

**POCATELLO/CHUBBUCK SCHOOL DISTRICT NO. 25
BOARD OF TRUSTEES**

Special Meeting for the Purpose of a Work Session

Tuesday, March 13, 2012 – 8:30 a.m. – Board Room at the Education Service Center

NOTICE: Board of Trustees will meet at **8:00 a.m.** at the Stocks Building for a tour of the building.

SPECIAL MEETING/EXECUTIVE SESSION/LEGAL COUNSEL

(No Action to be Taken)

Immediately Following Work Session

Superintendent's Office at the Education Service Center

AGENDA

WORK SESSION TOPICS:

- 1. Convene Work Session**
- 2. Conduct Candidate Interviews for Trustee Zone #3 Seat**
- 3. Adjourn Work Session and Convene Special Meeting to Take Action to Select a Trustee for Zone #3 Seat**
- 4. Adjourn Special Meeting and Reconvene Work Session**
- 5. Montessori Program Changes**
- 6. Policy 8122 – Graduation Requirements**
- 7. Naming of the Alternative School**
- 8. Transportation Overview**
- 9. Legislative Report**
- 10. Loss of Revenue for 2011-12**
- 11. Preliminary 2012-13 Budget**
- 12. OK Ward Park Softball Field Maintenance**
- 13. Policy & Procedure 8291 – FERPA**
- 14. Public Comment**

Board Protocols for Public Comment will be followed at all Board Meetings. Patrons wishing to address the Board will fill out Form AD 2 – Request to Appear before the Board and present it to the Board Chair or Board Secretary prior to the meeting.

Board Operating Principles #22 & 23:

22) The Board will follow the chain of command referring others to present their issues, problems, or proposals to the person who can properly and expeditiously address the issues; **23)** Board members will refrain from communications which create conditions of bias should a problem or complaint become the subject matter of a hearing before the Board.

- 15. Adjourn Work Session and Convene Special Meeting for the Purpose of Adjourning to Executive Session to Discuss in Accordance with Idaho Code 67-2345 (1) (f) *To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be filed;***
- 16. Return to Open Session – *No Action to be Taken***
- 17. Adjourn**

NOTE: A complete agenda can be found on the District's Website: www.sd25.us under School Board/Board Agendas/Work Session Agenda 3-13-12.

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>1. Convene Work Session</p> <p>2. Conduct Candidate Interviews for Trustee Zone #3 Seat (45 min.)</p> <p>3. Adjourn Work Session and Convene Special Meeting to Take Action to Select a Trustee for Zone #3 Seat</p> <p>4. Adjourn Special Meeting and Reconvene Work Session</p>	<p>Mr. Sargent <i>Acting Chair</i></p> <p>Ms. Vagner <i>Superintendent</i></p>	<p>Topic: Conduct Candidate Interviews for Trustee Zone #3 Seat</p> <p>Policy Question: Board responsible for the overall operations of the District.</p> <p>Background Information: Three letters of intent and resumes were received by the District for the Trustee Seat in Zone #3. Interview packets will be at Board places at the time of the meeting. Ms. Vagner will review the interview process and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: Administration recommends Board adjourn the Work Session and Convene a Special Meeting to select a Trustee for the Zone #3 Seat at the time of the meeting. The Board will seat the newly selected Trustee and administer the Oath of Office at the March 20, 2012 Regular Board Meeting.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>5. Montessori Program Changes (15 min)</p>	<p>Dr. Mortensen <i>Director of Elementary Education</i></p>	<p>Topic: Montessori Program Changes</p> <p>Policy Question: Board responsible for overall operations of the District.</p> <p>Background Information: Included in the packet is a memorandum detailing the proposed changes to the Montessori Program for the 2012-13 school year. There may be a need for a fee increase which would be brought to the Board for approval at a future meeting. Dr. Mortensen will be in attendance to review the changes and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>6. Policy 8122 – Graduation Requirements (10 min)</p>	<p>Mr. Wegner <i>Director of Curriculum</i></p>	<p>Topic: Policy 8122 – Graduation Requirements</p> <p>Policy Question: Board adopts Policy.</p> <p>Background Information: Included in the packet is the amended Policy 8122 – Graduation Requirements. The proposed changes are a result of the implementation of the Common Core State Standards. Mr. Wegner will be in attendance to review the proposed changes and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: Administration recommends Board hear the Policy on first reading at the March 20, 2012 Regular Board Meeting.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>7. Naming of the Alternative School (10 min)</p>	<p>Mr. Devine <i>Director of Secondary Education</i></p> <p>Mr. Barnes <i>Principal, New Horizon High School</i></p>	<p>Topic: Naming of the Alternative School</p> <p>Policy Question: Board responsible for overall operations of the District.</p> <p>Background Information: Included in the packet is a memorandum detailing the proposed names for the District’s Alternative School. Mr. Devine and Mr. Barnes will be in attendance to speak to the process for selecting a name and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: The Board will be asked to consider adopting “The New Horizon Center” as the official name for the District’s Alternative School at the March 20, 2012 Regular Board Meeting.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>8. Transportation Overview (15 min)</p>	<p>Mr. Leiby <i>Transportation Coordinator</i></p> <p>Mr. Ferguson <i>Transportation Supervisor</i></p>	<p>Topic: Transportation Overview</p> <p>Policy Question: Board responsible for overall operations of the District.</p> <p>Background Information: Mr. Leiby will be in attendance to provide a general overview of the Transportation Department and will answer any questions at the time of the meeting. Mr. Ferguson will demonstrate the Arc View Program, a global information system which is used to create things such as bus routes, bus stops and maps. He will access the Arc View website to demonstrate how the program works and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>9. Legislative Report (5 min)</p>	<p>Ms. Vagner <i>Superintendent</i></p>	<p>Topic: Legislative Report</p> <p>Policy Question: Board responsible for overall operations of the District.</p> <p>Background Information: Included in the packet is a current copy of the ISBA Capital Notes and the IASA Legislative Update. Ms. Vagner will be in attendance to review the information and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>10. Loss of Revenue for 2011-12 (5 min)</p>	<p>Mr. Reed <i>Director of Business Operations</i></p>	<p>Topic: Loss of Revenue for 2011-12</p> <p>Policy Question: Board responsible for balancing the budget.</p> <p>Background Information: Included in the packet is a letter from the Bannock County Assessor notifying the District that it would receive \$236,000 less tax revenue than anticipated. Mr. Reed will be in attendance to speak to this information and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>11. Preliminary 2012-13 Budget (15 min)</p>	<p>Mr. Smart <i>Director of Employee Services</i></p> <p>Mr. Reed <i>Director of Business Operations</i></p>	<p>Topic: Preliminary 2012-13 Budget</p> <p>Policy Question: Board responsible for balancing the budget.</p> <p>Background Information: Mr. Smart & Mr. Reed will be in attendance to review the preliminary 2012-2013 District Budget. Documentation will be included in the addendum.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>12. OK Ward Park Softball Field Maintenance (3 min)</p>	<p>Mr. Reed <i>Director of Business Operations</i></p>	<p>Topic: OK Ward Park Softball Field Maintenance</p> <p>Policy Question: Board responsible for overall operations of the District.</p> <p>Background Information: Last year the District and the City of Pocatello each invested \$15,000 in order to receive grant money for improvements to the OK Ward Park softball fields for a total of \$90,000. The city wants the upkeep of the fields to be consistently maintained and is proposing the District be responsible for maintenance costs when it utilizes the fields. The city is willing to amortize based on the upfront commitment of \$15,000. The administration will develop an agreement which will be brought to the Board at a future date.</p> <p>Administrator Recommendations: None at this time.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>13. Policy & Procedure 8291 – Family Educational Rights & Privacy Act (FERPA) (3 min)</p>	<p>Ms. Vagner <i>Superintendent</i></p>	<p>Topic: Policy & Procedure 8291 – Family Educational Rights & Privacy Act (FERPA)</p> <p>Policy Question: Board adopts Policy.</p> <p>Background Information: Included in the packet are Policy & Procedure 8291 – Family Educational Rights & Privacy Act with revisions based on changes to federal law relative to limitations for directory information. Ms. Vagner will be in attendance to speak to the proposed changes and will answer any questions at the time of the meeting.</p> <p>Administrator Recommendations: The Board will be asked to hear the Policy on first reading at the March 20, 2012 Regular Board Meeting.</p> <p>NOTES/SUMMARY/DIRECTION:</p>

