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**Avery School District
#394
INSTRUCTION**

GOALS

2001

The District's educational program will seek to provide opportunities for each child to develop to his or her maximum potential. Objectives for educational programs are:

1. To foster self-discovery, self-awareness, and self-discipline;
2. To develop awareness of and appreciation for cultural diversity;
3. To stimulate intellectual curiosity and growth;
4. To provide fundamental career concepts and skills;
5. To help students develop sensitivity to the needs and values of others and respect for individual and group differences;
6. To help each student strive for excellence and instill a desire to reach his or her fullest potential;
7. To develop a base of fundamental skills for lifelong learning; and
8. To be free of any sexual, cultural, ethnic, or religious bias.

Administrative personnel are responsible for apprising the Board on the current and future status of the District's educational programs. The Superintendent should prepare periodic reports including:

1. A review and evaluation of the present curriculum;
2. A projection of curriculum and resource needs;
3. An evaluation of and plan to eliminate any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
4. A plan for new or revised instructional program implementations; and
5. A review of present and future facility needs.

Policy History:

Adopted on: 3/13/17

Avery School District
#394
INSTRUCTION

Curriculum Development and Assessment

2100

The Board is responsible for curriculum adoption and must approve all significant changes, including the adoption of new textbooks and new courses, before such changes are made. The Superintendent is responsible for making curriculum recommendations. The curriculum shall be designed to accomplish the learning objectives and goals for excellence consistent with the District's educational philosophy, mission statement, objectives, and goals.

Development and Assessment

A written, sequential curriculum shall be developed for each subject area. The curricula shall address learner goals, content and program area performance standards, and District education goals; and shall be constructed to include such parts of education as content, skills, and thinking. A curriculum review cycle and timelines for curriculum development and evaluations shall be developed as well.

The staff and administration will suggest materials and resources, to include supplies, books, materials, and equipment necessary for development and implementation of the curriculum and assessments that are consistent with the goals of the education program.

In all program areas and at all levels, the District shall assess student progress toward achieving learner goals and program area performance standards including the content and data, the accomplishment of appropriate skills, the development of critical thinking and reasoning, and attitude.

The District will use assessment results to improve the educational program and use effective and appropriate tools for assessing such progress. This may include, but is not limited to, standardized tests; criterion-referenced tests; teacher-made tests; ongoing classroom evaluation; actual communication assessments such as writing, speaking, and listening assessments; end of course assessments; samples of student work and/or narrative reports passed from grade to grade; samples of students' creative and/or performance work; and surveys of carry-over skills to other program areas and outside of school.

All courses of instruction shall comply with State statutes and the rules of the State Board of Education.

Cross Reference: 2000 Goals
 2800 Objectives

Legal Reference: I.C. § 33-512A District Curricular Materials Adoption Committees

I.C. § 33-1601 et seq. Courses of Instruction
IDAPA 08.02.01 et seq. Rules of the State Board of Education

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Lesson Plan

2110

To ensure proper planning and continuity of instruction, the Board requires each teacher to prepare daily lesson plans for instruction. To facilitate more effective instruction, lesson plans must be prepared a day in advance of the actual class presentation. The format for the lesson plan will be specified by the building principal and shall be reviewed on a regular basis. The plan book must be readily available when a substitute teacher is needed.

Careful planning should precede:

1. The opening of the school year;
2. The beginning of a project; and
3. The daily activities that address the needs of students.

Planning should include:

1. Statements of objectives;
2. Procedures and strategies to be used;
3. Organizational materials and instruction;
4. Materials – basic and supplementary; and
5. Evaluation of students.

Planning should be creative, challenging, and continuous. Additionally, planning should be flexible in order to meet the needs and abilities of students.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Program Evaluation and Diagnostic Tests

2120

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

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

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

Legal Reference: 20 U.S.C § 1232(h) Protection of Pupil Rights
I.C. § 33-1601 et seq. Courses of Instruction

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

K-3 Reading Intervention

2125

The District strives to ensure that all students read at or above grade level by the end of third grade. In order to achieve this goal the District shall establish a reading intervention program, in addition to core reading instruction, that is aligned with Idaho State Board of Education's Comprehensive Literacy Plan. The District's reading intervention program will include research-based literacy instructional practices, student engagement, and effective interventions.

Definition

Idaho has adopted the International Literacy Association definition of literacy. Literacy is defined as the ability to identify, understand, interpret, create, compute, and communicate using visual, audible, and digital materials across disciplines in any context.

Intervention Program

The District will provide a research based reading intervention program to all kindergarten through third grade students identified with a reading deficiency as determined by the statewide reading assessments.

The program will provide intensive development in phonemic awareness, phonics, fluency, vocabulary, text comprehension, and decoding intervention as applicable to the grade level.

The District will monitor the reading progress of each student's reading skills throughout the school year and adjust instruction according to student needs.

The program will provide a minimum of 60 hours of supplemental instruction for students in kindergarten through grade 3 who score below basic on the reading screening assessment and a minimum of 30 hours of supplemental instruction for students in kindergarten through grade 3 who score basic on the reading screening assessment.

Reading Improvement Plan

Any student in kindergarten through third grade who exhibits a deficiency in reading based upon the statewide assessment shall receive an individual reading improvement plan. Any student who has been identified as not proficient through a local literacy assessment may also be put on a reading improvement plan. The District shall notify parent(s)/guardian(s) as outlined below once the deficiency has been identified and request their participation in developing the plan.

The reading improvement plan shall be created by the teacher, principal, parent(s)/guardian(s), and other pertinent school personnel, including staff assigned library duties, if applicable, no

later than 30 days after the identification of the reading deficiency. The plan will describe the reading intervention services the student will receive to remedy the reading deficit.

If, after a good faith effort, the District is unable to engage the parent(s)/guardian(s) in the development of the student's reading improvement plan within 15 days of notification, school personnel may move forward with the creation of the student's reading improvement plan without parental participation.

Students who are on a reading improvement plan and have been identified through the statewide assessment to be at grade level may be transitioned off of the reading improvement plan. The District shall notify the parent(s)/guardian(s) in advance of transitioning students off of their reading improvement plan.

Parental Notification

The parent(s)/guardian(s) of any student in kindergarten through third grade who exhibits a deficiency in reading at any time during the school year shall be notified in writing of the student's reading deficiency.

The Board hereby directs the Superintendent or designee to assist schools with providing written notification to the parent(s)/guardian(s) of any student who has not met grade-level proficiency.

The initial notification must include the following:

1. A statement that his or her student has been identified as having a deficiency in reading and a reading improvement plan will be established by the teacher, principal, other applicable school personnel and the parent(s)/guardian(s);
2. A description of the current services that are provided to the student; and
3. A description of the available reading intervention and supplemental instructional services and supports that could be provided to the student that are designed to address the identified areas of reading deficiency.

Following development of the plan, the parent(s)/guardian(s) will be provided with:

1. A description of the reading intervention and supplemental instructional services and support that will be provided to the student that are designed to address the identified areas of reading deficiency; and
2. Strategies for parent(s)/guardian(s) to use at home in helping their student to succeed in reading.

At the conclusion of each school year, or earlier if it has been determined that the student is proficient and is no longer in need of intervention, the parent(s)/guardian(s) will be updated on the student's progress, including any recommendation for placement.

Student Records

The assessment scores and interventions recommended and implemented shall be maintained in the permanent record of each student.

Reporting

Annually by October 1, the District shall report to the Idaho State Department of Education the following information on the prior school year:

1. By grade, the number and percentage of all students in grades kindergarten through third performing at the basic or below basic level on local and statewide assessments in reading; and
2. By grade, the number and percentage of all students in grades kindergarten through third performing at the proficient or higher level on local and statewide assessments in reading.

Legal Reference: I.C. § 33-1614	Reading Instruction and Intervention
I.C. § 33-1615	Reading Assessment
I.C. § 33-1616	Literacy Intervention

Other Reference: Idaho Comprehensive Literacy Plan
https://boardofed.idaho.gov/k_12/documents/2015%20Comprehensive%20Literacy%20Plan_COMPLETE%20FINAL%201-29-16.pdf

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Research Studies

2130

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

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

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

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

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394**

INSTRUCTION

2140

Student and Family Privacy Rights

Surveys - General

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

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

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

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

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

Surveys Created by a Third Party

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

This section applies to every survey:

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

Surveys Requesting Personal Information

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

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

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

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

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

1. A student's sexuality;
2. Sex;
3. Religion;
4. Personal political beliefs;
5. Mental or psychological problems;
6. Personal family information; and
7. Individual or family financial information.

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

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

Instructional Material

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

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

Collection of Personal Information from Students for Marketing Prohibited

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

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

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

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

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

Notification of Rights and Procedures

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

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

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

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

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

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

Policy History:

Adopted on:

Revised on:

Reviewed on:

**Avery School District
#394**

INSTRUCTION

2140F

Student and Family Privacy Rights – Consent Form

The Protection of Pupil Rights Amendment (PPRA), requires the District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include student surveys, analyses, or evaluations that concern one or more of the following areas:

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sexuality, including but not limited to sex behavior or attitudes;
4. The student’s sex;
5. Illegal, anti-social, self-incriminating, or demeaning behavior;
6. Critical appraisals of others with whom respondents have close family relationships;
7. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
8. Religion, including but not limited to religious practices, affiliations, or beliefs of the student or parents;
9. Individual or family financial information, including but not limited to income;
10. Personal family information.

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes (“marketing surveys”). The following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and, for surveys and activities scheduled after the school year starts, the District will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and provide them with an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to PO Box 7, Avery, ID 83802. The Avery School District will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

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

Parent’s signature: _____

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

Avery School District #394, PO Box 7, Avery, ID 83808.

Avery School District
#394
INSTRUCTION

Copyright

2150

The District recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using of audio, visual, or printed materials and computer software, unless the copying or using conforms to the “fair use” doctrine.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research.

While the District encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of District staff to abide by the District’s copying procedures and obey the requirements of the law. Under no circumstances shall it be necessary for District staff to violate copyright requirements in order to perform their duties properly. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the District’s procedures or is permissible under the law should contact the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials when such authorization is required. The Superintendent or designee is responsible for maintaining copies of permission granted for the use of copyrighted material.

Teachers will instruct students to respect copyright laws and to request permission when their use of material has the potential of being considered an infringement.

No information or graphics may be posted on any school system official website in violation of any copyright laws. The Superintendent or web maintenance designee is responsible for maintaining copies of permission granted for the use of copyrighted material on any school system official website.

Cross Reference: 8700 Computer Software

Legal Reference: 17 U.S.C. 101 to 110 Federal Copyright Act

Policy History:

Adopted on: 3/13/17

Avery School District
#394
INSTRUCTION

Copyright Compliance

2150P

Authorized Reproduction and Use of Copyrighted Material in Print

In preparing for instruction, a teacher may make or have made a single copy of a chapter from a book; an article from a newspaper or periodical; a short story, short essay or short poem; or a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper. A teacher may make multiple copies, not exceeding more than one per pupil for classroom use if the copying meets the tests of “brevity, spontaneity, and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

1. **Brevity:**

- A. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words.
- B. Complete articles, stories, or essays of less than 2,500 words or excerpts from prose works less than 1,000 words or 10 percent of the work, whichever is less, may be copied; in any event, the minimum is 500 words. Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph.
- C. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children’s books combining poetry, prose, or poetic prose.

