual assessment.
8. EL students will be placed in the grade level that is age appropriate; students will not be placed in lower grades due to newcomer status or low language proficiency.
9. All procedures for ELs apply if a Native American student’s HLS indicates that a language other than English is spoken in the home. Native American students can be considered for English language services, but will not be identified solely based upon being Native American.

IDENTIFICATION OF IMMIGRANT STUDENTS

The district recognizes that an individual’s immigrant status is not related to an individual’s legal status in the United States. The district also recognizes that not all immigrant students are English learners and not all English learners are immigrant students, nor is immigrant status an immediate qualifier for EL status. The district will seek to determine eligibility for its EL program of immigrant students by establishing “look-fors” in enrollment paperwork (e.g., a birth certificate from another country) that may indicate the student could be immigrant. The district will then, through conversation with the parents/guardians, or through an interpreter, the district will verbally follow up to determine whether the student meets the criteria for an immigrant student. *The district will endeavor to communicate clearly with parents/guardians to assure that all information provided is entirely confidential, that nothing will be documented in the student’s cumulative file, and that it has nothing to do with the family’s or student’s immigration status.*

EL PROGRAMS

The programs and practices used with EL students will be reasonably calculated to effectively implement the educational theory adopted by this district and will:

- a. Be recognized as sound by some experts in the field or, at least, deemed a legitimate experimental strategy; ~~or~~
- b. Be ~~recognized as legitimate educational strategies~~ reasonably calculated to implement effectively the educational theory adopted by the district; and
- c. Be ~~modified if it is determined that this district's programs prove to be unsuccessful~~ proven successful, after a legitimate trial period, in producing results indicating that the language barriers confronting students are actually being overcome.

EL Sstudents ~~who are of limited English proficiency~~ are entitled to ~~instructional programs~~ LIEPs that lead to proficiency in English. Once students have been placed in a ~~an alternative language program~~ LIEP, they will be provided with services until they are proficient enough in English to participate meaningfully in the regular educational program. The district's EL program will be designed to provide instruction which meets each student's individual needs based on the assessment of English proficiency in listening, speaking, reading and writing. Depending on the district's EL population and the EL staff employed, the district may implement more than one program type.

ENGLISH LEARNER PLANS (ELPs)

An individualized ELP will be written for any student who requires any accommodations or designated supports on a statewide or district-wide assessment based upon language proficiency. Assessment accommodations and supports will also be used during regular classroom instruction and testing. The district may create an ELP for an EL even if they do not require accommodations/supports in the classroom or annual assessment. Copies of ELPs will be placed in the student's cumulative file.

STATEWIDE ASSESSMENTS FOR EL STUDENTS

EL students in this district will take the ISAT, ACCESS 2.0 and IRI tests, except as otherwise provided herein.

ISAT: L1 EL students are exempt from the English Language Arts ISAT. L1 EL students must still take the Math ISAT and the Science ISAT if enrolled on or before the first Friday in May.

IRI: All EL students in this district, including L1 EL students, are required to take the IRI.

ANNUAL ENGLISH LANGUAGE PROFICIENCY ASSESSMENT

All qualified ELs are required to participate annually in the summative English Language Proficiency Assessment, ACCESS 2.0 or Alternate ACCESS. The annual ACCESS 2.0 determines the students' level of English language proficiency and allows the district to accurately and comprehensively track ELs' linguistic growth, to ensure that all ELs are making

progress and mastering the English language. ACCESS 2.0 also highlights the language development needs of students individually in each of the four language domains of listening, speaking, reading and writing. The Alternate ACCESS is available for students with the most significant cognitive disabilities. Eligibility for the Alternate Access will follow State Department of Education criteria. Although parents can waive services of a LIEP, the annual English language proficiency assessment may not be waived.

EXITING PROCEDURES FOR EL STUDENTS

The criteria used for exiting students from ~~an alternative language~~ an LIEP program will be based on this policy and the standards set forth in the Idaho State Department of Education “EL Exiting and Monitoring Mini Manual.” The established exit criteria is the level of language proficiency needed for the student to independently be able to access content delivered in English and therefore have the language ability to also be proficient on statewide and districtwide assessments.

Students who meet Idaho’s exit criteria are exited and transition into a two-year monitoring period. Exited students no longer receive services through an LIEP and no longer take the ACCESS assessment. *The district may make special provisions (e.g., RTI, special education, Title I, etc.) or provide other interventions to further support the specific areas where a student may continue to struggle.* The district will document those students who have exited from the district’s EL program by placing a state-approved EL exit form in students’ cumulative files, in addition to documentation on ELMS. The form will be shared and explained to parents/guardians in a language they can understand to inform them of their child’s program exit and into a monitoring status for two (2) years.