TOPIC	PRESENTER	DISCUSSION/INFORMATION
<p>14. Public Comment (15 min)</p>		<p>Public Comment Protocols: Board Protocols for Public Comment will be followed at all Board Meetings. Patrons wishing to address the Board will fill out Form AD 2 – Request to Appear before the Board and present it to the Board Chair or Board Secretary prior to the meeting.</p> <p><u>Board Operating Principles #22 & 23:</u> 22) The Board will follow the chain of command referring others to present their issues, problems, or proposals to the person who can properly and expeditiously address the issues; 23) Board members will refrain from communications which create conditions of bias should a problem or complaint become the subject matter of a hearing before the Board.</p>
<p>15. Adjourn Work Session and Convene Special Meeting</p>		<p>For the Purpose of Adjourning to Executive Session to Discuss in Accordance with Idaho Code 67-2345 (1) (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be filed;</p>
<p>16. Return to Open Session</p>		<p>No Action to be Taken</p>
<p>17. Adjourn</p>		

TO: MARY VAGNER
FROM: PATTI MORTENSEN
SUBJECT: MONTESSORI PROPOSAL
DATE: MARCH 13, 2012
CC: JIM DENTON

In order to stabilize Montessori enrollment numbers and create space for all Montessori students to remain in the program through 5th grade, I am recommending a change in the ages of students served in the program.

Currently, Montessori serves 3 and 4-year olds in a classroom with kindergarten students. The proposal for next year would eliminate space for new 3-year olds subsequently creating a classroom of 4-year olds and kindergarten students only. Kindergarten students in this classroom would attend 4 full days per week consistent with other Tyhee kindergarten students. Four-year olds would continue to attend an AM or PM session Monday thru Friday. Below are the estimated numbers over the next three years.

Teacher/Grade Level	Current Numbers			
	2011-12	2012-13	2013-14	2014-15
Miss Amber	3-year olds 14			
	4-year olds 18	4-year olds 14	4-year olds 14	4-year olds 14
	Kindergarten 13	Kindergarten 18 32	Kindergarten 14 28	Kindergarten 14 28
Miss Lori	1 st Grade 7	1 st Grade 7	1 st Grade 9	1 st Grade 7
	2 nd Grade 8	2 nd Grade 7	2 nd Grade 7	2 nd Grade 9
	3 rd Grade 9	3 rd Grade 8 22	3 rd Grade 7 23	3 rd Grade 7 23
Miss LaNae	1 st Grade 7	1 st Grade 6	1 st Grade 9	1 st Grade 7
	2 nd Grade 8	2 nd Grade 7	2 nd Grade 6	2 nd Grade 9
	3 rd Grade 8	3 rd Grade 8 21	3 rd Grade 7 22	3 rd Grade 6 22
Miss Katie	4 th Grade 15	4 th Grade 17	4 th Grade 16	4 th Grade 14
	5 th Grade 9	5 th Grade 15 32	5 th Grade 17 33	5 th Grade 16 30

GRADUATION REQUIREMENTS

DATES (Adopted Revised)	GUIDE WORDS
Adopted August, 1973 Revised July, 1978 Revised July, 1980 Revised October, 1983 Revised September, 1984 Revised June, 1987 Revised February, 1989 Revised December, 1993 Revised July, 1998 Revised April, 2005 Revised November, 2008 Revised March, 2009 Revised August, 2010 Revised December, 2010 Revised April, 2011 <u>Revised April, 2012</u>	Attendance Classes Core Curriculum Courses Credits Graduation Special Education

All students desiring to graduate from high school in School District No. 25 with a Standard Diploma shall meet all State of Idaho and School District No. 25 requirements.

To be eligible to graduate from high school in School District No. 25 with a Standard Diploma, a student must earn the minimum number of credits identified in the following table. Students must also demonstrate proficiency on the required Idaho Standards Achievement Test (ISAT) in Reading, Language Usage and Math in order to graduate. If students do not meet proficiency on the ISAT, they must successfully fulfill the requirements of the alternate route to graduation as approved by the Board of Trustees, or the Individual Graduation Plan developed by the IEP teams in order to graduate. Beginning with the Class of 2013 and beyond, students must successfully complete a Senior Project as outlined in the English 12B curriculum that includes a research paper and oral presentation. Consequently, students graduating with a diploma from School District 25 must complete English 12B, English 101, or AP Lit/Comp. The Class of 2013 and beyond must take either the ACT, SAT, or Compass exam by the end of grade 11.

Students in grades 9, 10, 11, and 12 will be required to register for a five-period day with the option of an approved release.

Adapted courses may be provided for students, by the regular teacher with support from the special education staff, when approved by the IEP team. The decision to provide an adapted course must be made prior to the student's initial enrollment in the adapted class. When a course has been adapted, a notation will be placed on the student's transcript so indicating. When the disabling condition is so severe that adapted regular curriculum course offerings are not educationally appropriate, an educational course is designed by the IEP team which meets the individual needs of the student.

All required credits must be totally completed prior to graduation exercises. The minimum trimester credits required for graduation from grades 9 through 12 are as follows:

GRADUATION REQUIREMENTS

REQUIRED SUBJECTS:	REQUIRED CREDITS FOR CLASS OF:			
	2011	2012	2013 & Beyond	
	2011	2012	2013, 2014, 2015	2016 & Beyond
English 9 th - 12 th grade Each year will consist of language study, composition and literature and be aligned to the Idaho Content Standards for the appropriate grade level, culminating with successful completion of a Senior Project for the Class of 2013 and beyond.	8	8	8	<u>8</u>
Speech A trimester of debate may be substituted for speech requirement.	1	1	1	<u>1</u>
Mathematics Beginning with the Class of 2013 and Beyond: 6 credits with at least 2 credits of the student's choice earned the last year of high school. Math credits must include at least 2 credits Algebra I or equivalent and 2 credits Geometry or equivalent. Note: Students must take Pre-Algebra before entering 9 th grade.	4	4	6	<u>6</u>
Science Secondary sciences include instruction in the following areas: Biology, Physical Science or Chemistry, Earth, Space, Environment, or approved Applied Science	4 (2 of the 4 science credits will be lab based)	4 (2 of the 4 science credits will be lab based)	6 (4 of the 6 science credits will be lab based)	<u>6</u> (<u>4 of the 6 science credits will be lab based</u>)
Social Studies U.S. History I (meets 2 required elective credits per State of Idaho) U.S. History II U.S. History Global Perspectives 9 th grade US Government 12 th Grade Economics 12 th Grade	2 2 0 0 2 1	2 2 0 0 2 1	0 0 3 1 2 1	<u>2</u> <u>2</u> <u>0</u> <u>0</u> <u>2</u> <u>1</u>
Humanities	2	2	2	<u>2</u>
Health	1	1	1	<u>1</u>
Freshman Seminar	0	0	1	<u>0</u>
Electives	*19	*21	*20	<u>*21</u>
Total Credits Required for	46	48	52	<u>52</u>

GRADUATION REQUIREMENTS

Graduation				
-------------------	--	--	--	--

Transcripts of students transferring into the District shall be evaluated and ~~waivers for specific courses shall be~~ considered on an individual basis with appropriate course substitutions applied.

*Each student must complete elective credit in at least two (2) of the following areas of instructional offerings:

- Physical Education (fitness)
- Humanities (Drama, Art, Music, Foreign Language, World History)
- Professional-Technical Education (including work-based learning)
- Family and Consumer Science
- Fine and Performing Arts
- Languages other than English (may include sign language)

The NCAA Clearinghouse has specific guidelines for awarding academic credit. It is recommended students apply to the NCAA Clearinghouse at the end of their junior year. Parents of students and/or students planning to attend a post secondary institution under the conditions of NCAA should seek required credit information from their high school counselor and the college/university of interest.

Every student eligible for special education services must have an Individualized Graduation Plan. The district will use the regular high school diploma for students who are graduating with Individualized Graduation Plans. Students may meet the regular graduation requirements, may meet comparable graduation requirements, or may complete alternate requirements developed through the IEP process.

1. Regular graduation requirement: The student meets graduation requirements with no accommodations or adaptations. This includes receiving a proficient score in all areas of the High School ISAT.
2. Comparable graduation requirements: The student meets graduation requirements that are comparable to those established in district and state policy. Comparable graduation requirements may include accommodation requirements to meet a student's needs, but that are as rigorous as the established regular graduation requirements. This includes receiving a proficient score in all areas of the High School ISAT with accommodations or meeting proficiency on one or more of the identified evaluation methods established on the graduation plan.
3. Graduation criteria established by the IEP team: The student meets the criteria established on his/her Individualized Graduation Plan that is part of the IEP. The IEP team specifically addresses completion of the student's secondary program by adapting the regular graduation requirements by:
 - a. Adapting the course content, course objectives, instructional strategies, grading, assessments; and/or
 - b. Identifying alternative methods for demonstrating competence; and/or
 - c. Waiving specific required courses when educationally appropriate.

When a student meets the regular or comparable graduation requirements for receipt of a regular high school diploma, the student's entitlement to a free appropriate public education (FAPE) ends. If a student is granted a high school diploma for completing requirements that are not comparable to regular graduation requirements, the student is entitled to receive FAPE through the semester/trimester in which he/she turns 21 years of age or completes

GRADUATION REQUIREMENTS

requirements that are comparable to regular graduation requirements, whichever comes first.



**Pocatello
Chubbuck
School District 25**

**Maximizing Learning For All Students
Through Rigor, Relevancy and Relationships**

Whatever It Takes!

MEMORANDUM

To: Mary M. Vagner, Superintendent
From: Bob Devine, Director of Secondary Education
Date: March 13, 2011

RE: Naming of the Alternative School

Per the direction of the Board, students from the Alameda Center were involved in the process for naming the Stock's Building which would house the District's Alternative School.

The following names were initially submitted by students and staff:

- Greenway Center
- Alternative Solutions
- Stepping Stones
- Second Chance Center
- Portneuf Valley Success Center
- Solutions Alternative
- New Horizon Alternative
- The 212^o Center
- District 25 Opportunity Center

The proposed names were narrowed down to a top three and ultimately to a final recommendation of "The New Horizon Center".

Administrative Recommendation: The administration recommends Board consider adopting "The New Horizon Center" as the official name for the District's Alternative School at the March 20, 2012 Regular Board Meeting.

CAPITOL NOTES

A WEEKLY PUBLICATION OF THE
IDAHO SCHOOL BOARDS ASSOCIATION



Karen Echeverria
ISBA Executive Director

March 5, 2012

TAX RELIEF BILLS WILL BE THE MAIN FOCUS FOR THE REMAINDER OF THE LEGISLATIVE SESSION

Tax Legislation and Going Home

This past week, it became apparent that tax relief legislation will be the going home bill this year. There are at least five pieces of tax relief legislation that could have impacts on taxing districts, including school districts. I have highlighted all of those tax bills below in **green**. I ask that you pay special attention to those bills. We will need your help to stop those bills from passing. ***As each piece of legislation comes up for debate in committee or on the House Floor, we will ask that you contact your legislators to ask for their vote.*** There is one piece of legislation that is up on Monday morning. I have highlighted that piece in red below. I ask that you send emails or make calls on that legislation as soon as possible to ask for their no vote.

As always happens at the end of the year, there will be legislation that will be traded. The House desperately wants some form of tax relief legislation. Currently, I am not certain what will be traded for at least one piece of tax relief legislation. At this point there are two possibilities – SB1331 – Removal of the 5th Factor or some form of Health Insurance Exchange.

Speaking of SB1331 – Removal of the 5th Factor

Each year, the officers of ISBA have the opportunity to have dinner and spend some time with legislative leadership. That occurred this past week. The Pro Tem told us that SB1331 is very important to the Senate and that is the reason the Senate passed the bill unanimously.

This is, obviously, a huge piece of legislation for us. If passed, that would mean that the legislature must fund salary based apportionment without any reductions and that they find another source of funding for pay for performance and technology issues.

The Senate has asked for our help and support in getting this legislation passed on the House side. This will be another piece of legislation that we will ask for your support on when it comes before the House Education Committee and on the House Floor. Again, please watch your emails closely and often.

Legislation

Capitol Notes was getting a little too big and difficult to navigate so I have removed some of those that may not be as important as those we are working on. As we discussed during the GAC meeting this past week, there are currently 50 pieces of legislation we are tracking at some level and 20 that we are actively working. As noted above, most of the rest of the session will be spent working on tax relief legislation.

If you have questions about any legislation that is not listed below, please feel free to call the office and talk to Jessica or me.

HB426 - 8 in 6 Program

This legislation will allow students to move through middle and high school at a faster rate. The additional classes needed to complete the program will all be taken online. There is some concern about the funding that is figured into the legislation. It is based on a payment for classes to IDLA that does not currently exist. Therefore, a majority of the financial burden would be placed

on the parent or school district. Because this is a voluntary program, we are concerned that it will pass despite our objections. We will continue to work with the sponsor and the Senate Education Committee to address the funding questions. I know the Boise School District has expressed concern with this legislation and have an appointment to speak with Senator Goedde on Monday. Aside from that, we have not heard from any of you on this bill.

This legislation has passed the House with the understanding that the Senate would amend the bill, especially the fiscal note. It was heard in the Senate Education Committee on Thursday. The bill is still being held in the Senate Education Committee and is not yet scheduled to be heard.

HB452 and 576 (used to be 453) – Bond and Levy Election Notification

The purpose of these two pieces of legislation is to provide more transparency as it relates to bond and levy elections. In particular, the legislation adds requirements to taxing districts to provide a statement as to the purpose for which the bonds and levies are to be used, disclose the anticipated interest rates of the bonds and levies, and when the bonds will be paid off or retired. This information would be provided in a brief official statement that would be included in the election ballot. These bills are similar to those that passed through the House last year, but because of timing issues, did not get a hearing in the Senate. We have expressed our concerns to the sponsor about the impact it might possibly have regarding the ability of school districts to pass either a bond or levy with the requirement for this information, however, the sponsor was not conducive to amendments. In fact, I believe that is the purpose of these bills – to keep levies and bonds from passing. ***HB452 has passed the House and is headed to the Senate State Affairs Committee. HB576 is scheduled to be heard in the House State Affairs Committee.***

HB481 – Charter School Cap

This legislation will lift both the cap on the six per year and the six per school district. We have been told that the reason the charter school supporters are pushing this legislation is because it will assist them in getting grants from some large supporters like the Walton Foundation. They claim they are

unable to get those grants now because of the cap. I have not been able to confirm if that is accurate or not.

We have been working with the charter school supporters, the SDE, and the Public Charter School Commission to do a comprehensive rewrite of the charter school law. We will work on that over the next year and bring legislation to the legislature next year. In the mean time there is only going to be one charter school that opens in 2012.

This same legislation passed the House last year and will undoubtedly do so again this year. ISBA has a resolution that opposes lifting the cap. Our only hope of stopping the legislation will be with the Senate Education Committee. We will continue to work to see if we can stop the bill but it will be an uphill battle.

Despite testimony in opposition to the bill from ISBA, IASA, and IEA, as suspected, it passed the House Education Committee this week. This legislation is set to be heard in the Senate Education Committee today, Monday, March 5.

HB495 - State Endowment Lands

This bill clarifies procedures of the Land Board and prevents the Land Board from purchasing businesses that would be in competition with private businesses. It also mandates expedited handling of land sale proceeds thereby limiting the ability of the Land Board to buy, sell, and exchange land. It would put a six (6) month time frame on turning funds around to purchase other land or the money would have to go directly into the Endowment Fund.

Essentially, this would give the Legislature the authority to tell the Land Board, comprised of six (6) constitutional officers, what they can and cannot do when it comes to the purchase and sale of endowment lands and properties.

This legislation passed the House Resources and Conservation Committee this week and is on the House Floor. This bill seems to be greased and moving like lightning. The legislature did receive another legal opinion from former Attorney General David Leroy that indicated the bill was constitutional. The current Attorney General disagrees.

HB519 – Taxation Exemption for Site Improvements

This is the first piece of tax legislation that I discussed above. This is, most likely, the least egregious of the five pieces of tax legislation. This legislation would exempt from taxation any improvements on property until the structure is built and/or sold. At that time the property and all improvements would be back on the tax rolls.

This bill has not yet been scheduled for a hearing.

HB564 (replacement for HB406) - Transfer of Employee Records

This is ISBA's legislation dealing with the transfer of employee records and the Professional Standards Commission. As previously indicated, this bill ran into some unforeseen issues when it was first presented in the House Education Committee. We worked with the PSC and Representative Wood, sponsor of the bill, over the past two weeks to come to consensus on language in the bill. Representative Wood has been working with the IEA. Some of the amendments are to replace the term "misconduct" with "unethical conduct as defined in the Code of Ethics" and remove some of the reporting requirements by the PSC. We have provided several concessions to the IEA in regard to notification and the transfer of rebuttal documents. The PSC is now supportive of the bill because of these changes; however, we believe the IEA will still object. ***This legislation passed the House floor as amended and is now headed to the Senate Education Committee.***

HB559 – Economic Estimates

This is one of the tax relief bills that I discussed at the beginning of this issue of Capitol Notes. It limits state general fund appropriations and sets out what will occur if revenues exceed the needed appropriations.

It is curious to me why we would set out statutory or legal limitations on what can occur with revenues that are received by the state. Isn't that what we elect legislators to do every year? Do we not elect them to make decisions about how to spend the revenues that are received each year?

This is the tax bill that will be heard on Monday, March 5 in the House Revenue and Taxation Committee. We would ask for your help with this bill by contacting your local house members and asking for their no vote.

HB563 – Income Taxation

This legislation reduces individual income tax from 7.8% to 7.4% and business personal property tax from 7.6% to 7.4%. While that may not sound like a lot, it would reduce general fund revenues by \$35.7 million. While I know there isn't one of us that would like to see our tax rates reduced, we have to weigh that against the lost revenue and what that will mean to K12 Education funding.

This legislation is the one proposed by the Governor in his State of the State address. In one week it has already passed out of House Revenue and Taxation Committee and passed the House Floor. It will now head to the Senate Local Government and Taxation Committee.

HB579 – Rehire the Retired

This is legislation that ISBA is sponsoring. We have been working with Representative Bedke on this legislation since the beginning of the year. This is the legislation that allows school districts, under certain conditions, to hire retired teachers and administrators. ***This bill passed the House Floor on a 67-1 vote and will head to the Senate Education Committee.***

HB589 – Fractional ADA

This is a piece of legislation being brought by an individual superintendent. This legislation defines and clarifies fractional attendance and how it will be calculated. During the GAC meeting this week, the superintendents made it clear that this was an issue that we all need to discuss. However, we want to wait until this, or other similar legislation, has been vetted through the

process. ***We thought we had convinced Chairman Nonini to hold this bill until we had more time to work with the Superintendents Association and get some clarifications and further understanding on the impact of this legislation. However, the Chair has this bill on the agenda for Monday morning, March 5.***

HB592 – Property Exemption

This bill removes properties that become exempt from taxation from taxable market value and requires that those exemptions shall be subtracted from the dollar amount of property taxes. It requires the reduction of levies in the amount of the exemptions granted by the Legislation. It is waiting for hearing in the House Revenue and Taxation Committee.

This bill has not yet been scheduled for hearing but we expect to see it sometime this week.

HB594 – Budget Reduction

This bill is brought by Rep. Lake, chairman of the House Revenue and Taxation Committee, and provides that any surplus General Funds, after appropriations are made, will be transferred to the budget stabilization fund. It was heard in the House Revenue and Taxation Committee this morning.

This would once again take away the decision making power of the legislature. By requiring that all excess funds be placed in the budget stabilization fund, the legislature would be unable to make any future decisions about what to do with those funds.

This bill has not yet been scheduled for hearing but we expect to see it sometime this week.

HB603 - 97% Protection

This is the legislation that will provide protection to school districts that face reduced enrollment at the beginning of the school year. As previously indicated, this is a revenue neutral proposal – a sort of insurance policy that

school districts will pay into and then draw on when they need it. This legislation is one of our resolutions so will support.

This legislation was printed in the House Education Committee but has not yet been heard. We hope that will occur this year.

SB1254 Reporting Abuse

The purpose of this legislation is to amend the section of law relating to the Reporting of Abuse, Abandonment, or Neglect. The biggest change is the increased penalty for not reporting the abuse, abandonment, or neglect constitutes a felony.

Currently, the failure to report abuse, abandonment or neglect is a misdemeanor. The proposed amendment would increase the penalty when the conduct that is unreported constitutes a felony. In other words, if the crime is a misdemeanor and is not reported, you could be charged with a misdemeanor. If the crime is a felony and is not reported, you could be charged with a felony.

The biggest problem with the bill is that it removes the statute of limitations. That means that at any time during the child's life, if the child/adult indicates they have been abused, the person who did not report the crime can also be charged.

This impacts every citizen as well as indirectly school personnel. This could have large implications for district staff if they fail to report.

We were successful in getting this bill pulled. The sponsors indicated they could not overcome our objections and those of the medical community.

SB1297 Non-Certificated Staff Grievances

This bill is based upon an ISBA Resolution and is supported strongly by the Meridian and Melba districts. They have had numerous grievances filed for unfair treatment from non-certificated personnel. The school districts have utilized a lot of staff time and scarce dollars defending the district against

these grievances. Senator Melinda Smyser is carrying this bill for us. This bill was heard in the Senate Education Committee last Wednesday and, as suspected, the IEA objected to the bill.

We heard back from the Attorney General on this bill. He believes it is defensible as written. However, in an attempt to get it passed, we are going to offer some amendments to the bill. **Unfortunately, we were unable to obtain the necessary votes in the Senate Education Committee to get this bill passed so we asked the Committee to hold the bill. We hope to work with the IEA over the summer to come back with legislation that we can get passed next year.**

SB1327, 1328, and 1329 – Clean Up Legislation for Students Come First Legislation

These are the three bills that clean up language found in SB1108, 1110, and 1184 from last year. We met with Chairman Goedde and the education stakeholders to discuss the legislation prior to the bills being printed. We have no objections to any of the amendments and, in fact, are pleased with one of the amendments being made. That amendment is to clarify the term “benefits”. I know that many of you had to deal with local unions who felt that benefits could include many things. This legislation clarifies that benefits is limited to the three things outlined in the statute. We support all three pieces of legislation. **These bills passed the Senate Floor. They will move to the House Education Committee from there.**

SB1331 – Removal of the 5th Factor

This legislation is being brought by Senator Cameron. The purpose of this legislation is to remove future, FY 2013 and beyond, reductions in salary-based apportionment for school district teachers, administrators, and classified support staff that are required in statute. These required salary reductions were included in S1184 of the 2011 Session and are intended to generate General Fund savings to pay for much of the Students Come First education reforms. The fiscal impact would require alternative sources of ongoing General Funds to replace the required reductions in public school salary-based apportionment.

Senator Cameron is clear that this will most likely pass the Senate but will have an uphill battle in the House. We will, of course, support the legislation. Of interest is that the IEA is lukewarm about the legislation. If passed, it could have a definite impact on their ability to get the three referendums passed. ***This legislation passed the Senate Floor on a unanimous vote. The Pro Tem told us that they wanted to send a message to the House that this was an important bill for them. This is good news for us.***

SB1358 (used to be SB1220) – Harassment, Intimidation and Bullying

Jessica, who handles Policy and Governmental Affairs for ISBA, has attended several meetings with Chairman Goedde, Senator LeFavour, the IEA, and staff from the State Department of Education. Jessica expressed many of our concerns with those present and offered our services to work on the bill and to offer some analysis. Though we still don't like the concept of the bill, we did try to craft some language that we thought would protect school districts and minimize the reporting requirements. However, Senator LeFavour wanted still more edits. As such, we will be unable to support the bill.

Though the committee voted to print the bill, the fiscal note did come under some questioning. It is one part of the bill that we disagree with. Senator LeFavour indicates there will be not fiscal impact to school districts. There WILL be a fiscal impact to school districts. The reporting requirements will cause additional work by staff. We will continue to oppose this legislation.

This bill is scheduled to be heard in the Senate State Affairs Committee.

Business Personal Property Exemption

We met two weeks ago with the Idaho Association of Counties, the Association of Cities, and IASA to discuss this and other tax exemption legislation. The Idaho Association of Counties has been taking the lead on any legislation to do with taxes.

The Counties have been meeting with the Idaho Association of Commerce and Industry (IACI) to define what "business personal property" really is. The

Counties believe they have done the best they can and are hoping that IACI will agree. Both the Counties and Cities have as much to lose on this legislation as do school districts. We do believe that legislation to create this definition will pass this year.

The Counties did tell us that IACI will continue to work to make this exemption a reality. If we see the shift in the Senate that I am expecting next year, we will have lost our ability to reason with this chamber of the legislature. We are hearing that if such legislation passes, there will NOT be full replacement back to the taxing districts. It is legislation we will need to fight tooth and nail when it resurfaces next year.

RS Youth Athlete Concussions

This RS would clarify responsibilities for staff and coaches in relation to concussions as well as have the SBOE draft concussion guidelines. It also clarifies who is a qualified health care provider with the ability to determine if an athlete is allowed to return to play. This legislation seems to be a recurring issue and we see some iteration of it every year.

This bill has been severely watered down from the first version. It was printed in the House Ways and Means Committee this week. As of this writing, it had not received a Bill Number.

Liability Insurance

We believe we have come to resolution with the SDE and the Governor's Office on several amendments. ***We did finally receive this legislation on Monday. We are now working to find a sponsor. Because of the lateness of the session, our original sponsor has too many other items to take the lead on this one. We hope to find one this week and get it printed.***

Link to Legislation:

<http://www.legislature.idaho.gov/legislation/2012/legIndex.htm>

Rena Johnson

From: Idaho Association of School Administrators <info@idschadm.gnosishosting.net> on behalf of Idaho Association of School Administrators <iasa@idschadm.org>
Sent: Friday, March 09, 2012 1:17 PM
To: Mary Vagner
Subject: IASA Legislative Update - Week of March 5-9, 2012



IASA Legislative Update

Week of March 5-9, 2012

EDUCATION COMMITTEES

The Senate Education Committee heard and passed HB579. This legislation removes the sunset provision in current statute that allows school districts to hire retired teachers and administrators full-time. The House Education Committee passed HB603 which provides a self-funded 97% funding protection to school districts. It should be heard on the House floor next week.

LEGISLATION

New

HB633 amends existing law relating to the Public School Facilities Cooperative Funding Program to establish provisions relating to the authorization of expenditures for additional plans and information. Printed in House Ed.

Current Status

HB603 provides for 97% ADA funding protection for school districts. This bill would allow school districts that lose more than 3% of their students, year over year, to continue receiving state funding as if the district only lost 3% of its students. The bill will have no fiscal impact to the state. This legislation is self-funded by school districts. Based on recent history, it is expected that a 97% ADA protection level will result in an offsetting, across-the-board reduction in school district ADA funding of less than two-tenths of one percent. Passed in House Ed.

HB604 provides a statutory framework for the SDE's review of online courses. Section 33-1627 requires the SDE to review curricular material and textbooks and this bill would include

online courses. The actual rules would be developed by the SBOE. Passed in House Ed.

HB605 increases the fee charged for fingerprint background checks from the current \$40 up to \$55. This is necessary due to the 2012 Legislature's approval of an Idaho State Police rule increasing their portion of this fee from \$10 to \$25. This legislation also creates a mechanism for the Bureau of Teacher Certification to notify teachers by e-mail when their certification is about to lapse. It has been returned to House Ed.

HB579 strikes the sunset date in current Idaho code that allows for school districts to hire retired teachers and administrators beyond 20 hours a week. Passed in House Ed. and House and passed in Senate Ed.

HB564 limits the transfer of personnel files to only job related conduct information. ISBA and IASA have worked with the sponsors of the bill to try to reduce the amount information that districts must send out. This is a revision of HB406. Passed in the House it will be heard in Senate Ed. Committee next week.

HB534 allows teachers with 1-3 years of experience to qualify for Leadership Awards in the Pay for Performance statute. Passed in House and Senate.

SB1327 amends provisions of Students Come First that were contained from S1108. Teacher contracts can be delivered electronically. **The first portion of the required annual teacher evaluation must be completed by March 1st rather than before February 1st.** The definition of benefits is limited to employee insurance, leave time and sick leave benefits. Passed in Senate and passed in House Ed.

SB1328 amends the provisions of Students Come First that were contained in S1184. This bill corrects the allocation of funds for districts to meet the state's high school graduation requirements for science and math. Students may participate in the Dual Credit for Early Completers program if they meet their state graduation requirements prior to their final semester or trimester term. This bill also limits the number of online courses in which a parent can enroll their child without school district permission to no more than 50% of their courses. Passed in Senate, and passed in House Ed.

SB1329 amends the provisions of Students Come First that were contained in S1110. The bill clarifies that the state-paid employee benefit apportionment (PERSI and FICA) is apportioned from the funds allocated for Pay for Performance. Academic growth calculations may be based on cohorts of students with similar scores. The growth calculation share for the certificated employees (central administrative positions) not assigned to a specific school has been pushed out for another year. This will give the SDE time before the next legislative session to work with school district administrators in aligning a growth share with the other certificated employees and allocating adequate resources. Passed in Senate, will be sent heard in House Ed. next week.

SB1331 removes future, FY 2013 and beyond, reductions in salary-based apportionment. This bill would remove the salary reductions that were in the Student Come First S1184 of the 2011 session. The SCF reforms would need alternate sources of ongoing General Funds. Passed in Senate Ed and in the Senate, and it will be sent to House Ed Committee.

HB632 (replaces HB548) amends existing law relating to youth athletes and concussions. It will require guidelines for coaches, referees, trainers, parents and students. It also requires protocol for players suspected of sustaining concussions. The bill was printed in House State Affairs Committee. Passed in State Affairs Committee and sent to House floor.

HB481 removes the growth cap of six new public charter schools per year, and removes the cap of one new public charter school per district peryear. It could be scheduled in the House Ed. Committee next week. Passed in House Ed. and Senate Ed Committee.

SB130 directs the state department of education to define and implement a process outlining secondary school accreditation requirements for the purpose of participation in extra-curricular activities. Passed in Senate, passed in House Ed.

HB426 provides an accelerated schedule for students in grades 7 through 12 to complete high school requirements and two years of college or professional-technical certification when students graduate from high school. Funding for the overload courses would be provided by the State Department of Education. Passed in the House it had a hearing in Senate Ed. It was sent to the amending order in the Senate.

SB1358 (replaces S1220) strengthens the existing anti-bullying and cyber-bullying laws. Schools will be required to inform staff, parents, and students through student hand books and other means what constitutes bullying and the school district policy on bullying. Sent to the amending order in the Senate.

UPDATES

JFAC set the Public Schools budget. Public Schools received an increase of 4.6 percent in general fund revenues for FY 2013. Minimum teacher salaries are increased to \$30,500 and the salary grid was funding to full movement by teachers and administrators. IDLA was funded 5 million up from the SDE request of 1 million. The budget also included 2.5 million in funding for additional IT professionals in school districts.

LEGISLATIVE TEAM

Rob Winslow, IASA Executive Director

Phil Homer, IASA Lobbyist

Harold Ott, IASA and IRSA Lobbyist

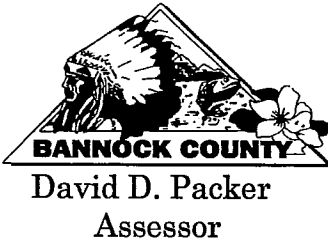
Idaho Association of School Administrators

Email us at iasa@idschadm.org, Visit us at www.idschadm.org
777 S. Latah St. Boise, ID 83705 ~ Phone: 208-345-1171 ~ Fax: 208-345-1172

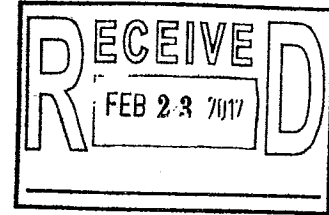
Do not forward this email - it auto-logs-in the recipient to access your personal information

To stop receiving this email and/or manage your email receiving settings, please go [here](#).
You may visit the web portal and auto-login to update your contact information [here](#).

P.O. Box 4969
Pocatello, Idaho 83205-4969
Phone 236-7260
Fax 236-7074



Room 204
624 E Center St
Pocatello, Idaho



February 22, 2012

School District #25
Attn: Bart Reed
3115 Poleline Rd
Pocatello, ID 83201

Dear Mr. Reed,

We have recently settled through the Board of Equalization with the County Commissioners a matter with the Portneuf Medical Center that has affected the sub roll/occupancy valuations that were estimated last summer. We wanted to notify you that the valuation used has been negotiated down and therefore the School District #25 will be receiving less tax dollars than anticipated. Bannock County estimates the change in value multiplied by your certified levy rate will result in an anticipated loss of property tax dollars totaling \$236,000.

We hope that this gives you enough notice to strategize a plan for this shortfall. If you have any questions, please give us a call.

With regards,

Dave Packer
Bannock County Assessor

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

DATES (Adopted/Revised)	GUIDE WORDS
Adopted - July, 2007 Revised - September, 2007 Revised - July, 2008 <u>Revised - February, 2012</u>	Students Rights Student Records <u>Directory Information</u>

The District shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law and the Family Educational Rights and Privacy Act. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal Law that protects the privacy of student educational records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

All information related to individual students shall be treated in a confidential and professional manner. When information is released in compliance with state and federal law, the District and District employees are immune from civil liability unless they acted with gross negligence or in bad faith. Student records are the property of the District but shall be available in an orderly and timely manner to students and parents.

FERPA gives parents certain rights with respect to their children's educational records. For purposes of this policy, the term "parent" refers to the legal parent/guardian, or school district appointed surrogate parent in instances where the legal parent/guardian cannot be found, exclusive of the student, or to the student whenever a student has attained eighteen years of age. Parental rights transfer to the student when s/he reaches the age of eighteen or is declared emancipated by the court or attends a school beyond the high school level. Students to whom the rights have transferred are "adult students". It is the expectation of the District that 18 year olds who intend to exercise the rights of an adult student notify the building administrator in writing of this intent. The building administrator shall notify the adult student's parent/guardian of this intent.

Further, the District assumes that all adult/eligible students are considered a dependent for tax purposes. Thus, FERPA allows that the administration may disclose information to the parent/guardian of an adult/eligible student. In addition, FERPA allows that school administration may disclose information to the parent/guardian of an adult/eligible student if it is regarding a health and/or safety emergency, and may disclose law enforcement unit records and alcohol/controlled substance violations to the parent/guardian.

Educational records include all records and data directly related to a student. Generally speaking student records are maintained in a student's cumulative file. Other student records may be maintained outside the cumulative file. Examples include the following:

- Special education records
- Supplemental reports
- 504 plans
- Discipline record.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

FERPA provides that parents/adult students have the right to the following:

- To inspect and review a student's educational records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or adult students to review the records. Schools may charge a fee to make copies of educational records for parents/eligible students.
- To request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or adult student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or adult student has the right to place a statement with the record setting forth his or her view about the contested information.
- To consent to the disclosure of personally identifiable information from educational records except as specified by law (34 CFR 99.30 and 99.31)

Generally, schools must have written permission from the parent/adult student in order to release any information from a student's educational record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

If schools disclose directory information from educational records without consent, schools are required to notify parents and adult students of the following:

- Types of information the district has designated as directory information
- Right of opt out of disclosure of directory information.

The Pocatello/Chubbuck School District No.25 limitedly defines directory information as:

- The student's name
- Parents/guardians name
- Photograph for honors or awards recognition, school media/publications and public relations
- Age
- Grade
- Dates of attendance, such as from this date to this date
- GPA for purposes of honors or awards recognition
- Honor roll
- Honors and awards received

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

- Participation in officially recognized curricular or extracurricular activities
- Student athletes' weight, height and uniform numbers. For Juniors and Seniors, it shall include address and phone number.
- ~~Schools may disclose, without consent, "directory" information such as the following:~~
 - ~~Student name~~
 - ~~Parent name~~
 - ~~Student age~~
 - ~~Student grade~~
 - ~~Dates of attendance~~
 - ~~Previous school attended~~
 - ~~Student semester grade point average~~
 - ~~Honor roll, honors and awards~~
 - ~~Student photograph~~
 - ~~Student participation in a curricular or extracurricular activity~~
 - ~~Student weight/height/uniform number.~~
 - ~~Student address~~
 - ~~Student phone number~~

Schools may not disclose other information about students without parent/eligible student consent.

Schools must annually notify parents and adult students of their rights under FERPA. This notification must include the following:

- Procedure to inspect and review educational records
- Procedure to request amendment of educational records
- Specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if the agency or institution discloses or intends to disclose personally identifiable information to school officials without consent
- Right of parents to file a complaint with the Family Policy Compliance Office (FPCO) in the Department of Education
- Information stating that the school will forward educational records to other schools that have requested the records and in which the student seeks or intends to enroll.

Schools must comply with FERPA'S redisclosure and recordation provisions except for disclosures that are specifically exempted.

No Child Left Behind (NCLB) requires the following regarding suspension and expulsion disciplinary records:

Each state is required to have a procedure in place to facilitate a school's transfer of disciplinary records, with respect to a suspension or expulsion, to any private or public elementary or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full- or part-time basis, in the school.

No Child Left Behind (NCLB) requires the following regarding release of information to military recruiters:

Schools must give military recruiters the same access to secondary school students as provided to post secondary institutions or to

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

prospective employers, when requested, unless a parent has opted out of providing such information.

The superintendent shall establish procedures governing the content, management and control of student educational records.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

	GUIDE WORDS
Adopted - July, 2007 <u>Revised - February, 2012</u>	Students Rights Student Records <u>Directory Information</u>

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

Student records shall be managed by the District Record's Custodians/Senior Custodians (principals) in the following manner:

CLASSIFICATIONS OF STUDENT RECORDS

Student records shall include any and all official records, files and data directly related to a student during the time period a student is enrolled in the school. Student records shall be divided generally into two main categories: the Cumulative File and Supplementary Records File. Additional records may exist for a student in different file classifications.

- **Cumulative File**

The Cumulative File may contain all information about a student which is collected and maintained on a routine basis, such as identifying information (legal name, birth date, sex/gender, year in school, address, telephone number, parent's name, ethnic classification, emergency information, parent's place of employment, family doctor, babysitter, siblings), attendance records; grades and other student progress reports; results of tests of school achievement, aptitude and interest inventories; hearing, vision, and scoliosis screening; height and weight; health and immunization status reports; authorization for the administration of medication; and Individual Student Health Plans; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken, any hearing records, and suspension or expulsion records; any legal documents, and such other information as shall enable staff to counsel with students and plan appropriate activities.

- **Supplementary Records File**

Supplementary records about a student may be collected and maintained in connection with any referral for special considerations, such as reports connected with assessment and placement of a student, reports from non school persons and organizations such as physicians, psychologists and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; gifted and talented records, Title 1 records; and current reports of psychological or standardized intelligence tests and progress reports related to a student's disabling condition including 504 plans. All such reports included in these records shall be dated and signed. Duplicate copies of guidance case study reports and reports from non school agencies contained in a student's supplementary record may be maintained in the principal's or guidance counselor's office.

- **Electronic Student Records**

Electronic student records are those which are maintained through the District's data system. All electronic student records are covered by the Family Education Rights and Privacy Act. These records must be available to be printed in hard copy and placed in either the Cumulative File or the Supplementary Records File. Access to these records is in accordance with the Family Education Rights and Privacy Act, Health Insurance Portability and Accountability Act (HIPAA), No Child Left Behind (NCLB), the Pupil Privacy Rights Amendment (PPRA) and any other applicable state and/or federal regulation.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

- o The District can accept signed and dated written parental consents in electronic format so long as the District can authenticate the sender's identity. In such situations, the recipient shall note the method of authentication utilized upon the electronically received consent.
- **Health Records**
All health records other than those maintained in the Cumulative File shall be stored in a secure area accessible only to the designated Custodian. Such records are also covered by the Family Education Rights and Privacy Act and the Health Insurance Portability and Accountability Act as well as any other applicable federal regulation, unless state law provides stricter protection.
 - o There is a heightened standard of confidentiality for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion.
 - o The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatments are more restrictive than ordinary medical releases.
 - o Only those staff members who have a legitimate, need to know educational interest may access these records through the Custodian/principal.
 - o No health records maintained in the Health Records files may be copied without the appropriate releases.
- **Working Notes**
Working notes of staff for the purpose of these regulations are defined as those records about students which are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute who temporarily takes the place of that staff member. Working notes are not considered student records within the purview of these procedures. All other working notes of staff shared with others are student records. School resource officer notes are not student records.
- **Directory Information**
Directory information is limitedly defined as:
 - o The student's name;
 - o Parents/guardians name; ~~yearbook~~
 - o Photograph for honors or awards recognition, school media/publications and public relations;
 - o Age;
 - o Grade;
 - o Dates of attendance, such as from this date to this date; ~~previous school attended, semester~~
 - o GPA for purposes of honors or awards recognition;
 - o Honor roll;
 - o Honors and awards received;
 - o Participation in officially recognized curricular or extracurricular activities;
 - o Student athletes' weight, and height of members of athletic teams and uniform numbers. ~~For Juniors and Seniors, it shall include address and phone number.~~

CONFIDENTIALITY

All student records, with the exception of Directory Information as permitted by the parent/guardian/adult student, are confidential. Any disclosure of student records shall only be in accordance with these procedures and any applicable state and federal laws. Any other disclosure is a violation of federal statute and of the Code of Ethics for Professional Educators.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)**ACCESSIBILITY OF STUDENT RECORDS**

Information contained in the Cumulative File and/or Supplementary Records File shall be provided to persons and agencies as follows:

The right of access granted the parent/guardian/adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the district.

Parents/Guardians/Adult Students Right to Inspect

- Only parents/guardians of dependent children and adult students have the right to inspect the Cumulative File and/or Supplementary Records File of their children.
- Parents include a biological or adoptive parent or any individual who is acting as a parent in the absence of a parent or guardian.
- Access to records and information pertaining to a minor child shall not be denied to a parent because the parent is not the child's custodial parent. If the custodial parent requests, in writing, the school district will remove information regarding the address of the minor child prior to providing the information to the non-custodial parent.
- The District shall presume a parent has the authority to exercise rights regarding a student's record unless the administration has been provided current and valid legal documentation, confirmed with the Court, both parent, SRO or other valid and reliable sources, which limits access to student records. **(Form: Request to Review Education Records)**.
- The parent/guardian/adult student shall be provided analysis and interpretation by a qualified staff member of all information in the Cumulative File and Supplementary Records File. This action may be initiated by the parent/guardian/adult student or a staff member. In no case shall the review occur later than 5 business days after the request is made.
- Inspection and review shall be conducted during normal working hours, unless the Custodian consents to other arrangements. Custodians shall provide assistance, to the extent able, in the interpretation and analysis of student records as needed.
- The parent/guardian/ adult student shall have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided that the right to access shall apply only to that portion of the record or document which relates to the student of the parent/guardian or the adult student.
- Upon graduation from high school, a parent/guardian/adult student may request to receive a final transcript in addition to the diploma.
- Although records must remain within District control as they are District property, they may be copied or reproduced by or for the parent/guardian/adult student at their own expense. **(Note: Section on Health Records)**
- When the Senior Custodian determines that providing copies of students records to parents/guardians/adult students would not be in the best interest of the student, would violate statute, school policy or professional ethics, the Senior Custodian may deny a request for copies of a student's educational record.

The Student

- Information from the Cumulative File shall be interpreted to the student upon his/her request.
- Information contained in Supplementary Records File shall be interpreted to the student upon his/her request and with the consent of the parent/guardian.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

- The adult student may inspect his/her Cumulative File and Supplementary Records File.

Staff

- Only those staff members who have a legitimate educational interest in a student's records shall have access to the Cumulative File and any Supplementary Records File.

Other Districts

- Other districts shall be provided with records upon official request from the school or district, except as provided in Idaho Code 18-4511.
- In providing records to other Schools, the enrolling school shall be provided with a certified copy of the student's records within ten school days.
- When a student transfers to another school within the District, all records held by the Custodian relating to the student will be transmitted to the other school.
- When a student transfers to a different school district, the Senior Custodian will transfer all documents required to be transmitted pursuant to state and federal regulations, including those records required to be transmitted pursuant to No Child Left Behind. All non-official extraneous information will be destroyed at the discretion of the Senior Custodian.
- Pursuant to provisions of No Child Left Behind, disciplinary records with respect to suspension or expulsion must be transferred to the new school.
- At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and shall have an opportunity to challenge the contents of the records.
- Parents shall be advised through the annual FERPA notification that student records shall be released to another school where the student has enrolled or intends to enroll.

Other Persons and Organizations

- Information contained in the Cumulative File and Supplementary Records File of a student shall be released to persons and organizations other than the parent/guardian/adult student, and staff only with the written consent of the parent/guardian or adult student (**Form: Request for an Authorization of Release of Student Records**), with the following exceptions:
 - o Directory information may be released publicly without consent upon the condition that the parent/guardian or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information shall not be released for commercial reasons.
 - (i.) Directory Information in the form of names, addresses and telephone listings will be made available to the U.S. Military according to the No Child Left Behind Act, unless the opt-out provisions have been implemented by the parent/guardian/adult student.
 - o Information may be released to authorized representatives of the Comptroller General of the United States, the U. S. Department of Education and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

connection with the enforcement of the federal legal requirements for such programs.

- o Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents/guardians by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered.
- o Information may be released in compliance with a judicial order or lawfully issued subpoena, upon condition that the parent or adult student be notified in advance of such compliance.
 - (i.) In the situation of an ex parte court order pursuant to the U.S. Patriot Act, the District will release educational records without consent or knowledge to the parent or student. Likewise, such disclosure shall not be noted in the student's educational records.
- o Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons.
- When information from a student's record, other than Directory Information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved.
- Telephone requests for information about students shall not be honored unless the identity of the caller is known and the caller is authorized to receive the information under provisions of this procedure. A record shall be made of any such release of information and placed in the student's Cumulative File.
- This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access (**Form: Record of Access to Student Records**).

RECORD OF ACCESS

Each student records file maintained on a student shall have a **Record of Access to Student Records Form** in the file. Any person other than those having a legitimate, need to know educational interest in a student's record, who has access to the file, shall document that access by recording name, title, date, reason for access and identify any copies of made of any student record.

CHALLENGES AND HEARINGS

- Parents/guardians/adult students have the right to inspect educational records.
- At the time of inspection and review, the parent/guardian/adult student may challenge the appropriateness and accuracy of any record directly related to the student and may demand correction or deletion. (**Form: Request to Amend Education Records**)
- Custodians may honor such demands by correcting or deleting records which are misleading, inaccurate, or violate privacy provided that the Senior Custodian concurs.
- If the demanded correction or deletion is denied by the Senior Custodian, the parent/guardian/adult student may request an informal appeal hearing before the Superintendent/designee, which hearing shall be held within 10 school days of the receipt of such request.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

- During the informal appeal hearing the Superintendent/designee shall review the facts as presented by the parent/guardian/adult student and the Senior Custodian and decide whether or not to order the demanded correction or deletion.
- The Superintendent/designee shall send his/her written decision to the parent/guardian/adult student/Senior Custodian within 10 school days of the hearing. Upon denial of correction or deletion by the Superintendent/designee, the parent/guardian/adult student may request in writing a hearing before the Board of Trustees, which hearing shall be conducted at its next regular meeting or at a mutually agreeable time.
- During such hearing, which shall be closed to the public, the Board shall review the facts as presented by the parent/guardian/adult student and Senior Custodian/Superintendent/designee and decide whether or not to order the demanded correction or deletion.
- The Board shall send its written decision to the parent/guardian/adult student/Senior Custodian within 10 school days of the hearing.
- Parents/guardians/adult students challenging the appropriateness and accuracy of student records may insert a written explanation of their objections in the student records.

MAINTENANCE OF STUDENT RECORDS

The student's counselor or teacher (as designated by the principal) shall be the Custodian of the Cumulative File. The principal or the student's counselor shall be the Custodian of the Supplementary Records File. The principal is the Senior Custodian of student records.

Custodians shall:

- o Maintain only those records authorized by these Procedures;
- o Safeguard student records from unauthorized use and disposition;
- o Maintain access records;
- o Honor access requests from parent/guardian/adult student;
- o Delete or correct records as directed by and in consultation with the Senior Custodian or upon order of the Superintendent/designee or the Board of Trustees; and
- o Follow the records review schedule and procedures established by the Senior Custodian.

Senior Custodians may assume the duties of Custodians and shall:

- o Request student records from other schools;
- o Maintain security of student records;
- o Transfer, destroy and expunge records as permitted;
- o Supervise activities of their records' Custodians;
- o Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students;
- o Establish records' review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition;
- o Transfer student records to the next Senior Custodian as the student moves to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district,
- o Preserve or destroy in accordance with applicable disposition procedures any records no longer pertinent to educational program placement; and,
- o Certify to the district records' Custodian (Superintendent/designee) by June 30 of each year the following:
 - (i.) Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
 - (ii.) Required reviews have been accomplished.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)

- o Refer any in-coming student special education records to the special education department and record such in the student's Cumulative File.
- o A Senior Custodian has limited authority to destroy/amend information contained in student records:
- o A Senior Custodian, in consultation with the Custodian of Records during a challenge process, can consent that any correction or deletion may occur relating to information that is inaccurate, misleading or violates privacy.
- o A Senior Custodian can remove non-official extraneous information from student records for a student transferring to another school district.
- o Should an in-coming student's educational record, as obtained from a different school district, contain information that may be inaccurate, misleading, violate the privacy or other rights of a student, or be more appropriately placed in a supplementary file maintained by the Custodian or counselor, the Senior Custodian shall consult with the District's records' Custodian and/or the parent/guardian/adult student regarding modification of the records.
- o The District records' Custodian shall provide overall supervision of student records' management and control and shall enforce the student records' policy and the administrative procedures.

DISPOSITION OF STUDENT RECORDS

- The permanent student record shall serve as the record of the student's school history and academic achievement. Permanent records filed in the student's Cumulative File are to be extracted and retained before disposition of the folder.
- The General Educational Provisions Act and the federal regulations for State-Administered Programs both require that records be retained for at least five (5) years.
- With the exception of permanent records, student information will only be kept for a period of five (5) years after a student graduates high school or withdraws from the school district.
- In all cases, the student's permanent record card shall be retained in perpetuity by the District.

STUDENTS WITH DISABILITIES

- The parents/guardians of students with disabilities have the right to inspect and review the educational records of their children upon request.
- Parents/guardians of students with disabilities shall be notified when personally identifiable information that has been collected (more than five (5) years old) is no longer needed to provide services to the child.
 - o In informing the parent/guardian/adult student about his/her rights regarding such records, the District shall advise the parent/guardian/adult student that the information may be needed by the student or the parent to establish eligibility for certain adult benefits, such as social security.
 - o At the parent/guardian/adult student's request, the records relating to the disabling condition shall be sent to the parent/guardian/adult student.
 - o The information must be destroyed at the request of the parent/guardian.
 - o Permanent information will not be destroyed.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)**LARGE SCALE DESTRUCTION OF STUDENT RECORDS**

After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the Senior Custodian shall bundle all records and send them to the District's records' Custodian. Each bundle shall be plainly marked: "Student Records--for Destruction," dated and signed by the Senior Custodian. A summary sheet shall be completed and retained in the office. The sheet shall indicate: "As of this date, I have determined that the following records may be destroyed in accordance with District and state requirements and have submitted them for destruction." The summary sheet shall be dated and signed by the Senior Custodian.

NOTICE TO PARENTS OF RECORDS MAINTAINED

The principal at each school shall annually at or near the beginning of the school year provide written notice of the following information to parents/guardians/adult students:

- The types of records directly related to the students, which are maintained by the school.
- The name of the Senior Custodian to contact to review the records.
- A list of the individuals who have access to the records.
- Notice that employees of the District will have access to the records when they have a legitimate, need to know educational interest, and that no record of their request will be kept.
- Notice of the District's policies for reviewing, challenging and expunging these records.
- The cost of reproducing records for the parent or adult student.
- The categories of directory information which may be released to the public unless objected to in writing by the parent/guardian/adult student.
- Notice of the Directory Information provided to military recruiters pursuant to No Child Left Behind, with clear specification of the parents'/adult students' right to opt out of the release of this information along with the process for exercising the "opt-out" rights.
- Notice of the parents rights under the PPRA relating to ED and non-Ed Funded surveys.
- Information regarding the school's use, with approximately dates of any non-emergency, invasive physical examination or screening of the students, with the parent's right to opt out of the activity.

For all new students entering the school throughout the year, written notice shall be a component of the registration process.

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT PROCEDURES (FERPA)