2. **Spontaneity:** Should be at the “instance and inspiration” of the individual teacher.

3. **Cumulative Effect:** Teachers are limited to using copied material for only one course in the school in which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical issue during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. Teachers may use copyrighted materials in overhead projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy of an unpublished work which is in its collection and a published work in order to replace it because it is damaged, deteriorated, lost, or stolen, provided the unused replacement cannot be obtained at a fair price.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print".

Authorized Reproduction and Use of Copyrighted Music

A teacher may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work, for purposes of preparing for instruction.

A teacher may make multiple copies for classroom use of an excerpt of not more than ten percent of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song. Printed musical works which have been purchased may be simplified provided that the fundamental character of the work is not distorted and that lyrics are not added or altered.

A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes.

In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed, or are otherwise not available.

Recording of Broadcast Programs

Television programs may be recorded and used for instruction for up to ten days following recording. The recording may be retained for up to 45 days for teacher evaluation purposes. The recording may only be replayed for educational purposes in the classroom or a similar learning environment. No program may be recorded by or for the same teacher more than once and the recording may not be altered. A limited number of copies may be made for legitimate educational purposes. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded. The Superintendent will establish appropriate control procedures to maintain the integrity of these guidelines.

Authorized Reproduction and Use of Copyrighted Materials on Websites

No information or graphics may be posted on any school system official website in violation of any copyright laws. The Superintendent or web maintenance designee is responsible for maintaining copies of permission granted for the use of copyrighted material on any school system official website.

Teacher Instruction to Students for Reproduction and Use of Copyrighted Material

Teachers will instruct students to respect copyright laws and to request permission when their use of material has the potential of being considered an infringement.

Legal Reference: 17 U.S.C. 101 to 110 Federal Copyright Act

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

School Year, Calendar, and Instructional Hours

2200

School Fiscal Year

The fiscal year of the school is from July 1 to June 30.

School Calendar

The Board annually shall establish the dates for opening and closing classes, teacher inservices, the length and dates of vacation, and the days designated as legal school holidays.

Holidays and Commemorative Days

School holidays shall include New Year's Day, MLK/Human Rights Day, President's Day, Memorial Day, Independence Day, Veteran's Day, Thanksgiving Day, and Christmas Day.

For those commemorative days designated in I.C. § 73-108 that fall on a school day, the teachers and students shall devote a portion of the day to the observance of that holiday.

Instructional Hours

The District shall provide the minimum number of instructional hours for students at each grade level as follows:

1. Kindergarten: 450 hours;
2. Grades 1-3: 810 hours;
3. Grades 4-8: 900 hours; and

Teacher Inservice Days

Not more than 22 hours may be utilized for inservice teacher activities.

Legal Reference: I.C. § 33-512 Governance of Schools
I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds
IDAPA 08.02.01.250.01 Required Instructional Time
IDAPA 08.02.01.250.03 Day in Session When Counting Pupils in Attendance

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

School Closure

2210

The Superintendent may order the closure of schools in the event of extreme weather, facility failures, or other emergency in compliance with established procedures for notifying parents, students, and staff.

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

School Closure

2210P

All students, parents, and school employees should assume that school will be in session and buses running as scheduled, unless there is official notification from the Superintendent to the contrary. Such notice will be given via public media.

In the event that extremely cold temperatures, wind chill factors, snow, wind, or other circumstances require a modification of the normal routine, the Superintendent or Designee (Transportation Director) will make the modification decision prior to 6:00 AM.

Work Schedules and Responsibilities for School Closures

Superintendent: Only the Superintendent shall have the authority to close schools. The Superintendent will be on duty throughout any existing or potential emergency situation, day or night. All orders that are of doubtful origin should be confirmed with the Superintendent.

Head Teacher The Head Teacher shall ascertain that the building has been adequately secured and that any child who mistakenly reports to school (in the event that school has been closed) is properly and safely cared for and returned home. The Head Teacher and minimal support staff shall notify other staff and/or other support employees of the situation, and shall respond to telephone questions. When the situation has been stabilized, the personnel who reported to work may choose to return home.

Classified Employees: These employees work only those days when school is in session and are not expected to work when school is not in session. If school has been closed, classified employees should not report for duty unless otherwise directed by their immediate supervisor or the Superintendent. Classified employees shall place a NS (No School) mark on their time sheets.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Grade Organization

2230

The District has instructional levels for grades kindergarten through 8. The grouping and housing of instructional levels in school facilities shall be according to plans developed by the Superintendent and approved by the Board.

Instructional programs shall be coordinated between each grade and between levels of schools.

A student will be assigned to an instructional group or a classroom that will best serve the needs of that individual while still considering the rights and needs of other students.

The criteria for grouping should be based upon the learning goals and objectives being addressed and the student's ability to achieve those purposes.

Legal Reference: I.C. § 33-302 Classification of School Districts

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District

#394

INSTRUCTION

Class Size

2240

The District will strive to achieve ratios consistent with the following State class size ratio goals:

Grade Level	Number of Students
Kindergarten-8 th	20

In kindergarten and at the elementary level, a class shall be considered overloaded when it exceeds the following numbers of students:

Kindergarten through Grade 1: 8

Grades 2 and 3: 8

Grades 4 through 6: 8

The Board of Trustees recognizes that achieving the goal of this policy is dependent upon the financial ability of the District. The Superintendent shall review overloaded class situations and may place an assistant in the classroom or offer other solutions to relieve overloaded class conditions.

Legal References

IC § 33-1404

IDAPA 08.02.02.110

Description

Districts to Receive Pupils

Personnel Standards

Cross References

Code

Updated 4/2024

Description

3010

[Open Enrollment](#)

3010-P(1)

[Open Enrollment - Procedures](#)

**Avery School District
#394
INSTRUCTION**

Physical Activity Opportunities and Physical Education

2315

Daily Physical Education (PE) K-8

All students in grades K-8, including students with disabilities, special healthcare needs, and those in alternative educational settings, will receive daily physical education (PE).

Daily Recess

All elementary school students will have at least 20 minutes each day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.

When activities such as mandatory school-wide testing make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they will be encouraged to stand and be moderately active.

Physical Activity and Punishment

Teachers and other school and community personnel will not use physical activity, such as running laps or push-ups, as punishment.

Cross Reference: 8200 Healthy Lifestyles

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District

#394

INSTRUCTION

Health Enhancement Education

2210

Health, family life, and sex education; including information about parts of the body, reproduction, and related topics; shall be included in the instructional program as appropriate to the grade level and course of study. The instructional approach shall be developed after consultation with parents and other community representatives. Parents may ask to review the materials to be used and may request that their child be excluded from sex education class sessions without prejudice.

The Board believes that HIV/AIDS instruction is most effective when integrated into a comprehensive health education program. Instruction shall be developmentally appropriate to the grade level of the students and shall occur in a systematic manner. The Board particularly desires that students receive proper education about HIV before they reach the age when they may adopt behaviors that put them at risk of contracting the disease.

In order for education about HIV to be most effective, the Superintendent shall require that faculty members who present this instruction receive continuing inservice training that includes appropriate teaching strategies and techniques. Other staff members not involved in direct instruction but who have contact with students shall receive basic information about HIV/AIDS and instruction in the use of universal precautions when dealing with body fluids.

In accordance with Board policy, parents shall have an opportunity to review the HIV education program before it is presented to students.

Alcohol, Tobacco, and Drug Education

Students shall receive education regarding the use of alcohol, tobacco, and drugs. The Superintendent or designee shall develop curriculum for use in health education that provides instruction to students in the areas of prevention; education; treatment; rehabilitation; and legal consequences of alcohol, tobacco, and drug use.

Legal References

IC § 33-1605

Description

Health and Physical Fitness – Effects of Alcohol, Tobacco, Stimulants and Narcotics

IC § 33-1608, et seq.

Family Life and Sex Education – Legislative Policy

IDAPA 08.02.03.160

Safe Environment and Discipline

Cross References

Code

Description

Updated 4/2024

**Avery School District
#394
INSTRUCTION**

Community and Adult Education

2330

The District makes its resources available to adults and other nonstudents within the limits of budget, staff, and facilities, provided there is no interference with or impairment of the regular school program. Community school, adult education, and other offerings may be developed in cooperation with community representatives, subject to approval and authorization by the Board.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District

#394

INSTRUCTION

2335

Technology will be integral to curriculum, instruction, and assessment. The District's educational system must lay the foundation for students to participate comfortably in an increasingly technological society. Classroom activities will include instruction using multimedia, distance learning, and other technologies.

The Superintendent will ensure that District students are educated on appropriate online behavior, including cyberbullying awareness, digital citizenship, and online safety and etiquette. Instruction will be given to students as appropriate to the educational and developmental needs of students.

The Superintendent will ensure that teachers, administrators, and other staff members responsible for supervising students' internet use receive professional development, training, and resources in the following areas:

1. Monitoring of student online activities;
2. Instruction of students in proper online etiquette;
3. Instruction of students in discerning among online information sources and appropriate materials;
4. Bullying and cyberbullying awareness and response, in accordance with the District's bullying policy; and
5. Instruction of students on appropriate interaction on social networking websites and chat rooms.

The District may use the following methods of providing instruction on appropriate online behavior and cyberbullying awareness:

1. Incorporation of instruction into course objectives or daily lessons of planned instruction, as appropriate;
2. Class assemblies or special instruction given in the school library or media center;
3. Special technology courses that are required for students at various grade levels;
4. Online courses required for students to use a District network account

The Superintendent or their designee will also make resources available to parents/guardians on teaching students about acceptable internet use, appropriate online behavior, online etiquette, cyber-bullying awareness and response, and appropriate use of social networking websites and chat rooms.

Legal References

20 USC § 6777

Description

Internet Safety

47 CFR § 54.520(c)(1)(i)	Implementing CIPA: Certifications Required Under 47 USC 254(h) and (l)
IC § 18-917A	Student Harassment — Intimidation — Bullying
Pub. L. 106-554	Children's Internet Protection Act (CIPA)
Pub. L. 110-385	Broadband Data Services Improvement Act

Cross References

Code	Description
3270	District-Provided Access to Electronic Information, Services, and Networks
3270	District-Provided Access to Electronic Information, Services, and Networks
3270	District-Provided Access to Electronic Information, Services, and Networks
3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
5265	Employee Responsibilities Regarding Student Harassment

Avery School District
#394
INSTRUCTION

Controversial Issues and Academic Freedom

2340

The District shall offer courses of study which will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues; to have free access to information; to study under teachers in situations free from prejudice; and to form, hold, and express their own opinions without personal prejudice or discrimination.

The Board recognizes the need for the teacher to have the freedom to discuss and teach subjects and issues which may be controversial. Such subjects and issues may include but are not necessarily be limited to

1. Politics;
2. Science;
3. Health and sex education; and
4. Values and ethics.

Teachers shall guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, the importance of fact, the value of good judgment, and the virtue of respect for conflicting opinions.

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and the free exchange of ideas and information.

The Board also believes that academic freedom carries with it a responsibility that is shaped by the basic ideals, goals, and institutions of the local community. These standards are expressed via the goals and objectives of the adopted curriculum, by the adopted textbooks, by Board policy, and by the District's mission statement.

In the study or discussion of controversial issues or materials, however, the Board directs the teaching staff to take into account the following criteria:

1. Relative maturity of students;
2. District philosophy of education;
3. Community standards, morals, and values;
4. The necessity of a balanced presentation; and
5. The necessity of seeking prior administrative counsel and guidance in such matters.

As a consequence of its responsibility to guarantee academic freedom to both students and

teachers, the Board expects that:

1. All classroom studies will be curriculum-related, objective, and impartial;
2. Teachers will create and maintain an atmosphere of open-mindedness and tolerance, and recognize that no one idea or viewpoint should necessarily prevail;
3. Teachers will not attempt, directly or indirectly, to limit or control students' judgment concerning any issue, but will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to their accuracy and interpretation; and
4. Teachers will exercise professional judgment in determining the appropriateness of the issue to the curriculum and to the age and grade level of the students.

To this end:

1. The teacher shall be free to choose supplemental materials to support and enhance the regular classroom curriculum except in sex education instruction as outlined in item four of this section. To encourage the free flow of information and enhance student creativity, unplanned issues may be brought up in the classroom and briefly discussed.
2. The school shall provide for parents or guardians to have their child excused from a topic which may be contrary to their religious or moral values. This shall be done in writing by the parent or guardian and include an explanation of the conflict. The student may also request to be excused if the student personally finds the topic to be contrary to their religious or moral values. The student must explain in writing the nature of the conflict. The teacher will provide an alternative assignment if the request is approved by the teacher and principal.
3. The teacher shall notify parents or guardians when especially controversial issues may be discussed and that they may have their child excused if family religious or moral values so dictate. The teacher should have the principal view questionable materials, etc.
4. The Board directs that a philosophy of abstinence shall be a part of and the underlying principal in all sex education instruction. However, it is recognized that this alone may not prevent pregnancies and sexually transmitted disease. Therefore the Board allows for instruction in sex education including AIDS awareness, sexually transmitted diseases, birth control, and general human sexuality. In all cases the known facts will be taught, not the opinions or moral judgment of the instructor. This does not preclude giving impartial view points on both sides of issues such as the right to an abortion or on the use of birth control methods.

Any parent/legal guardian may have his or her child excused from any planned sex education instruction upon filing a written request with the Board. The Board shall make a form available for such requests. Alternative educational activities shall be provided for those excused.

5. When speakers are to be used, the principal must always give approval as outlined in the Board policy on "Controversial Speakers".

Cross Reference 2341 Controversial Speakers

Legal Reference: I.C. § 33-512 Governance of Schools
 I.C. § 33-1611 Excusing Children from Instruction in Sex
 Education

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
Instruction**

2340F

Parental Opt-Out Form for Sex Education

I, _____, parent/guardian of _____, request that my child be removed from class and/or student activities when planned instruction is given in the subject of sex education.

I understand a philosophy of abstinence is a part of and the underlying principal in all sex education instruction. Because this alone may not prevent pregnancies and sexually transmitted disease, the Board allows for instruction in sex education including AIDS awareness, sexually transmitted diseases, birth control, and general human sexuality. In all cases the known facts will be taught, not the opinions or moral judgments of the instructor. This does not preclude giving impartial viewpoints on both sides of issues such as the right to an abortion or on the use of birth control methods.

Date

Signature of Parent/Guardian

Avery School District
#394
INSTRUCTION

Speakers in the Classroom and at School Functions

2345

The Board encourages the use of outside speakers when the speaker's program is educationally sound, consistent with the curriculum, and follows District policies and procedures.

All speakers invited must have the Superintendent's approval. In no instance shall a speaker who is known to advocate unconstitutional or illegal acts or procedures be permitted to address the students. Parents or guardians will be given the option to remove their student from certain discussions, and an alternative assignment will be given if the speaker is to address a classroom.

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Controversial Speakers Procedure

2345P

No overall standard can be established which will automatically separate and exclude as a resource the person whose views or manner of presenting them may actually obstruct the educational process or endanger the health and safety of students or staff. The Board, in an effort to uphold students' freedom to learn while also recognizing obligations which the exercise of this freedom entails, establishes the following rules:

1. Selection of speakers and topics must be appropriate to the age and grade level of the students;
2. Selection of speakers and topics should be congruent with the curriculum of the course or function;
3. The teacher/sponsor and school building administrator shall investigate fully those proposed resource persons for whom the community may question the wisdom of his or her presence;
4. The teacher/sponsor or designee must give one week prior notification to the principal or designee. The principal or designee may waive the one week notification requirement if extenuating circumstances are present;
5. Minimal disruption to the normal flow of school operation is a high priority;
6. An attempt to provide a balance of viewpoints is recommended when dealing with controversial issues or candidates for public office;
7. No person who encourages or advocates breaking the law shall be invited to speak;
8. Teachers should ensure that the presentation and follow up is consistent with District approved programs and policies;
9. The teacher must retain primary responsibility for the instruction and supervision of students when using an outside speaker. The teacher must be present at all times when speakers are in the classroom;
10. Prior to his or her appearance or participation, the proposed speaker shall be given in writing and shall agree to abide by the following regulations:
 - A. Profanity, vulgarity, and lewd comments are prohibited;
 - B. Tobacco, alcohol, or drug use is prohibited; and

- C. The teacher/sponsor responsible for inviting the resource person and any member of the school administration has the right and duty to interrupt or suspend any proceedings if the conduct of the resource person is judged to be in poor taste or endangering the safety of students and staff.
11. In the event an outside community speaker is denied access to the classroom, the teacher may request a meeting to be held between the Superintendent or designee, the principal or designee, and the teacher/sponsor. The meeting shall be held no later than five working days from the date of the request for the meeting. The administrators shall review with the teacher/sponsor pertinent information concerning the request and render a final decision on the issue.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Student Religious Activity at School

2350

In keeping with the United States and Idaho Constitutions and judicial decisions, the District may not support religion or endorse religious activity. At the same time, the District may not prohibit private religious expression by students. The purpose of this policy is to provide direction to students and staff members about the application of these principles to student religious activity at school.

Student Prayer and Discussion

Students may pray individually or in groups and discuss their religious views with other students, as long as they are not disruptive or coercive. The right to engage in voluntary prayer does not include the right to have a captive audience listen, to harass other students, or to force them to participate. Students may pray quietly in the classroom, except when they are expected to be involved in classroom instruction or activities.

Staff Members

Staff members are representatives of the District and must “navigate the narrow channel between impairing intellectual inquiry and propagating a religious creed.” They may not encourage, discourage, persuade, dissuade, sponsor, participate in, or discriminate against a religious activity or an activity because of its religious content. They must remain officially neutral toward religious expression.

Assemblies and Extracurricular and Athletic Events

District officials may not invite or permit members of the clergy, staff members, or outsiders to give prayers at school-sponsored assemblies and extracurricular or athletic events. District officials also may not organize or agree to student requests for prayer at assemblies and other school-sponsored events. Furthermore, prayer may not be broadcast over the school public address system, even if the prayer is nonsectarian, non-proselytizing, and initiated by students.

Student Religious Expression and Assignments

Students may express their individual religious beliefs in reports, tests, homework, and projects. Staff members should judge their work by ordinary academic standards, including substance, relevance, appearance, composition, and grammar. Student religious expression should neither be favored nor penalized.

Religion in the Curriculum

Staff members may teach students about religion in history, art, music, literature, and other subjects in which religious influence has been and continues to be felt. However, staff members may not teach religion or advocate religious doctrine or practice. The prohibition against teaching religion extends to curricular decisions that promote religion or religious beliefs.

School programs, performances, and celebrations must serve an educational purpose. The inclusion of religious music, symbols, art, or writings is permitted if the religious content has an historical and/or independent educational purpose that contributes to the objectives of the approved curriculum. School programs, performances, and celebrations cannot promote, encourage, discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot be religious or religious-holiday oriented.

Distribution of Religious Literature

Students may distribute religious literature to their classmates, subject to the same constitutionally acceptable restrictions that the District imposes on the distribution of other non-school literature. Outsiders may not distribute religious or other literature to students on school property.

Religious Holidays

Staff members may teach objectively about religious holidays and about the religious symbols, music, art, literature, and drama that accompany the holidays. They may celebrate the historical aspects of the holidays, but may not observe them as religious events.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Release Time

2355

For students in grades kindergarten through 8, the District will not allow release time.

Legal Reference: Article IX, § 6 Idaho Constitution – Religious Test and Teaching in School Prohibited

I.C. § 33-519 Release for Religious Instruction

I.C. § 33-1603 Sectarian Instruction Forbidden

IDAPA 08.02.02.220 Release Time Program for Elementary and Secondary Schools

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Service Animals in Schools

2375

The District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act.

“Service animal” refers to any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of someone with a disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Use of service animals shall be subject to the following requirements:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent. This written request must be delivered to the Superintendent’s office at least ten business days prior to bringing the service animal to school or a school function. Any such request by a student shall be advanced to the proper administrative personnel for consideration of a Section 504 analysis and possible program.
2. The animal must be required for the individual with a disability.
3. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a service animal.
4. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classrooms, or at school functions will be handled on a case by-case basis, considering:
 - A. The type, size, and weight of the miniature horse, and whether the facility can accommodate these features;
 - B. Whether the handler has sufficient control of the miniature horse;
 - C. Whether the miniature horse is housebroken; and
 - D. Whether the miniature horse’s presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
5. Owners of service animals must provide proof of current vaccinations to the Superintendent with their request to be accompanied by a service animal.
6. All service dogs must be spayed or neutered.

7. All service animals must be kept clean and groomed to avoid shedding and dander, and must be treated for, and kept free of fleas and ticks
8. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
9. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control, such as by voice control, hand signals, or other effective means.
10. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
 - A. The District is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
 - B. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his or her service animal, the parent is responsible for providing care and supervision of the animal.
 - C. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.
 - D. Requests for service animal-related accommodations will be reviewed based on the specific circumstances particular to the student in question and may be addressed in conjunction with a student's Section 504 Plan or Individual Education Plan.
11. A school administrator may ask an individual with a disability or his or her parents to remove a service animal from a school building, a classroom, or from a school function if any of the following circumstances occurs:
 - A. The animal is out of control and the animal's handler does not take effective action to control it.
 - B. The animal is not housebroken.
 - C. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.
 - D. The animal presents a direct threat to students, staff, or other individuals.

Legal Reference: ADA Regulations, 28 C.F.R. Part 35

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Limited English Proficiency Program

2385

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English proficiency of eligible students, so they can attain academic success. Students that have limited English proficiency (LEP) will be identified, assessed, and provided appropriate services.

The Board shall adopt a program of educational services for each student whose dominant language is not English. The program shall include bilingual/bicultural or English as a Second Language instruction.

The Superintendent or designee shall implement and supervise an LEP program which ensures appropriate LEP instruction and complies with applicable laws and regulations.

The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop and disseminate written procedures regarding the LEP program, including:

1. Program goals;
2. Student enrollment procedures;
3. Assessment procedures for program entrance, measurement of progress, and program exit;
4. Classroom accommodations;
5. Grading policies; and
6. A list of resources, including support agencies and interpreters.

The District shall establish procedures for identifying students whose dominant language is not English. For students whose dominant language is not English, assessment of the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.

Students whose dominant language is not English should be enrolled in the District upon proof of residency and other legal requirements. Students shall have access to, and be encouraged to participate in, all academic and extracurricular activities of the District.

Students participating in LEP programs shall be required, with accommodations, to meet established academic standards and graduation requirements adopted by the Board.

The LEP program shall 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. Adequate content-area support shall be provided while the student is learning English to assure achievement of academic standards.

The LEP program shall be evaluated for effectiveness as required, based on the attainment of English proficiency, and shall be revised when necessary.

A student may be excluded from requirements to participate in Idaho's direct writing assessment and in Idaho's direct mathematics assessment, if either test is required to be given, if the following requirements are met:

1. The student has not been enrolled for two full school years in an elementary school or secondary school in the United States;
2. The student scores less than a level four on the State assessment used to determine English language proficiency; and
3. If the parent or guardian of the student and the student's teacher agree that such an assessment exclusion is educationally appropriate for the student.

At the beginning of each school year the District shall notify parents of students qualifying for LEP programs about the instructional program and parental options, as required by law. Parents/guardians will be regularly apprised of their student's progress. Whenever possible, communications with parents or guardians shall be in the language understood by the parents.

The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

Cross Reference: 4160 Notice to Parents Required by No Child Left Behind Act of 2001

Legal Reference: Title VI, Civil Rights Act of 1964
Equal Education Opportunities Act as an amendment to the Education
Amendments of 1974 Bilingual Education Act
20 U.S.C. §§ 7401, et seq., as amended by the English Language Acquisition,
Language Enhancement, and Academic Achievement Act
Title III, §§ 3001-3304 of HRI, No Child Left Behind Act of 2001, P.L.
107-110
I.C. § 33-1618 Assessment Exception

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Migrant Education Program

2390

Purpose

The general purpose of the Migrant Education Program (MEP) is to ensure that migrant children fully benefit from the same free public education provided to other children. To achieve this purpose, the MEP addresses the special educational needs of migrant children to better enable migrant children to succeed academically.

Eligibility

Children are eligible to receive MEP services if they meet the definition of “migratory child” and if the basis of their eligibility is properly recorded on a Certificate of Eligibility.

A “migratory child” is defined as:

1. The child is younger than 22 and has not graduated from high school or does not hold a high school equivalency certificate. This means that the child is entitled to a free public education, or is of an age below compulsory school attendance; and
2. The child is a migrant agricultural worker; a migrant fisher; or has a parent, spouse, or guardian who is a migrant agricultural worker or a migrant fisher; and
3. The child has moved within the preceding 36 months in order to obtain (or seek) or to accompany (or join) a parent, spouse, or guardian to obtain (or seek), temporary or seasonal employment in qualifying agricultural or fishing work; and
4. Such employment is a principal means of livelihood; and
5. The child:
 - A. Has moved from one school district to another; or
 - B. In a state that is comprised of a single school district, has moved from one administrative area to another within such district.

Record Keeping

The District is required to keep records to demonstrate:

1. The amount of funds under the grant or sub-grant;
2. How the District uses the funds;
3. The total cost of the program;
4. The share of the cost provided from other sources; and

5. Other records as needed to facilitate an effective audit.

The District is also required to keep records to show their compliance with program requirements.

The District must maintain MEP records for three years after the date the District submits its last expenditure for the time period. If any litigation, claim, negotiation, audit, or other action involving the MEP records is taken, the records must be retained until the completion of the action and resolution of all issues or until of the end of the regular three year period, whichever is later.

For an employee who has both MEP and non-MEP responsibilities, the District must maintain appropriate time distribution records. Actual costs charged to each program must be based on the employee's time distribution records. For instructional staff, including teachers and instructional aides, class schedules that specify the time that such staff members devote to MEP activities may be used to demonstrate compliance with the requirement for time distribution records so long as there is corroborating evidence that the staff members actually carried out the schedules.

Legal Reference: 76.730-76.731 Education Department General Admin. Regulation (EDGAR)
80.42(b)(c) Education Department General Admin. Regulation (EDGAR)
Part C, Title I of Elementary and Secondary Education Act of 1965 (ESEA)
34 CFR 200.81 Program Definitions

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District

#394

INSTRUCTION

Special Education

2400

The Avery School District will use the guidelines developed by the Idaho Department of Education in its most current edition of the Idaho Special Education Manual regarding special education issues. The Idaho Special Education Manual is designed to assist Idaho school districts in understanding the provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and meeting its requirements.

The Manual can be found on the State Department of Education's website.

Other References

Idaho State Department of Education

Description

Idaho Special Education Manual, current edition

Cross References

Code

3030

3515

3515-B(1)

3515-P(1)

3515-F(1)

Description

[Part-Time Attendance/Dual Enrollment](#)

[Food Allergy Management](#)

[Food Allergy Management - Background](#)

[Food Allergy Management - Medical Plans of Care](#)

[Food Allergy Management - Emergency Care Plan](#)

Avery School District
#394
INSTRUCTION

Section 504 of the Rehabilitation Act of 1973

2410

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. For those students who need or are believed to need special instruction and/or related services under Section 504 of the Rehabilitation Act of 1973, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include:

1. Notice;
2. An opportunity for the student's parent or legal guardian to examine relevant records;
3. An impartial hearing with opportunity for participation by the student's parent or legal guardian; and
4. A review procedure.

The Board directs the Superintendent to fulfill the following responsibilities:

1. To coordinate 504 compliance efforts;
2. To adopt and publish grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504; and
3. To notify students and others that the District does not discriminate on the basis of disability.

Cross Reference: 3210 Uniform Grievance Procedure

Legal Reference: 29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504
34 C.F.R. 104.36 Procedural Safeguards

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Section 504 of the Rehabilitation Act of 1973

2410P

1. Impartial Due Process Hearing: If the parent or legal guardian of a student who qualifies under Section 504 for special instruction or related services disagree with a decision of the District with respect to:

- A. The identification of the child as qualifying for Section 504;
- B. The District's evaluation of the child; and/or
- C. The educational placement of the child,

the parents of the student are entitled to certain procedural safeguards. The student shall remain in his or her current placement until the matter has been resolved through the process set forth herein.

- D. The District shall provide written notice to the parent/legal guardian of a Section 504 student prior to initiating an evaluation of the child and/or determining the appropriate educational placement of the child, including special instruction and/or related services;
- E. Upon request, the parent/legal guardian of the student shall be allowed to examine all relevant records relating to the child's education and the District's identification, evaluation, and/or placement decision;
- F. The parent or legal guardian of the student may make a request in writing for an impartial due process hearing. The written request for an impartial due process hearing shall identify with specificity the areas in which the parent or legal guardian are in disagreement with the District;
- G. Upon receipt of a written request for an impartial due process hearing, a copy of the written request shall be forwarded to all interested parties within three business days of receipt of the same;
- H. Within ten days of receipt of a written request for an impartial due process hearing, the District shall select and appoint an impartial hearing officer that has no professional or personal interest in the matter. In that regard, the District may select a hearing officer from the list of special education hearing examiners available at the State Department of Education or any other person that would conduct the hearing in an impartial and fair manner;
- I. Once the District has selected an impartial hearing officer, the District shall provide the parent/legal guardian and all other interested parties with notice of the person selected;

- J. Within five days of the District's selection of a hearing officer, a prehearing conference shall be scheduled to set a date and time for a hearing, identify the issues to be heard, and stipulate to undisputed facts to narrow the contested factual issues;
 - K. The hearing officer shall in writing notify all parties of the date, time, and location of the due process hearing;
 - L. At any time prior to the hearing, the parties may mutually agree to submit the matter to mediation. A mediator may be selected from the State Department of Education's list of trained mediators.
 - M. At the hearing, the District and the parent or legal guardian may be represented by counsel;
 - N. The hearing shall be conducted in an informal but orderly manner. Either party may request that the hearing be recorded. Should either party request that the hearing be recorded, it shall be recorded using either appropriate equipment or a court-reporter. The District shall be allowed to present its case first. Thereafter the parent/legal guardian shall be allowed to present their case. Witnesses may be called to testify and documentary evidence may be admitted, however, witnesses will not be subject to cross-examination and the Idaho Rules of Evidence will not apply. The hearing officer shall make all decisions relating to the relevancy of all evidence intended to be presented by the parties. Once all evidence has been received the hearing officer shall close the hearing. The hearing officer may request that both parties submit proposed findings of fact, conclusions, and decision;
 - O. Within 20 days of the hearing, the hearing examiner should issue a written report of his or her decision to the parties;
 - P. Appeals may be taken as provided by law. The parent/legal guardian may contact the Seattle Office, Office of Civil Rights, U.S. Department of Education, 915 Second Avenue Room 3310, Seattle, WA 98174-1099, (206) 607-1600.
2. Uniform Grievance Procedure: If a parent/legal guardian of the student alleges that the District and/or any employee of the District has engaged in discrimination or harassment of the student, the parent/legal guardian will be required to proceed through the District's Uniform Grievance Procedure.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Title I Parent Involvement

2420

The District endorses the parent involvement goals of Title I and encourages the regular participation of parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school, and community. In this policy the word “parent” also includes guardians and other family members involved in supervising the child’s schooling.

Pursuant to federal law, the District will develop jointly with, agree upon with, and distribute to parents of children participating in the Title I program a written parent involvement policy. The notice shall include information about complaint procedures regarding Title I parental participation programs, and shall inform parents of their right to request information about the professional qualifications of both the teachers and the paraprofessionals who teach and work with their children. To the extent practicable, each parent should receive the policy in a language they can understand.

The Board directs the Superintendent to develop a plan to provide support for schools in planning and implementing parent involvement activities. The Superintendent is also directed to coordinate and integrate other parental involvement strategies related to programs such as Head Start, Reading First, Early Reading First, Even Start Family Literacy Programs, Home Instruction Programs for Preschool Youngsters, Parents as Teachers, and public preschools. At the required annual meeting of Title I parents, parents will have opportunities to participate in the design, development, operation, and evaluation of the parental involvement program for the next school year. Proposed activities to address the requirements of parental-involvement goals shall be presented.

If the school-wide program developed is not satisfactory to the parents of participating children, any parent comments on the plan shall be submitted to the District when the school makes the plan available to the local educational agency.

In addition to the required annual meeting, at least three additional meetings shall be held at various times of the day and/or evening for parents of children participating in the Title I program. These meetings shall be used to provide parents with:

1. Information about programs provided under Title I;
2. A description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, the proficiency levels students are expected to meet, and how the school will provide individual student academic assessment results;

3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and
4. The opportunity to bring parent comments, if they are dissatisfied with the school's Title I program, to the District level.
5. The opportunity for parents to evaluate involvement activities and to identify barriers to greater participation. This input shall be used to inform strategies for effective parental involvement, and to revise policy as necessary.

Parents with disabilities shall be provided with an opportunity to request the auxiliary aids and services of their choice. Such support shall be provided by the school unless it demonstrates that another effective means of communication exists, or that use of the means chosen by the parent would result in a fundamental alteration in the service, program, or activity or in an undue financial and administrative burden. Outreach efforts shall include outreach to parents of limited English proficient students to inform them of how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging State academic achievement standards and State academic content standards expected of all students. Title I funding, if sufficient, may be used to facilitate parent attendance at meetings, through payment of transportation and childcare costs.

The parents of children identified to participate in Title I programs shall receive from the school principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Opportunities will be provided for the parents to meet with the classroom and Title I teachers to discuss their child's progress. Parents will also receive guidance as to how they can assist at home in the education of their children.

Each school in the District receiving Title I funds shall develop jointly with parents of children served in the program a "School-Parent Compact" outlining the manner in which parents, school staff, and students share the responsibility for improved student academic achievement in meeting State standards. The "School-Parent Compact" shall:

1. Describe the school's responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the State's academic achievement standards;
2. Indicate the ways in which each parent will be responsible for supporting their child's learning, such as monitoring attendance, homework completion, and television watching; volunteering in the classroom; and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time;
3. Address the importance of parent-teacher communication on an ongoing basis with (at a minimum) parent-teacher conferences, frequent reports to parents, and reasonable access to staff; and

4. Describe students' responsibility for academic improvement.

NOTE: Districts with more than one school participating in a Title I program may wish to consider the establishment of a District-wide parent advisory council.

Legal Reference: Title I of the Elementary and Secondary Education Act of 1965, 20 U.S.C. §§
6301-6514, as implemented by 34 CFR parts 200, 201, 203,
205, and 212
Improving America's Schools Act, P.L. 103-382, § 1112 Local Education
Agency Plans
P.L. 107-110, "No Child Left Behind Act of 2001," Title I – Improving the
Academic Achievement of the Disadvantaged, § 1118
20 U.S.C. § 6318 No Child Left Behind

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Title I Parent Involvement Guidelines

2420P

In order to achieve the level of Title I parent involvement desired by District policy on this topic, these procedures guide the development of each school's annual parental involvement plan designed to foster a cooperative effort among parents, school, and community.

Parent involvement activities developed at each school will include opportunities for:

1. Volunteering;
2. Parent education;
3. Home support for the child's education; and
4. Parent participation in school decision making.

The District will provide opportunities for professional development and resources for staff and parents/community regarding effective parent involvement practices. The District encourages schools to include family literacy when a substantial number of students have parents who do not have a secondary school diploma or its recognized equivalent or have low levels of literacy.

Roles and Responsibilities

Students

It is the responsibility of the student to:

1. Cooperate with school personnel and be responsible for their behavior;
2. Complete all homework assignments on time;
3. Participate to the best of their ability in all classes;
4. Read independently or with family on a regular basis; and
5. Let teachers, school counselors, and family know when they need help.

Parents

It is the responsibility of the parent to:

1. Actively communicate with school staff;
2. Be aware of policies, rules, and regulations of the school and District;
3. Take an active role in the child's education by reinforcing at home the skills and knowledge the student has learned in school;
4. Take an active role in assuring that the child is prepared to attend school each day; and
5. Utilize opportunities for participation in school activities.

Staff

It is the responsibility of staff to:

1. Work with parents to develop and implement a school plan for parent involvement;
2. Promote and encourage parent involvement activities;
3. Effectively and actively communicate with all parents about skills, knowledge, and attributes students are learning in school and suggestions for reinforcement; and
4. Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Community

Community members who volunteer in the schools have the responsibility to:

1. Be aware of the policies, rules, and regulations of the school and District; and
2. Utilize opportunities for participation in school activities.

Administration

It is the responsibility of the administration to:

1. Facilitate and implement the Title I Parent Involvement policy and plan;
2. Provide training and space for parent involvement activities;
3. Provide resources to support successful parent involvement practices;
4. Provide inservice education to staff regarding the value and use of contributions of parents and how to reach out to, communicate, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school; and
5. Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

2425

Parental Rights

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

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

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

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

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

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

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

Access to Learning Materials

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

Student Wellbeing

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

Addressing Parent/Guardian Concerns

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

Notice

The District shall annually provide parents/guardians with notice of their rights as specified in this policy.

Cross References:	2340F	Parental Opt-Out Form for Sex Education
	2420	Parental and Family Engagement
	4105F	Request to Address the Board
	4120	Uniform Grievance Policy

Legal References:	4175	Required Annual Notices
	Id. Const. art. IX	Education and School Lands
	IC § 32-1010	Intent of the Legislature – Parental Rights
	IC § 32-1012	Parental Right to Direct the Education of Children
	IC § 32-1013	Interference with Fundamental Parental Rights Restricted
	IC § 33-6001	Parental Rights
	IC § 33-6002	Annual Notice of Parental Rights
IDAPA §§ 08.01-.04	State Board of Education and State Department of Education Administrative Rules	

Avery School District
#394
INSTRUCTION

Gifted and Talented Program

2430

The term “gifted and talented” means students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and children of outstanding abilities who are capable of high performance and require services or activities not ordinarily provided by the District in order to fully develop such capabilities.

By law, the District is required to provide for special instructional needs of gifted and talented children enrolled in the District. The Board, in conjunction with the Superintendent and staff, shall develop the State required plan for the District’s gifted and talented program. The Plan shall include a philosophy statement, a definition of giftedness, program goals, program options, identification procedures, and a program evaluation. The District’s plan was submitted to the Department of Education in **February 2016**. Pursuant to State Board mandate, the Plan will be updated every three years.

The Board designates the Superintendent to be responsible for development, supervision, and implementation of the District’s gifted and talented program. Such program shall include, but not be limited to, the following:

1. Expansion of academic attainments and intellectual skills;
2. Stimulation of intellectual curiosity, independence, and responsibility;
3. Development of a positive attitude toward self and others; and
4. Development of originality and creativity.

The Superintendent shall establish procedures consistent with State guidelines for screening, nominating, assessing, and selecting children of demonstrated achievement, or potential ability in terms of general intellectual ability and academic aptitude.

Legal Reference: I.C. § 33-201	School Age
I.C. § 33-2001	Definitions
I.C. § 33-2003	Responsibility of School Districts for Education of Gifted/Talented Children
IDAPA 08.02.03.171	Gifted and Talented Programs

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Contracted Student Services

2450

The Board of Trustees hereby delegates to the Superintendent the authority to enter into agreements for student services but, requires District approval of such contracts.

Special Education

It is the intent of the District to provide services required by students' Individualized Educational Programs (IEPs) and develop resources within the District to eliminate the need for outside sources for special education services.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Library Materials

2500

The school library is the principal location for students to inquire, to study and evaluate, and to gain new maturity and understanding. This District is granted discretion to regulate education and has the authority to determine the initial selection of the library collection. However, the Board also recognizes students' First Amendment constitutional rights.

Pursuant to State law, the Board has the duty and responsibility to equip and maintain a suitable library and to exclude therefrom all books, tracts, papers, and catechisms of a sectarian nature. School library and classroom library books are provided primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The building principal may assess fines for damaged or unreturned books.

District residents or parents/guardians of nonresident students attending the District may be allowed use of library books at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of the library books outside of the District is prohibited except for interlibrary loan agreements with other libraries.

Any individual may challenge the selection of materials for the library/media center. The Uniform Grievance Procedure shall be utilized to determine if the challenged material is properly located in the library.

Cross Reference: 2530
4120

Learning Materials Review
Uniform Grievance Procedure

Legal Reference: I.C. § 33-512

Governance of Schools

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District

#394

INSTRUCTION

Library Materials

2500

The school library is a principal location for students to inquire, to study and evaluate, and to gain new maturity and understanding. The District has the authority to regulate education and to determine the contents of the library collection. However, the Board also recognizes students' First Amendment constitutional rights. The school and classroom libraries of this District are guided by the principles set forth in the Library Bill of Rights and by the Idaho Children's School and Library Protection Act.

Additionally, the District's school libraries adhere to all applicable District policies and procedures pertaining to student privacy and compliance with the Family Educational Rights & Privacy Act (FERPA) when it comes to records of materials checked out by students and any other student records. Pursuant to State law, the Board has the duty and responsibility to equip and maintain a suitable library and to exclude therefrom all books, tracts, papers, and catechisms of a sectarian nature.

School library books are provided primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The building principal may assess fines for damaged or unreturned books.

District residents or parents/guardians of nonresident students attending the District may be allowed use of library books at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of the library books outside of the District is prohibited except for interlibrary loan agreements with other libraries.

Access to Restricted Materials

The school library may have resources available to students that are available only with parent/guardian permission for minor students. Students' access to such materials shall require a permission slip signed by their parent/guardian. The permission slip may provide permission to access one or more specific materials or provide permission to access materials in the restricted access section. Students over the age of 18 may check out materials in the restricted access section.

Legal References

IC § 18-1514(6)

IC § 33-512

IC18-1517B

Other References

Adopted 9/2024

Description

Obscene Materials — Definitions

District Trustees - Governance of Schools

Children's School and Library Protection Act

Description

Idaho Commission for Libraries	website
The American Library Association	Library Bill of Rights
The American Library Association	Access to Resources and Services in the School Library

Cross References

Code	Description
2140	Student and Family Privacy Rights
2140-F(1)	Student and Family Privacy Rights - Consent Form
2510	Selection of Library Materials
2510-P(1)	Selection of Library Materials
2520	Selection, Adoption, Use, and Removal of Curricular Materials
2530	Learning Materials Review & Reconsideration
2530-F(1)	Learning Materials Review & Reconsideration - Request for Review & Reconsideration of Learning Materials
3570	Student Records
3570-P(1)	Student Records - Maintenance of School Student Records
3570-F(1)	Student Records - Notification to Parents' and Student's of Rights Concerning a Student's School Records
3570-F(2)	Student Records - Permission to Use Likeness
3575	Student Data Privacy and Security
7310	Advertising in Schools/Revenue Enhancement

Avery School District
#394
INSTRUCTION

Selection of Library Materials

2510

The school library primary objective will be that of implementing and supporting the educational program in the school. It is the objective of the library to provide a wide range of materials on all appropriate levels of difficulty, with diversity of appeal, and the presentation of different points of view.

The provision of a wide variety of library materials at all reading levels supports the District's basic principle that the school in a free society assists all students to develop their talents fully so that they become capable of contributing to the further good of that society.

In support of these objectives, the Board reaffirms the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and expressed in the School Library Bill of Rights, endorsed by the American Association of School Librarians in 1969.

Although the Superintendent is responsible for the selection of library materials, ultimate responsibility for the selection of library materials rests with the Board.

Legal Reference: I.C. § 33-601 Real and Personal Property – Acquisition, Use or Disposal
of the Same

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Selection of Library Materials

2510P

The selection of library materials is a professional task conducted by the school staff, with the support of the superintendent. In selecting library materials the librarian will evaluate the existing collection, assess curricula needs; examine materials; and consult reputable, professionally prepared selection aids.

Weeding

When materials no longer meet the criteria for selection, they shall be weeded. Weeding is a necessary aspect of selection, since every library will contain works which may have answered a need at the time of acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

Discarded materials will be clearly stamped:

“WITHDRAWAL FROM CALDER PUBLIC SCHOOL LIBRARY”

Materials will be discarded in compliance with I.C. § 33-601. The Board may sell materials with an estimated value of less than \$1,000, without appraisal, by sealed bid or at auction if there is at least one published advertisement prior to such sale. If the Board, by unanimous vote of those members present, finds that the materials have an estimated value of less than \$500 and is of insufficient value to defray the costs of arranging a sale, the materials may be disposed of in the most cost-effective and expedient manner by an employee with such authority.

Gifts

Gift materials may be accepted with the understanding that they must meet criteria set for book selection.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Curricular Materials

2520

The term “curricular materials” is defined as textbook; instructional media, including software; audio/visual media; and internet resources.

The Board is legally responsible for approving and to providing the necessary curricular materials used in the District. Textbooks and instructional materials should provide quality learning experiences for students and:

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards;
3. Provide background information to enable students to make intelligent judgments;
4. Present opposing sides of controversial issues;
5. Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage; and
6. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

The Board may establish a curricular materials adoption committee for the purpose of advising the Board on selection of curricular materials for use within the District that are not covered by the State curriculum materials committee. At least $\frac{1}{4}$ of this committee must be comprised of persons other than public educators and Trustees. All meetings of the committee shall be held in open session and be duly noticed.

Curricular materials may be made available for loan to students when the best interest of the District and student will be served by such a decision. Students will not be charged for normal wear. They will be charged replacement cost, however, as well as for excessive wear, unreasonable damage, or lost materials. The professional staff will maintain records necessary for the proper accounting of all curricular materials.

Any person may submit oral or written objections to any curricular materials under consideration.

A complete and cataloged library of all curricular materials and all electronically available curricular materials adopted in the immediate preceding three years shall be maintained at the State Department of Education.

Cross Reference: 2530

Learning Materials Review

Legal Reference: I.C. § 33-118A Curricular Materials – Adoption Procedures
I.C. § 33-512A District Curricular Materials Adoption Committees
IDAPA 08.02.03.128 Curricular Materials Selection

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

2530F

Request for Review & Reconsideration of Learning Materials

The Trustees of Avery School District #394 have established a formal process for eligible parties who wish to submit a learning material for reconsideration. For the purposes of this process, learning materials include:

1. Approved curriculum;
2. Material used in classroom instruction;
3. Library materials, including materials in classroom libraries; and
4. Any materials to which a teacher might refer a student as part of the course of instruction.

This form is required when making a formal complaint. It will then be turned over to the Learning Materials Review Committee.

Before submitting this form, please discuss the resource with the school librarian, in the case of a library resource, or teacher, in the case of a classroom resource.

Please review Policy 2530 before submitting a complaint.

If you object your child using a particular learning material in the classroom, Policy 2425 provides a way to request an alternative resource for your child.

Date: _____

Name: _____

Address: _____

City: _____ State/Zip: _____

Phone: _____ Email: _____

Please check each of the following that describe you:

_____ Parent or Guardian of District Student

_____ Current Student

_____ District Employee

_____ District Resident

_____ None of the Above

Please check each of the following that apply:

The material was used as a part of classroom instruction; or

The item was available for check-out in the school library.

The item was available in a classroom library.

Please check the applicable box below to help us identify the resource:

Book or E-book

Movie

Magazine

Audio Recording

Digital Resource

Game

Newspaper

Other: _____

Title: _____

Author/Producer: _____

What brought this resource to your attention?

Have you examined the entire resource? If not, what sections did you review?

If this is material used in the classroom, were you provided an alternative instructional resource?

Why do you believe this resource should be removed from use in the classroom/removed from the school library?

Do you believe this resource or material meets the definition of “harmful to minor” provided below? (See definition at the end of the form): YES NO

Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?

What action are you requesting the committee consider?

_____ Retain the material in its original location; or

_____ Relocate the material to another suitable section, including an area with restricted-access requiring parent/guardian permission to access; or

_____ Remove the material entirely.

_____ Other requested remedy: _____

Statutory Definition of “Harmful to Minors” Provided in IC 18-1514 and IC 18-1517B:

“Harmful to minors” includes in its meaning:

- 1) The quality of any material or any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - a) Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - b) Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
 - a. Intimate sexual acts, normal or perverted, actual or simulated; or
 - b. Masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political, or scientific value for minors.

Signature of Complainant: _____
By signing above, I acknowledge that the information provided here is true and factual to the best of my knowledge, and that the Board of Trustees must take each complaint into account while also ensuring it maintains access to constitutionally protected materials.

Avery School District

#394

INSTRUCTION

Learning Materials Review & Reconsideration

2530

Parents/guardians have the right to guide the reading, viewing, and listening of their own children but must likewise give the same right to other parents/guardians. The Board has a constitutional obligation to not remove materials simply because it disagrees with subject matter unless such ideas are in violation of I.C. 18-1514. The First Amendment to the US Constitution encompasses not only freedom of share one's views but also freedom to receive information.

Any parent/guardian of a District student, any student, or any employee may formally challenge a specific learning material item used by the District's educational program. Challenges will only be accepted from individuals belonging to at least one of these groups.

Learning materials, for the purposes of this policy, are not limited to Board approved curriculum but shall also be considered to be any material used in classroom instruction, materials available to students in the classroom, library materials, or any materials to which a teacher might refer a student as part of the course of instruction.

The major criterion for deciding whether to keep or remove a challenged resources is the appropriateness of the resource for its intended educational use. This may include:

1. The appropriateness of the material for the instructional objectives it is used to teach;
2. The appropriateness of the material's level of difficulty; and
3. The appropriateness of the material for the age group(s) with which it is used. Library and classroom materials shall be considered in light of their appropriateness for the oldest students who will have access to them.
4. Whether the material meets the definition of "harmful to minors" provided below.

For the purposes of this policy, the term "harmful to minors" has the meaning provided in IC 18-1514 and I.C. 18-1517B:

"Harmful to minors" includes in its meaning:

1) The quality of any material or any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

a) Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and

b) Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:

Adopted 9/2024

i. Intimate sexual acts, normal or perverted, actual or simulated; or

ii. Masturbation, excretory functions or lewd exhibition of the genitals or genital area.

Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political, or scientific value for minors.

No library material shall be removed solely because of the ideas expressed therein.

Informal Process

Any individual identified above who wishes to raise a complaint about a piece of learning material should first discuss the matter informally with the teacher, librarian, or other staff member who oversees its use. The patron should explain their objection to the material.

The staff member shall try to resolve the matter informally through such measures as:

1. Explaining the District's materials selection process, the criteria for selection and the qualifications of the professional staff who selected the questioned resource;
2. Explaining the intended educational purpose of the resource, its value as a resource, and any additional information regarding its use; and/or
3. Offering a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource in a manner that complies with Policy 2425 Parental Rights.

All informal complaints made to staff members of the District shall be reported to the building principal, whether received by telephone, letter, or in personal conversation. If the complainant wishes to make a formal challenge, the staff member shall direct the complainant to this policy.

Formal Process

An eligible party who wishes to make a formal objection should submit their complaint in writing to the principal of the building where the material is used using a form provided by the District. At minimum, the complaint shall reference specific sections of the materials or resources that produced the formal complaint. Vague or incomplete complaints will not be submitted to the learning materials review committee.

The building principal shall forward the form to the Superintendent.

The Superintendent shall convene a learning materials review committee, who will provide an objective evaluation of the material. The committee shall contain an odd number of members. Members of this committee may include such parties as:

1. Instructional staff who have experience using the challenged resource with students;
2. Other teachers and librarians. If the challenged material was selected by a specific teacher or librarian, that individual will not be selected for the committee. If the District has only one librarian and that librarian selected the material in question, the District may seek to include a librarian from a nearby public library or school district on the committee;

3. Administrators;
4. Parents/guardians of District students, including parents whose children have already graduated; and
5. Any other appropriate individuals selected by the Superintendent.

A person who has submitted a formal complaint regarding a learning material shall not participate in the review of that item as a committee reviewing the material. If the complainant serves on a standing learning materials review committee, they shall recuse themselves from all committee activities related to review of the material.

All members of the committee shall review the challenged resource. They shall also consider written or verbal comments submitted by District students, parents/guardians of District students, District employees, and District residents on the material in question. For library materials, the resource in question must be read or reviewed in full by each committee member. For materials that are a part of material used in classroom instruction, the teacher shall present to the committee on its role within the classroom. Passages or parts of the work in context shall not be considered out of context, and the values and faults of the work should be weighed against each other. Decisions about what action to take regarding the material shall be based on the materials as a whole. Where appropriate, the committee may solicit advice or opinion from other District staff and/or relevant professional organizations of librarians, English teachers, or other appropriate professionals.

The committee shall vote on whether the challenged resource should be kept or removed in accordance with the principles set out in this policy or whether some other change should be made. In the case of library material, it shall include a recommendation to:

1. Retain the material in its original location; or
2. Relocate the material to another location, such as a library or classroom that serves older students; or
3. Remove the material entirely.

The committee shall prepare a written report of its findings and provide copies to the Superintendent, the complainant, and to staff members who oversee use of the resource, that includes both majority and minority opinions on the learning material or library resource under consideration. The report may differ depending on the type of resource being challenged.

The Superintendent shall review the committee's report. If the material under consideration is part of the District's curriculum, and if the committee votes in favor of removing it from the curriculum, the Board shall review the report, and the Board shall determine whether the challenged resource should be kept or removed or whether some other change should be made.

If the material in question is a library resource, classroom library resource, or other material available to students and not part of the District's Board-approved curriculum, the Superintendent shall determine whether to accept the committee's recommendation or whether some other change should be made. The Superintendent shall notify the complainant of the outcome, including the recommendation of the committee. This decision in this regard may be appealed to the Board.

If an appeal of the Superintendent's decision is made to the Board, the Board has the sole discretion in determining how to handle the complaint review, including but not limited to the

Board's option of solely reviewing the committee's report and making a determination or seeking to speak with the parties involved in the complaint during a properly noticed meeting of the Board. The decision of the Board will be final.

Legal References

IC § 18-1514(6)

IC18-1517B

Other References

Idaho Commission for Libraries

The American Library Association

Description

Obscene Materials – Definitions

Children's School and Library Protection Act

Description

[website](#)

[Library Bill of Rights](#)

Cross References**Code**

2425

2425-P(1)

2425-F(1)

2500

2500-F(1)

2510

2510-P(1)

2520

4110

Description

[Parental Rights](#)

[Parental Rights - Parent/Guardian Notification of Changes in Health and Well-being](#)

[Parental Rights - Efforts to Notify Parent/Guardian of Changes in Student Health or Well-being](#)

[Library Materials](#)

[Library Materials](#)

[Selection of Library Materials](#)

[Selection of Library Materials](#)

[Selection, Adoption, Use, and Removal of Curricular Materials](#)

[Public Complaints](#)

**Avery School District
#394
INSTRUCTION**

Selection, Adoption, and Removal of Curricular Materials

2540

The Curriculum Committee will generally be responsible for recommending textbooks and major instructional materials for consideration by the Board for curricular materials that are not covered by the State curriculum materials committee. Recommendations will be made to the Superintendent with a final decision being made by the Board. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established District goals and objectives.

Selection and Adoption

The curricular materials adoption committee should develop, prior to selection, a set of selection criteria against which curricular materials will be evaluated. The criteria should include the following along with other appropriate criteria. Curricular materials shall:

1. Be congruent with identified instructional objectives;
2. Present more than one viewpoint on controversial issues;
3. Present minorities realistically;
4. Present non-stereotypic models;
5. Facilitate the sharing of cultural differences; and
6. Be appropriately priced.

Removal

Curricular materials may be removed when they no longer meet the criteria for initial selection, when they are worn out, or when they have been judged inappropriate through the Learning Materials Review Process.

Legal Reference: I.C. § 33-118A	Curricular Materials – Adoption Procedures
I.C. § 33-512A	District Curricular Materials Adoption Committees
IDAPA 08.02.03.128	Curricular Materials Selection

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Field Trips, Excursions, and Outdoor Education

2550

The Board recognizes that field trips, when used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Such trips can supplement and enrich classroom procedures by providing learning experiences in an environment beyond the classroom. The Board also recognizes that field trips may result in lost learning opportunities in missed classes. Therefore, the Board endorses the use of field trips when the educational objectives achieved by the trip clearly outweigh any lost in-class learning opportunities.

Field trips which take students out of the State must be approved in advance by the Board. The superintendent has the authority to approve all **other** field trips.

The superintendent shall develop procedures for the operation of a field trip. Each field trip must be integrated with the curriculum and coordinated with classroom activities that enhance its usefulness.

Parent Club Field Trips

The superintendent will work with the Avery School Parents Club (ASPC) to encourage field trips and excursions on non-school days. The ASPC will give the superintendent sufficient notice of planned trips to allow for arrangement of transportation.

The Board will support the ASPC with transportation for trips approved by the superintendent. District staff may be assigned chaperon field trips at the discretion of the superintendent.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Use of Commercially Produced Video Recordings

2570

Purpose

The Board believes that movies, videos, and other audiovisual materials are important tools in the educational process. At the same time, the Board believes that the use of movies and videos should be limited so that they are used legally and appropriately in achieving legitimate educational objectives. Therefore, it is the Board's purpose to have a policy that promotes the appropriate educational use of movies and videos in schools by maximizing classroom instructional time, encouraging parental participation in the education process, and fostering community values.

Policy

It is Board policy to establish course curriculum and work in partnership with parents to promote an appropriate learning environment that reflects community values. Therefore, the following guidelines represent Board policy regarding how and when movies and videos may be used as an instructional strategy to supplement approved course curriculum.

Educational Relevance

The showing of movies and videos must be limited to a specific educational purpose. General selection criteria should include quality of the overall work; fair and accurate representation of the facts; the reputation and significance of the writer, director, and performer(s); and critical acclaim of the work itself.

Age Appropriate Movies

Only G-rated movies may be shown without parental permission. However, parents must be notified that the movie will be shown in class.

Any **PG-rated movie requires a signed, written consent** from a parent/guardian that must be kept on file before the student may view the video.

Superintendent's Authorization

At least five days prior to the showing, the instructor or teacher shall submit to the superintendent, in writing, the following information on the particular film:

1. Title and brief description;
2. Purpose for showing the movie or video;
3. Course objectives the movie or video will help meet;

4. Proposed date(s) of viewing;
5. When and how parents will be notified and how, if necessary, consent will be obtained; and
6. Audience rating (G, PG).

Copyright

All District employees must comply with federal copyright laws as well as publisher licensing agreements. The legal requirements apply regardless of:

1. Whether an admission fee is charged;
2. Whether the institute or organization is commercial or non-profit; and
3. Whether a federal, State, or local agency is involved.

An educational exemption also called the face-to-face teaching exemption is a precise activity which allows the legal use of movies in certain types of teaching. In order for a movie showing to be considered an educational exemption, all of the following criteria must be met:

1. A teacher or instructor is present, and the movie/video is shown in the course of face-to-face teaching activities;
2. The showing takes place in a classroom setting with only the enrolled students attending;
3. The movie is used as an essential part of the core, current curriculum being taught;
4. The showing of the movie or video is directly related and of material assistance to the curriculum and lesson objectives;
5. The movie being used is a legitimate copy, not taped from a legitimate copy or taped from television;
6. Recorded Programs from Network and Cable Television: Teachers may only show programs recorded off-air from network and cable television channels, according to the following guidelines:
 - A. Educators desiring to show television programs for instructional purposes should request the school library/media specialist record the program at school with school recording facilities;
 - B. A television program that is recorded off-air may be retained for 45 consecutive calendar days after the date of the recording. At the conclusion of this 45 day retention period, the recording must be destroyed or erased;
 - C. During the first ten consecutive school days of the 45 day period the recording may be used once by individual teachers in classrooms or similar places devoted to instruction, in the course of relevant teaching activities. The teacher may show the program again only once within this ten school day period when instructional reinforcement is necessary;
 - D. Teachers and other school officials who show television programs for entertainment purposes violate this policy as well as federal copyright law;

- E. After the first ten consecutive days, off-air recordings may be used up to the end of the 45 calendar day retention period only for teacher evaluation purposes, such as to determine whether or not to include a broadcast program in the teaching curriculum, and may not be shown in the schools to students or for other non-evaluation purposes;
- F. Copies may be made from an off-air recording as necessary to meet the legitimate needs of teachers. However, all copies are subject to the provisions of this policy and must include the copyright notice on the broadcast program as recorded; and
- G. Off-air recordings need not be used in their entirety, but recorded programs may not be altered from their original content nor may they be physically or electronically merged to constitute teaching anthologies.

Legal Reference: The Copyright Act of 1976, Public Law 94-553, 90 stat. 2541: Title 17;
 Section 110(i)

Policy History:
Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Parental Movie Opt-Out/Consent Form

2570F

The Avery School District Board of Trustees believes that movies, videos, and other audiovisual materials are important tools in the educational process. At the same time, the Board believes that the use of movies and videos should be limited so that they are used legally and appropriately in achieving legitimate educational objectives. Therefore, the Avery School District Policy 2570 Use of Commercially Produced Video Recordings promotes the appropriate educational use of movies and videos in schools by maximizing classroom instructional time, encouraging parental participation in the education process, and fostering community values.

Parental Opt-Out Form for Movies, Videos, etc.

I, _____, parent/guardian of _____,
request that my child be removed from class and/or student activities when the following
movie(s) or videotape(s) is/are shown:

I have had the opportunity to review the materials mentioned above and have explained to my child why I do not wish to have him or her view it/them.

Date

Signature of Parent/Guardian

Parental Consent Form for Movies, Videos, etc.

I, _____, parent/guardian of _____,
allow my child to view the following movie(s) or videotape(s) when it/they are shown in class:

	Rating: _____
	Rating: _____
	Rating: _____

I have had the opportunity to review the materials mentioned above and understand the ratings of said movies and videotapes as designated above.

Date

Signature of Parent/Guardian

Avery School District
#394
INSTRUCTION

Promotion/Retention

2600

The Board recognizes that students of the same age are at many intellectual and developmental levels and that these differences are a normal part of human development. Because of these differences, the administration and teaching staff are directed to make every effort to develop curricula and programs which meet the individual and unique needs of all students and allow them to remain with their age cohorts.

It is the philosophy of the District that students thrive best when placed or promoted to grade levels with other students who have compatible age, physical, and social/emotional status. It is our philosophy to promote students who demonstrate effort within those compatibilities. It is equally our philosophy and practice to retain students who do not make a reasonable effort to meet grade level expectations, as long as those expectations are commensurate with the individual student's ability and rate of learning.

If a parent insists on the child being retained or promoted, a notice will be placed in the child's file that the retention or promotion was a parent decision and not recommended by the school.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394

INSTRUCTION

2605

Advancement Requirements (Grades 6 through 8)

The District has established a set of advancement requirements for 6th through 9th grade students which will act as a guide in helping students move methodically and purposefully on a course that will eventually lead to high school graduation. Therefore, the District sets the following advancement requirements:

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

Additionally, unless the student’s parent/guardian provides the District with a written request that the plan not be developed, the student must develop a career pathways plan which outlines the student’s plans for high school and beyond as required by IDAPA 08.02.03.104.02.a. The District shall make a good faith effort to notify each student’s parent/guardian of their responsibility for assisting in the development and approval of the student’s career pathways plan. Each year following the development of the plan until the student graduates or leaves the District, the policy shall be reviewed by the student and their parent. A copy of the plan will be provided to them to review, sign, and return to the District.

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

Cross References:	2600	Promotion/Retention
	3050	Attendance Policy
Legal Reference:	IDAPA 08.02.03.107	Middle Level Credit System
	IDAPA 08.02.03.104	Career Exploration Instruction

Policy History:

Adopted on:

Revised on:

Reviewed on:

**Avery School District
#394
INSTRUCTION**

Grading and Progress Reports

2620

The Board believes that the cooperation of school and home is a vital ingredient in the growth and education of the student and recognizes the responsibility to keep parents informed of student welfare and progress in school.

The issuance of grades and progress reports on a regular basis serves as the basis for continuous evaluation of the student's performance and for determining changes that should be made to effect improvement. These reports shall be designed to provide information that will be helpful to the student, teacher, counselor, and parent.

The Board directs the Superintendent to establish a system of reporting student progress and shall require all staff members to comply with such a system as part of their teaching responsibility. Staff members, parents, and teachers shall be involved.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Parent-Teacher Conferences

2625

Parent-teacher conferences have been adopted by the District as a means of reporting student progress to parents/guardians in K through 8 grades. These conferences are to serve as a two-way method of face-to-face communication for the benefit of the child. They should not necessarily be confined to reporting, but may be planned for any occasion that will be helpful to the teacher, the child, and the parent/guardian. They should afford an opportunity for sharing information and views designed to promote the welfare of the child.

The schedule of conferences, the number of conferences, and general details shall be worked out to meet the needs of the parents/guardians, teachers, and students.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

Avery School District
#394
INSTRUCTION

Homework

2630

Homework is a constructive tool in the teaching/learning process when geared to the needs and abilities of students. Purposeful assignments not only enhance student achievement, but also develop self-discipline associated with good working habits. As an extension of the classroom, homework must be planned and organized, must be viewed as purposeful to the students, and should be evaluated and returned to students in a timely manner.

Teachers may give homework to students to aid in the students' educational development. Homework should be an application or adaptation of a classroom experience and should not be assigned for disciplinary purposes.

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy

**Avery School District
#394
INSTRUCTION**

Scholarship Program

2635

The Superintendent shall establish a program to provide an opportunity for and encourage district students to pursue a postsecondary education following their graduation from the district as Eighth Graders.

The program should also work to encourage parents to enroll their students in the Avery School District #394 to help ensure that the district remains a viable educational option for people within the district.

The Board of Trustees believes that maintaining a viable school district is in the best interests of all residents within the district both in terms of tax savings to property owners and in providing an educational setting consistent with the interests and values of the patrons of the district.

Adopted: 2/8/2016

Avery School District
#394
INSTRUCTION

Scholarship Program Procedures

2635P

The Scholarship program will operate as follows.

1. To be eligible for the scholarship, the student must graduate from the Avery School District as an eighth grader.
2. The District will report the value of each account annually to the parent/guardian.
3. Once money is placed in a student account it will remain in the account except for withdrawal of the student from the district's school.
4. Students who are withdrawn from school for any reason, other than medical, will have their account closed and the sums there in will revert to the district.
5. Student Scholarship accounts:
 - A. \$1,000 will be placed in an account for a student who was enrolled and attended school "regularly" prior to Oct. 1 of each school year, subject to attendance requirements listed in this document.
 - B. Students who enroll after October 1 will have \$100 for each month of "regular attendance" placed in an account under their name.
6. Regular attendance will be defined as attendance greater than 80% on normal school days. The only absences not subject to the 80% rule will be those for which the student presents a written doctor's explanation of the absence from school.
7. All scholarship funds are intended to be used by the student for postsecondary education. Students may choose to take Dual Credit classes both academic and Career focused in high school or save the funds for post high school educational opportunities.
 - A. The student will pay for the classes and submit a receipt which shows the cost for the course **and** that the student has successfully completed the class or program to the District's Board of Trustees prior to receiving a reimbursement from the Student Scholarship Fund.
 - B. The Board of Trustees will determine whether the request for reimbursement fits the guideline of being a postsecondary educational enhancement.

The Board of Trustees shall be the sole entity responsible for judging the appropriateness of any reimbursement request and is final.

- 9) The Student Scholarship Fund may be discontinued at any time the Board of Trustees determines it is not financially able to continue the funding or that the Scholarship Program is not accomplishing the intended results. All student accounts will retain funds earned at the point the district discontinued the future funding as long as the student meets the criteria of the program and graduate from District 394 as an Eighth Grader.

Adopted: 2/8/2016

Avery School District

#394

INSTRUCTION

Military Compact Waiver

2705

The State of Idaho is one of numerous states across the country that are members of the Interstate Compact on Educational Opportunity for Military Children. As a school district within the State of Idaho subject to the laws of the State of Idaho, the District shall follow the requirements of the Compact when enrolling student for whom the Compact applies.

Purpose

The purpose of the Interstate Compact on Educational Opportunity for Military Children is to remove barriers to educational success for children of military families due to frequent relocation and deployment of their parents. The Compact facilitates educational success by addressing

1. Timely student enrollment;
2. Student placement;
3. Qualification and eligibility for curricular, co-curricular, and extracurricular programs;
4. Timely graduation; and
5. The facilitation of cooperation and communication between various member states' schools.

Applicability

This Compact applies only to children of:

1. Active duty members of the uniformed services, including members of the National Guard and Reserve on active duty orders. For application of this section the parent must be on full time duty status in the Army, Navy, Air Force, Marine Corps, Coast Guard, or the Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Services;
2. Veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

Educational Records and Enrollment

1. **Hand Carried/Unofficial Educational Records:** In the event that official educational records cannot be released to a parent for the purpose of school transfer, the custodian of records from the sending school shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

Upon receipt of the unofficial educational records, the District shall enroll and appropriately place the student based upon the information the school receives in the unofficial educational records, pending validation by the official records, as soon as possible.

2. **Official Educational Records/Transcripts:** At the time of enrollment and conditional placement of a qualifying student at the District, the District shall request the student's official educational records from their last school of attendance.

A school receiving such a request shall process the official educational records request and furnish such within a period of ten days, or within the timeline determined to be reasonable by the Interstate Commission.

3. **Immunizations:** The District shall provide a period of 30 days from the date of enrollment, or such other time frame as determined by the rules of the Interstate Commission, within which students may obtain any immunizations required by the District. Where the District's requirements include a series of immunizations, initial vaccinations must be obtained within 30 days, or within the timeline determined to be reasonable by the Interstate Commission. Exemption from these immunization requirements is available as described in Policy 3525 and IC 39-4802.
4. **Kindergarten and 1st Grade Entrance Age:** Students shall be allowed to continue their enrollment at grade level at the District, commensurate with their grade level from their receiving school, including kindergarten, at the time of transition. However, the provisions of IC 33-201 regarding attaining the age of five on or before the first day of September for enrollment in kindergarten, and attaining the age of six on or before the first day of September or having attained the age of five and having completed a private or public out of State kindergarten for the required 450 hours for enrollment in first grade, shall continue to apply.

A student who has satisfactorily completed the prerequisite grade level in the sending school shall be eligible for enrollment in the next highest grade level in the District, at the receiving school, regardless of age.

A student who is transferring into the District after the start of the school year shall enter the District on the student's validated grade level from an accredited school in the sending state.

Placement and Attendance

1. **Course Placement:** Upon transfer of a qualifying student, the receiving District shall place the student in courses consistent with the student's courses in the sending school and/or the school's educational assessments.

Course placement includes, but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses.

Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

2. **Educational Program Placement:** The District shall initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or participation/placement in similar programs at the sending school.

Educational program placement includes, but is not limited to, gifted and talented programs

and English as a second language. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement of the student.

3. **Special Education Services:** In compliance with the federal requirements of the Individuals with Disabilities Education Act, the District, as the receiving school, shall initially provide comparable services to a student with disabilities based on their current Individual Education Plan.

In compliance with Section 504 of the Rehabilitation Act and with Title II of the Americans with Disabilities Act, the District, as the receiving school, shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities consistent with his or her existing 504 or Title II Plan.

This does not preclude the District, as the receiving school, from performing subsequent evaluations to ensure appropriate placement and/or accommodations are made for the student.

4. **Placement Flexibility:** The District's administration shall have the flexibility to waive course and program prerequisites or other preconditions for placement in courses and programs offered by the receiving District.
5. **Absences Relating to Deployment Activities:** A student whose parent/legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment in a combat zone or combat support position, shall be granted additional excused absences at the discretion of the District's Superintendent to visit with their parent/legal guardian relative to such leave or deployment of the parent/guardian.

Eligibility

1. **Eligibility for Enrollment:** A special power of attorney pertaining to the guardianship of a student of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

The receiving District shall not charge tuition to a transitioning military student placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

A transitioning military student, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which they were enrolled when residing with the custodial parent.

2. **Eligibility for Extracurricular Activity Participation:** The District shall facilitate the opportunity for transitioning military students' inclusion in extracurricular activities, regardless of application deadlines, to the extent the student is otherwise qualified.

Graduation

In order to facilitate the on-time graduation of children of military families, the receiving District shall follow this process:

1. **Graduation Course Requirements – Waiver:** The receiving District’s Administration, through the Superintendent or designee, shall waive specific courses that are required for graduation if similar coursework has been satisfactorily completed at another school.

If the District does not waive the specific course requirement for graduation, the District shall provide a reasonable justification for the denial. This justification shall be provided to the parent/legal guardian in writing.

If the receiving District does not waive the specific course requirement for graduation and the student would have otherwise qualified to graduate from the sending school, the receiving District shall provide an alternative means of acquiring required course work to ensure that the student’s graduation will occur on time.

2. **Exit Exams:** In lieu of testing requirements for graduation at the receiving District, the District and the State of Idaho shall accept any or all of the following:
 - A. Exit exams or end-of-course exams required for graduation from the sending school;
 - B. National norm-referenced achievement tests; or
 - C. Alternative testing.

In the event the above alternatives cannot be accommodated by the receiving District for a student transferring during their senior year, subsection 3, below, shall apply.

3. **Transfer During Senior Year of High School:** Should a military student transferring at the beginning of or during the senior year be ineligible to graduate from the receiving District after all alternatives have been considered, the sending school and the receiving District shall ensure the receipt of a diploma from the sending school if the student meets the graduation requirements of the sending school.

In the event that one of the states in question is not a member of this Compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Conflicts

All state laws and District policies that conflict with this policy and/or in conflict with the Compact are superseded to the extent of the conflict.

Cooperation

The receiving District, through its administrative agents, shall timely cooperate with all State agency inquiries and other District or school inquiries relating to a student who is covered by the Compact.

Legal References

IC § 33-5701

Description

Interstate Compact on Educational Opportunity for Military Children

IC § 39-4802

Immunization Exemptions

IDAPA 08.02.03.105

High School Graduation Requirements

Cross References

Code	Description
2700	High School Graduation Requirements
2700-P(1)	High School Graduation Requirements - Publication of Graduation Requirements
3525	Immunization Requirements

**Avery School District
#394
INSTRUCTION**

Participation in Commencement Exercises

2720

Statement of Policy

A student’s opportunity to participate in the commencement exercises of the District’s graduating class is a privilege. As such, participation in this ceremony is reserved for those members of the graduating class who have completed all of the State and local requirements for graduation before the date of the ceremony.

Students who complete their requirements after the date of commencement exercises will receive their diploma at that time.

All student fees and financial obligations to the District will be resolved prior to “walking” at commencement.

Organization and Content of Commencement Exercises

The school administration shall exercise plenary control over all aspects of any graduation ceremony held within the District. The school administration may invite graduating students to participate in high school graduation exercises according to academic class standing or class officer status. Any student who, because of academic class standing, is requested to participate may choose to decline the invitation.

Students selected to participate may choose to deliver an address, poem, reading, song, musical presentation, or any other pronouncement of their choosing. The principal shall review and approve the student’s address, poem, reading, song, musical presentation, or any other pronouncement of their choosing prior to its presentation to the audience attending the graduation ceremony to ensure that there is no conflict with the Establishment Clause found in the First Amendment to the United States Constitution, The Idaho Constitution, or the laws of the State of Idaho.

Legal Reference: United States Constitution-1st Amendment
Art. IX, Sec. 6, Idaho Constitution – Religious Test and Teaching in School Prohibited
I.C. § 33-512 Governance of Schools
I.C. § 33-1603 Sectarian Instruction Forbidden
I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on: 3/13/17 Complete Revision of Board Policy