The district may use various assessment tools to monitor exited ELs during the two-year monitoring period. These tools include, but are not limited to:

- Classroom grades;
- Statewide academic achievement tests (ISAT and IRI);
- AimsWeb;
- NWEA MAP Testing;
- STAR;
- One-on-one student meetings;
- Locally created observation tools.

REPORTING

This district will report annually to the Idaho State Department of Education on an appropriate form the following:

- a. Total number of children participating in the EL program;
- b. Progress made by students enrolled in the program;

- c. Number of students exited from the program and the criteria upon which this decision was made;
- d. Proposed changes, if any, for the subsequent year.

If this district does not have EL students enrolled, it will certify that fact to the Idaho State Department of Education under the signature of the superintendent of schools or the chairman of the board of trustees.

PARENTAL NOTICE AND WAIVER OF ELL SERVICES

Within thirty (30) days of the beginning of each school year, or within the first two (2) weeks of placement in a LIEP for students who enroll after the start of the school year, the district will notify parents of students qualifying for a LIEP about the instructional program and parental options, as required by law. Such notice will include, at a minimum:

- The reason for EL identification;
- The child's current level of English language proficiency, how it was assessed, and the status of the child's academic achievement;
- Type of LIEP the child is being placed into and other available district LIEP options;
- Exit requirements, expected graduation rate, and expected rate of transition to a classroom not tailored for EL students;
- In the case of a child with a disability, how the LIEP meets the goals in the child's Individual Education Plan (IEP); and
- Information for parents on how to withdraw their child from the district LIEP services or to choose another program or method of instruction.

Whenever possible, communications with parents or guardians shall be in the language understood by the parents.

Parents will be notified annually of their right to waive the services of the LIEP for their child. EL students who are not participating in the LIEP services due to parental waiver will still have access to all of the district's educational programs and curriculum. Parental waiver of EL services does not exempt the student from annual English proficiency assessments (ACCESS 2.0 or Alternate Access) and does not remove any EL designation.

EL/TITLE III ADMINISTRATOR/COORDINATOR

The district's EL/Title III Administrator/Coordinator is:

[Identify name and contact information]



LEGAL REFERENCE:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§2000d *et seq.*)

Equal Educational Opportunities Act of 1974 (EEOA)

Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015 (20 U.S.C. §§6811 *et seq.*)

Idaho Code §33-1617

Idaho State Department of Education Guidance:

“EL Identification and Screening Mini-Manual” (updated September 6, 2019)

“EL Programs, Standards, and Staffing Mini-Manual” (updated September 6, 2019)

“English Learners in Statewide Assessments Mini-Manual” (updated September 6, 2019)

“State EL & Title III Mini-Manual” (updated September 6, 2019)

“EL Exiting and Monitoring Mini-Manual” (updated September 6, 2019)

ADOPTED:

AMENDED:

All payroll warrants are subject to those deductions which are required by statute of the State of Idaho and the federal government. Any other payroll deductions for school employees will be in accordance with board policy and upon written authorization of the employee.

Compulsory payroll deductions will be made as required by Idaho and federal law.

Optional deductions will be made upon written request by the employee for such purposes as approved by the board.



LEGAL REFERENCE:

Idaho Code §§~~Section~~ 33-506(4) (Organization and Government of Board of Trustees)
33-512(13) (Governance of Schools)
45-609 (Withholding of Wages)

ADOPTED:

AMENDED:

Patrons from this district having concerns or complaints regarding any aspect of this school district and/or the services it provides to the school-age students residing in its boundaries may submit those concerns or complaints in writing following the procedure set forth below:

1. Matters concerning an individual school will be discussed first with the principal of that school;
2. If the patron believes that the matter was not resolved at the school level, it may then be brought to the superintendent;
3. If the problem is not resolved with the superintendent of schools, it may then be brought before the board in the following manner:
 - a. The request, concern, or complaint will be submitted in writing to the board at least five (5) days before the regularly scheduled board meeting;
 - b. Participants must identify whom they represent and may be asked to comment on their questions or problems;
 - c. Personnel complaints against any school district employee will not be heard in open session;
 - d. The board reserves the right to set time limitations for presentations and speakers.

Individuals with complaints regarding library resources or textbooks will follow the complaint procedure set forth in Policy 652 - Library and Resource Center Materials.



LEGAL REFERENCE:

Idaho Code §33-506(3)

ADOPTED:

AMENDED: