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Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8100

Transportation

Transportation will be provided to students residing in the primary attendance area, if the attendance area is further than 1 and ½ miles from the school, and at selected pick-up locations for out-of-attendance area students. If seating becomes limited, priority will be given to students residing in the primary attendance area.

If a request is made for a new safety busing location, the transportation company with which the school is contracted, will conduct an evaluation of the site using the measuring instrument provided by the Idaho State Department of Education and provide the results to the Board.

Each year, no later than the regular Board of Trustees meeting in August, the Principal shall present his/her recommendation for bus routes, school safety busing zones and non-transportation zones to the Board of Trustees. The Board of Trustees shall consider student age, health and safety in considering the recommendations of the Principal or designee.

Homeless Students

Homeless students shall be transported in accordance with the McKinney-Vento Homeless Assistance Act and State law.

Foster Children

The Principal or designee shall develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall:

1. Ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement; and
2. Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the Charter School will provide transportation to the school of origin if:
 - A. The local child welfare agency agrees to reimburse the Charter School for the cost of such transportation;
 - B. The Charter School agrees to pay for the cost of such transportation; or

- C. The Charter School and the local child welfare agency agree to share the cost of such transportation.

Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions. Bus stops shall be chosen with safety in mind and protection of the health of the student.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Responsibilities - Pupils

Pupils must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Pupils should instantly obey any command or suggestions from the driver and/or his/her assistants.

A pupil may be denied transportation upon a showing of good cause. The reason for the denial of transportation services shall be provided to the parent(s)/guardian(s) in writing.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts towards making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare children for weather conditions.
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding on the school bus.

Safety

The Principal or designee shall develop written rules establishing the procedures for bus safety and emergency exit drills, and for student conduct while riding on buses, including for students with special needs. The Charter School will provide an adequate number of supervisors for the size of the loading area and number of students present and ensure close, continuous and interactive supervision whenever students and/or buses are present in the loading areas. The

Charter School will ensure instruction in passenger safety, including student participation in emergency evacuation drills.

If the bus and driver are present, the driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Principal. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with the weather in Idaho. To achieve the maximum safety for children and efficiency of operation, the Principal is empowered to make decisions as to the emergency operation of buses, early release bus schedules and the closing of school in accordance with his/her best judgment. The Board may develop guidelines in cooperation with the Principal to assist him/her in making such decisions.

Legal Reference: I.C. § 33-1501 Transportation Authorized
IDAPA 08.02.03.109 Special Education
20 USC § 6312(c) Every Student Succeeds Act
Standards for Idaho School Buses and Operations

Other Reference: Federal Highway Safety Guideline 17

Policy History:

Adopted on: June 19, 2014

Revised on: June 18, 2015

Revised on: June 15, 2017

Legacy Charter School

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8110

Safety Busing

Safety busing is the transportation of a student who lives less than 1 ½ miles from the Charter School when, in the judgment of the Board of Directors, the age, health, and/or safety of the students warrants such action.

The Board will only consider requests for safety busing for students living less than 1 ½ miles from Charter School when one or more of the following criteria is met:

1. Unsupervised crossing of a heavily traveled multi-lane roadway requiring beyond-age-level comprehension of complex traffic hazards;
2. Walking along an arterial road and highway permitting fifty (50) mile per hour speeds;
3. Crossing an intersection in competition with a high volume of right turning vehicles without the benefit of adult supervised crossing;
4. Walking in the traffic lane of an arterial or collector street because of the absence of sidewalks or usable shoulders which are at least three (3) feet wide;
5. Walking beside or over unprotected waterways;
6. Walking routes which are temporarily interrupted by major road construction, building construction, or utility construction;
7. Walking routes interrupted by numerous high traffic volume business driveways; or
8. Other unique circumstances or extraordinary factors.

The existence of any of the above criteria does not automatically qualify an area for safety busing. The Board may also consider evaluation factors including but not limited to traffic count; traffic gap times; posted speed; width of roadway; width of walking area; length of time student would be exposed to area of concern; age of pupils; number of pupils; traffic control signs and markings; as well as written comments from parents, patrons, and Charter School personnel prior to a vote on the issue. Further, the Board shall consider the criteria set out in its measuring and scoring instrument, with an appropriate “cut off” for safety busing purposes when the scoring element used indicates hazards that are “reasonable” for students to encounter during their walk to and from school, which by this reference is incorporated and attached to this policy as Exhibit 1.

Each year, no later than the regular Board meeting in August, the Board shall review and vote on all requests for new safety busing locations. The Board will consult with the student transportation contractor to review all hazardous routes less than 1.5 miles from the students’ home to school, using the Board approved measuring instrument. The Principal or his or her designee is directed to review all existing safety busing locations at intervals of at least every three (3) years.

8120

Bus Routes, Stops and Non-Transportation Zones

Legal Reference: I.C. § 33-1501 Transportation Authorized

Other Reference: http://www.sde.idaho.gov/site/transportation/annual_reporting.htm
Standards for Idaho School Buses and Operations

Policy History:

Adopted on: April 20, 2017

Revised on:

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8115

Extracurricular Transportation

The term “extracurricular” refers to activities or events which are supplements to the regular instructional program and do not involve class credit, including, but not limited to athletics, speech, debate, music, band, student groups and/or organizations, and community activities.

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the Charter School. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

Charter School employees wishing to undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities shall do so only when specifically directed or approved by the Principal or the Principal’s designee. Charter School employees will notify the Principal or designee of all transportation details and/or arrangements made after authorization. Charter School employees shall not use a personal vehicle to transport students.

Responsibility for extracurricular transportation, when not provided by the Charter School, will remain with the parent who will be required to sign a waiver and release of claims prior to the extracurricular activity or event. Such waiver and release of claims shall remain on file at the school.

At its discretion, the Charter School may charge fees for transportation of students to and from extracurricular activities where attendance is optional.

Cross Reference: 3380 Extracurricular and Co-Curricular Participation Policy
8100 Transportation
8105F Extracurricular Transportation Liability Waiver

Legal Reference: I.C. § 33-1501 Transportation Authorized
I.C. § 33-512(12) Governance of Schools

Policy History:

Adopted on: June 18, 2015

Revised on:

Legacy Charter School

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8115F

Extracurricular Transportation Liability Waiver

I, _____, parent or guardian of _____ (student) hereby have chosen to provide transportation for this child TO and FROM all extracurricular activities or events for which Charter School transportation is not provided.

I understand that by signing this waiver, I take full responsibility for the transportation of this child TO and FROM all extracurricular activities and events during the 20__/20__ school year for which school transportation is not provided. I also understand that this waiver releases Legacy Charter School from any and all liability or claims regarding the transportation of this child TO and FROM extracurricular activities or events for which Charter School transportation is not provided.

Signature of Parent/Guardian

Date

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Busing

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Student Safety-Parental Permission Restrictions

The Charter School utilizes group bus stops resulting in longer distances for students to walk to and from home. When students plan to ride the bus home with a friend, a parent may send a note giving a child permission to ride home with that friend without knowing the distance from the bus stop to the friend's house. Additionally, many families have two working parents which may mean that they don't know that anyone is coming home with their child. This is a liability for the Charter School.

Students Riding Non-Designated Bus or Exiting at a Non-Designated Stop

The Principal shall implement reasonable safety precautions to promote student safety for students requesting permission to ride a non-designated bus or exit the bus at his or her non-designated stop.

- Students riding home on buses with friends will be able to do so only with a principal permission slip.
 - Parents/guardians of both the visiting child and the host child will send dated notes to the principal or designee giving permission for the child to visit. The note must have both the distance from the bus stop to the home and the bus stop cross streets identified in the note.
 - The Principal will provide a permission slip to the bus driver allowing the visiting student to ride the non-designated bus or get off at the non-designated stop.

Policy History:

Adopted on: June 19, 2014

Revised on

Legacy Charter School

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8130

Transportation of Students with Disabilities

Transportation shall be provided as a related service when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation needs may include, but are not limited to, the following:

- (a) travel to and from school;
- (b) travel in and around school buildings or to those activities which are a regular part of the student's instructional program;
- (c) specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide special transportation for a student with disabilities;
- (d) other services that support the student's use of transportation, such as:
 - 1. special assistance (e.g., an aide on the bus and assistance getting on and off the bus);
 - 2. safety restraints, wheelchair restraints, and child safety seats;
 - 3. accommodations (e.g., preferential seating, a positive behavioral support plan for the student on the bus, and altering the bus route); or
 - 4. training for the bus driver regarding the student's disability or special health-related needs.

The Child Study Team who develops the disabled student's Individualized Education Program will determine on an individual basis when a student with a disability requires this related service. Such recommendations must be specified on the student's IEP. Only those children with disabilities who qualify for transportation as a related service under the provisions of the IDEA shall be entitled to special transportation. All other children with disabilities in the Charter School have access to the Charter School's regular transportation system under policies and procedures applicable to all students of the Charter School. Utilizing the Charter School's regular transportation service shall be viewed as a "least restrictive environment."

Cross Reference: 3340
8140

Corrective Actions and Punishment
Student Conduct on Buses

Legal Reference: 20 U.S.C. § 1400 et seq. Individuals with Disabilities in Education Act (IDEA)
IDAPA 08.02.03.109 Special Education
Idaho Special Education Manual

Policy History:

Adopted on: April 17, 2014

Revised on:

Student Conduct on Buses

Riding the school bus is a privilege for students, not a right. Students are expected to follow the same behavioral standards while riding school vehicles as are expected on school property or at school activities, functions or events, and additional specific transportation safety rules. All school rules are in effect while a student is riding a school bus or at a school bus stop.

The Principal shall establish written rules of conduct for students riding school buses. Such rules shall be reviewed annually by the Principal and revised if necessary. If the rules are substantially revised, they shall be submitted to the Board for approval.

A copy of the rules of conduct for students riding buses shall be provided to students at the beginning of the year. The classroom teacher and bus driver shall review the rules with the students at the beginning of each school year. A copy of the rules shall be posted in each bus and shall be available upon request at the Charter School office and in the school's office.

The bus driver shall be responsible for enforcing the rules, and shall work closely with the parent and principal to modify a student's behavior. The rules shall include consistent consequences for student misbehavior.

Recommendations for permanent termination of bus privileges will be referred to the Principal for final determination. The termination may be appealed to the Board. No further appeal shall be allowed.

A recommendation to terminate bus privileges shall be accompanied by a written record of the incident(s) that led to the recommendation. Said written record shall be provided to the parent/guardian of the student whose bus privileges are being revoked.

Discipline of Students with Disabilities

If a student's IEP team determines that special transportation is required and documents it on the IEP, all procedures under the IDEA 2004 must be followed with regards to the student and transportation. A suspension from bus transportation depends on whether bus transportation is identified on the IEP:

1. If bus transportation is on the IEP, a suspension from the bus would be treated as a suspension from school. An exception to this is if the Charter School provides transportation in some other way, such as transportation in lieu of, because transportation is necessary.
2. If bus transportation is not on the IEP, a suspension from the bus would not be counted as suspension from school. In this situation, the student and the parent would

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8160

Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment according to Charter School policy and the rules and regulations of the State Board of Education. All contracts for the transportation of students shall be in writing in a form approved by the Superintendent of Public Instruction. The contract shall be in effect for not more than five (5) years. Prior to entering into a contract for transportation services, the Charter School must advertise and bid for such services. The contract shall be awarded to the lowest responsible bidder. In determining what bid is the lowest responsible bidder, in addition to other enumerated specifications, the Charter School will not only take into consideration the amount of the bid, the Charter School will also consider the skill, ability and integrity of a contract to do faithful and conscientious work and promptly fulfill the contract according to the letter and spirit. References may be contacted.

A copy of the contract for transportation services will be filed with the Supervisor of Pupil Transportation in the Department of Education

Legal Reference: I.C. § 33-1501 Transportation authorized
I.C. § 33-1510 Contracts for transportation service
IDAPA 08.02.02.190.05 Contract for Transportation Services

Policy History:

Adopted on: April 17, 2014

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

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Hours of Service of Drivers

The maximum driving time for passenger-carrying vehicles shall be as follows, subject to the exceptions and exemptions provided by law, and the Charter School shall not permit or require any driver to drive a passenger-carrying commercial motor vehicle:

- (1) More than ten (10) hours following eight (8) consecutive hours off duty; or
- (2) For any period after having been on duty fifteen (15) hours following eight (8) consecutive hours off duty.

Additionally, the Charter School shall not permit or require a driver of a passenger-carrying commercial motor vehicle to drive for any period after:

- (1) Having been on duty sixty (60) hours in any seven (7) consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week; or
- (2) Having been on duty seventy (70) hours in any period of eight (8) consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week.

Drivers shall use FMCSA over-the-road hours-of-service trip logs, a trip agenda, or other trip documentation validating applicable driving hours on all extended trips.

Cross Reference: 8100 Transportation

Legal Reference: FMCSA: § 395.5: Maximum driving time for passenger-carrying vehicles

Other Reference: Idaho Department of Education, Idaho's School Bus Driver Training
Classroom Curriculum

Policy History:

Adopted on: June 18, 2015

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8175

Unauthorized School Bus Entry

The Board of Trustees hereby instructs the Principal to place the following notice at the entrance to all school buses which warns against unauthorized school bus entry:

NOTICE

A person shall be guilty of a misdemeanor if that person:

- (a) Enters a school bus with intent to commit a crime;
- (b) Enters a school bus and disrupts or interferes with the driver; or
- (c) Enters a school bus and refuses to disembark after being ordered to do so by the driver.

Legal Reference: I.C. § 18-1522 Unauthorized School Bus Entry—Notice

Policy History:

Adopted on: June 18, 2015

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8180

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. The Charter School shall, at the beginning of each school year, provide each driver with a copy of the Charter School's written rules for bus drivers and for student conduct on buses. Each driver shall provide written acknowledgment of receipt of Charter School bus rules and policies.

Each bus driver shall meet the qualifications established by the State Department of Education, including, but not limited to the following:

1. Be over the age of eighteen (18) years of age;
2. Be of good moral character;
3. Not be addicted to the use of intoxicants or narcotics;
4. Possess a valid and appropriate commercial driver's license and other endorsements required by law, and, if applicable, a waiver for insulin-dependent diabetes mellitus issued by the State Department of Education; and
5. Be medically qualified under the physical examination standards of the federal motor carrier safety regulations; provided, however, that individuals with insulin-dependent diabetes mellitus, who are otherwise medically qualified under the physical examination standards of the federal motor carrier safety regulations, may request a waiver for this condition from the state department of education as provided in Idaho Code § 33-1509.

When a teacher, coach, or other certified staff member is assigned to accompany students on a bus, such person shall be primarily responsible for the behavior of the students in his or her charge. The bus driver shall have final authority and responsibility for the bus. The Principal shall establish written procedures for bus drivers.

The Principal or designee, including the transportation supervisor, shall evaluate a minimum of once per year each route and each driver for the purpose of assessing driver performance and the safety of routes and bus stops. Such evaluation shall be conducted in accordance with the model evaluation procedures and forms provided by the State Department of Education.

Documentation of the driver and route evaluation shall be retained in the driver's personnel file.

Legal Reference: I.C. § 33-1508 Operation of School Buses
I.C. § 33-1509 School Bus Drivers – Definition – Qualification – Duties
I.C. § 49-105 Definition - Drivers Licenses
IDAPA 08.02.02.170 School Bus Drivers and Vehicle Operation

FMCSA 382.105

Other Reference: Standards for Idaho School Buses and Operations
Idaho's School Bus Drivers Training - Classroom Curriculum
Idaho's School Bus Drivers Training - Behind the Wheel Curriculum

Policy History:

Adopted on: June 18, 2015

Revised on:

Use of Wireless Communication Devices by Bus Drivers

While the Board of Trustees believes the use of wireless communication devices by the Charter School bus drivers is important to provide instant communication regarding emergencies as well as to convey other important Charter School information, bus drivers shall be subject to the restrictions outlined in this policy to ensure safe use of personal or Charter School wireless communication devices.

For purposes of this policy, wireless communication device is defined as any device intended to facilitate communication, including but not limited to cell phones, two-way radios, walkie talkies, palm pilots, blackberries, PDAs, beepers, pagers, etc.

Bus drivers shall not place or receive communications on any personally owned wireless communication device while passengers are loading or unloading from the bus or while the bus is in motion.

Under usual circumstances, use of the Charter School owned wireless communication devices shall be allowed when used to assist a driver and/or dispatcher in the necessary communications periodically needed to safely deliver children from home to school, from school to school, from school to home, and on activity trips. A school bus driver is prohibited from operating a school bus while using a cellular telephone, except:

1. During an emergency situation;
2. To call for assistance if there is a mechanical breakdown or other mechanical problem;
3. Where a cellular telephone is owned by the Charter School and used as a two-way radio;
and
4. When the school bus is parked.

Bus drivers may not use hands-free devices, unless there is an emergency situation. Bus drivers shall under no circumstances place or receive communications unrelated to Charter School business while on duty.

Violation of this policy may subject the driver to disciplinary action up to and including termination.

Legal Reference: FMCSA 49CFR392.82-Wirless Communication Devices

Policy History:

Adopted on: June 18, 2015

Revised on:

NONINSTRUCTIONAL OPERATIONS

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Emergencies Involving Transportation Vehicles

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the Principal. A copy of the emergency procedures shall be located in each bus. To ensure the success of such emergency procedures, each bus driver shall conduct an emergency evacuation drill within the first six (6) weeks of each school semester. The Charter School shall conduct such other drills and procedures as may be necessary.

Drivers shall report all school bus accidents to local school authorities and the appropriate law enforcement agency. Subsequent to the accident or incident, a Uniform School Bus Accident/Injury or appropriate Incident Report Form shall be completed by the driver or Principal and submitted to the State Department of Education within fifteen (15) days.

Reference: Federal Highway Safety Guideline 17
I.C. § 49-1301, et seq.

Policy History:

Adopted on: June 18, 2015

Revised on:

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Charter School Vehicle Idling

The Board is committed to transporting students on school buses in a safe manner. Further, the Board recognizes that accumulated emissions from school buses can be harmful to students, bus drivers, and others in the area of the idling buses. Unnecessary bus or Charter School vehicle idling emits pollutants, wastes fuel, and wastes financial resources.

Charter School Idling Times

1. When school buses arrive at loading and unloading areas to drop off or pick up passengers, the school bus driver should turn off the bus as soon as possible to eliminate idling time and reduce harmful emissions;
2. The school bus should not be restarted until it is ready to depart;
3. School buses should not idle, on or off of school grounds, for longer than five (5) minutes unless:
 - A. They are waiting in traffic;
 - B. They are loading or unloading students with special needs;
 - C. There are safety or emergency situations;
 - D. The driver is in the process of receiving or discharging passengers on a public highway or public road;
 - E. There are maintenance or mechanical situations, inspections, or repair; or
 - F. There are extreme weather conditions and the purpose is to warm the interior of the bus.
4. All Charter School vehicles should follow the above guidelines as applicable.

Reference: Standards for Idaho School Buses and Operations

Policy History:

Adopted on: June 18, 2015

Revised on:

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THE BOARD OF DIRECTORS

8200

Local School Wellness

The Healthy, Hunger-Free Kids Act of 2010 requires that the parents, students, Charter School staff, and the public be allowed to provide input on the development of this policy. This model policy is intended only as a starting point for this dialogue.

It is the goal of the Legacy Charter School to strive to make a significant contribution to the general well being, mental and physical capacity, and learning ability of each student and afford them the opportunity to fully participate in the education process. The Legacy Charter School promotes a healthy school by supporting wellness, good nutrition, and regular physical activity as a part of the total learning environment. The Charter School supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, our Charter School contributes to the basic health status of children. Improved health optimizes student performance potential and ensures that no child is left behind.

Healthy eating is demonstrably linked to reduced morbidity and risk of mortality from many chronic diseases.

The Board of Directors directs the Principal to inform and update the public, including parents, students, and others in the community, about the content and implementation of the wellness policy. Such information may be provided on the Charter School website, through dissemination of student handbooks, or in any other manner the Principal may deem appropriate.

Definition

For the purposes of this policy the school day is defined as midnight before to thirty (30) minutes after the end of the instructional school day.

Goals for Wellness Promotion

The Charter School shall review and consider evidence-based approaches in establishing goals for school based activities to promote student wellness. This may include review of the “Smarter Lunchroom” tools and strategies.

To ensure the health and well being of all students, it is the policy of the Charter School to:

1. Ensure that foods sold at school during the school day meet or exceed the nutritional standards required by the USDA’s National School Lunch Program, the National School Breakfast Program, and the Smart Snacks in Schools regulations. Exceptions can be made for infrequent food sales fundraisers that occur no more than the number of times

determined appropriate by the Idaho State Department of Education during the school year and are not held during school meal times. Fundraisers will be tracked by a designee of the Principal;

2. Ensure that non-compliant and non-exempt fundraising food sales will not occur on Charter School grounds during the school day. The Charter School operates under United States Department of Agriculture (USDA) program regulations of the National School Lunch Program, National School Breakfast Program, and the Smart Snacks in Schools regulations. These regulations apply to food sold during the school day in school stores, vending machines, and other venues. (Note: There are many healthy fundraising options available to the Charter School including selling books, fresh produce, school spirit merchandise, or other non-food items during the school day. Fundraising activities involving the sale of food consumed outside of the Charter School, such as frozen pizza sales, are exempt from the nutrition standards.);
3. Ensure that celebrations that involve food during the school day be limited to no more than one party per class per month and that each party include no more than one food or beverage that does not meet nutrition standards for Smart Snacks in Schools The Charter School will disseminate a list of healthy party ideas to parents and teachers.

[Note: The USDA has no role in regulating foods brought from home, but schools are required to set nutrition guidelines for foods served at school other than those that are sold. The Smart Snacks in Schools standards only affect foods that are sold on school grounds during the school day. Time honored traditions like treats for birthdays, or foods at an afterschool sporting event, are not subject to those standards.];

The Charter School shall also take measures to promote nutrition and physical activity, engage in nutrition education, and conduct wellness activities. For this purpose, the Charter School may:

1. Ensure that all Charter School schools become certified as a Healthier US Schools Challenge schools and/or enroll as a Team Nutrition schools;
2. Host at least one health fair each year;
3. Draft and regularly distribute a wellness newsletter for students and parents;
4. Review Smarter Lunchroom Movement best practices and evaluate each school's ability to implement them;
5. Promote healthy eating patterns through classroom nutrition education coordinated with the comprehensive health education program including education, health, and food services;
6. Provide 120 minutes of physical education per week to elementary students and to middle school students;
7. Offer a recognition or reward program for students who exhibit healthy behaviors.
8. Start a walking or physical activity club at each school;
9. Offer at least 4 after school physical activity programs;
10. Ensure student have access to hand-washing facilities prior to meals;
11. Annually evaluate the marketing and promotion of the school meal program;

12. Share school meal nutrition information with students and families;
13. Offer students taste-testing or menu planning opportunities;
14. Participate in Farm to School activities and/or have a school garden;
15. Advertise and promote nutritious foods and beverages on school grounds;
16. Offer nutritious foods and beverages at lower prices than other foods and beverages;
17. Offer fruits or non-fried vegetables everywhere foods are sold;
18. Use student feedback to improve the quality of the school meal programs;
19. Offer a staff wellness program;
20. Provide Charter School staff with adequate pre-service and ongoing in-service training that focuses on program administration, nutrition, physical activity, safety, the importance of modeling healthy behaviors, and strategies for behavioral change; and
21. Participate in community partnerships to support wellness programs, projects, events, or activities.

Nutrition Standards

To promote student health and reduce childhood obesity, the Charter School shall comply with the nutrition standards established by the USDA with respect to all food that is available on school grounds during the school day.

Community Participation

The Charter School shall invite parents, students, representatives of the Charter School food authority, teachers of physical education, Charter School health professionals, the Board of Directors, Charter School administrators, and the general public to participate in the development, implementation, and periodic review of this policy.

The Principal shall annually make available to the public the content of the policy and an assessment on the implementation of this policy including:

1. The extent to the Charter School is in compliance with the wellness policy;
2. The extent to which the Charter School's wellness policy compares to model local school wellness policies;
3. A description of the progress made in attaining the goals of the wellness policy.

Methods of providing this information to the public may include developing or disseminating printed or electronic materials to families of school children and other members of the Charter School community at the beginning of the school year, or posting the local wellness policies and an assessment of their implementation on the Charter School website. The assessment of the implementation of the policy shall be conducted at least once every three years.

Record Retention

The Charter School shall retain the following records relating to the wellness policy:

1. The written local school wellness policy;
2. Documentation demonstrating the community was involved in the development, implementation, and periodic review of the wellness policy;
3. Documentation of the assessment of the wellness policy; and
4. Documentation to demonstrate the public was notified annually as required by this policy.

Monitoring Compliance

The Principal shall designate one or more officials to ensure the Charter School complies with this policy.

Cross-Reference: 2305 Nutrition Education
 2307 Physical Activity Opportunities and Education
 8230 Charter School Nutrition Standards

Legal Reference: Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004
 42 USC § 1758b, Section 204 Healthy and Hunger-Free Kids Act of 2010
 42 USC § 1771 et seq. Child Nutrition Act of 1966
 42 USC § 1751 et seq. National School Lunch Act
 7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs:
 Final Rule
 7 CFR § 210.30 Local School Wellness Policy

Other References: Idaho Wellness Policy Progress Report, Idaho State Department of
 Education
 Implementation and Monitoring Plan, Idaho State Department of
 Education
 Wellness Policy Guidelines—Elements of Implementation for Final Rule,
 Idaho State Department of Education
 <http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>

Policy History:

Adopted on: December 19, 2013

Revised on: July 16, 2015

Revised on: November 19, 2015

Revised on: February 16, 2017

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8210

Charter School Nutrition Committee

With the purposes of monitoring the implementation of the Charter School's wellness policies, evaluating policy progress, serving as a resource at the Charter School site, and revising the policies as necessary, a Charter School nutrition committee is hereby established to develop, implement, monitor, and review Charter School nutrition and physical activity policies. The Board of Directors specifically acknowledges that community participation is essential to the development and implementation of successful school wellness policies.

Following initial development, the committee will meet a minimum of 1 time annually for continued assessment.

Committee membership will consist of:

1. Charter school food service coordinator;
2. Dietician;¹
3. Parent representative;
4. Student representative;
5. Staff member representative;
6. Administrative representative acting as co-chair; and
7. Physical education and health program leader acting as co-chair.

Appointments to the committee will be made by the Board Chair.

Development

To help with the initial development of the wellness policies, the Charter School will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies. The results of those assessments will be compiled to identify and prioritize needs.

Monitoring

The Principal or his or her designee will ensure compliance with established Charter School nutrition and physical activity wellness policies.

School food service staff will also ensure compliance with nutrition policies within school food service areas and will report on this matter to the Principal.

¹ If there is no dietitian, the Charter School might consider negotiation with the local hospital or health district to secure the services of an outpatient dietitian. The dietitian could serve as an integral member of the Charter School health advisory team and screen and assess students' nutritional status and provide counseling, referral and follow-up services.

The Principal or designee will develop a summary report every 3 years on Charter School-wide compliance with the school's established nutrition and physical activity wellness policies based on input from the school. That report will be provided to the Board and may also be distributed to school health councils, parent/teacher organizations, the Principal, and school health services personnel in the Charter School.

Legal Reference: Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004

Policy History:

Adopted on: April 17, 2014

Revised on: June 21, 2018

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8220

Food Services

The Charter School supports the philosophy of the National School Lunch Program and shall provide wholesome, appetizing, and nutritious meals for children in the Charter School. Because of potential liability to the Charter School, the foodservices program shall not accept donations of food without the approval of the Board of Directors and the appropriate agency such as the local public health district and/or the United States Department of Agriculture (USDA). Should the Board approve a food donation, the Principal shall establish inspection and handling procedures for the food and determine that the provisions of all State and local laws have been met and consult with local public health districts before selling the food as part of the school meals.

Community Involvement

The Charter School shall promote activities to involve students and parents in the school lunch program. Such activities may include teaching students about good nutrition practices and involving the school faculty and the general community in activities to enhance the program.

United States Department of Agriculture (USDA) Foods

The Charter School shall use USDA foods made available under the Federal Food Distribution Program for school meals.

Qualifications of Charter School Food Service Staff

Qualified nutrition professionals will administer the Charter School meal programs. As part of the Charter School's responsibility to operate a foodservice program, continuing professional development opportunities may be provided to select Charter School nutrition professionals. These development programs should include appropriate certification and/or training programs for child nutrition directors, the nutrition manager, and cafeteria workers, according to their levels of responsibility. The Charter School may work with the School Nutrition Association for such professional development offerings.

Free and Reduced Price Food Services

The Charter School shall provide free and reduced price meals to students according to the terms of the National School Lunch Program (NSLP). The Charter School shall inform parents of the eligibility standards for free or reduced price meals. The identity of students receiving free or

reduced price meals will be confidential in accordance with the guidelines for the NSLP. A parent has the right to appeal any decision with respect to his or her application for free or reduced price food services to a designated hearing official.

The amount charged for such meals shall be sufficient to cover all costs of the meals, including preparation labor, food costs, handling costs, utility costs, and equipment depreciation costs.

Every effort is to be made to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals. Toward this end, the availability of school meals to all students will be promoted and electronic identification of students and payment systems utilized where feasible.

Summer Food Service Program

If more than fifty percent (50%) of the Charter School's students are eligible for free or reduced-price school meals, the Charter School may sponsor the Summer Food Service Program.

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210.12 Student, Parent, and Community Involvement

Policy History:

Adopted on: November 19, 2015

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8221

Food Service Lunch Payment Procedure

The following procedure shall be followed when charging a lunch for a student is necessary:

1. Students may charge a full lunch, paid for by a donation from the school administrator.
2. Repayment for a charged lunch must be within 24 hours.
3. Parents are encouraged to set up an account at ezschoolpay.com, which will send notifications of their student's account balance.
4. Parents will be notified by the school when their child has a charge on their account.
5. Student report cards will be held until all charges are paid.
6. Adults are strongly discouraged from charging.

Procedure History:

Adopted on: December 19, 2013

Revised on: November 19, 2015

Revised on: August 17, 2017

Nutrition Standards

The Charter School shall provide school meals which meet or exceed the nutritional standards required United States Department of Agriculture (USDA) program regulations of the National School Lunch Program (NSLP) and the National School Breakfast Program (SBP). Additionally, the Charter School shall comply with requirements of the Healthy and Hunger Free Kids Act of 2010 and the Smart Snacks in Schools standards with regard to the nutritional content of all food sold or provided by the school, including school meals, a la carte items, foods sold from vending machines, and foods sold for fundraisers. The Charter School permits the sale or distribution of nutrient dense, Smart Snack compliant foods for all school functions and activities as well as non-food items. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. In an effort to support the consumption of nutrient dense foods in the school setting the Charter School has adopted the federal nutrition standards cited above for the sale of foods and beverages on school grounds.

The standards focus on reducing sugar, sodium, and high-fat foods and increasing healthy food items like whole grains, fruits, and vegetables.

1. **Calorie Range:** The Charter School shall ensure the meals offered to children comply with USDA calorie levels.
2. **Trans fat:** The Charter School shall eliminate foods containing trans fat on the nutrition label.
3. **Whole Grains:** All grain offerings shall be whole grain rich.
4. **Fruits and Vegetables:**
 - A. **Breakfast:** The Charter Schools shall offer at a minimum one fruit on all points of service for breakfast.
 - B. **Lunch:** The Charter School shall offer at least one fruit and one non-fried vegetable at all points of lunch service each day.
 - C. The Charter School shall offer a variety of fresh fruits and vegetables when possible.
5. **Milk:** The Charter School shall offer fat-free and low-fat unflavored milk at all points of service. The Charter School may not sell 2% and whole milk. Flavored milk offerings must be skim milk.

6. **Legumes:** The Charter School shall offer legumes, such as dry beans and peas, at least one time per week along with other required vegetable subgroups.
7. **Water:** The Charter School shall make water available to students during meal service free of charge.
8. **Sodium:** The Charter School shall limit sodium to meet NSLP and SBP standards.
9. **Condiments:** The Charter School shall not have salt shakers or packets available. The Charter School shall not have sugar dispensers or packets available. The Charter School shall accurately reflect condiment usage in nutrient analysis and on production records. The Charter School is encouraged to use low-fat condiments and/or control portions of high-fat condiments.

Cross Reference: 2301 Nutrition Services
8250 Guidelines for Food and Beverages Sales

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs:
Final Rule
Smart Snacks in School Regulations by the United States Department of
Agriculture
Smart Snacks in School Policy by the Idaho State Department of Education—
Child Nutrition Programs

Other Reference: <http://www.sde.idaho.gov/cnp/sch0mp/snacks.html>

Policy History:

Adopted on: November 19, 2015

Revised on: February 16, 2017

Water Consumption/Water Bottle Policy

The Board of Directors recognizes the importance of water consumption and encourages increased consumption of water throughout the day. Staff members should be particularly sensitive to student needs for water during periods of hot weather. Students shall be allowed to carry water bottles during the school day in accordance with this policy. Teachers may need to call for extra water breaks too. Even during periods of moderate temperature, staff members should remind students of the value of consuming water.

In addition, water sales should be a significant option through Charter School vending and concession services. Water should be available during mealtimes, at least through water fountains.

Water Bottles

When students bring water bottles for use during school:

1. Water bottles must be clear and have secure caps;
2. Students may not share water bottles;
3. Empty bottles should, on a regular basis, be recycled (if appropriate), discarded, or taken home for sanitized reuse;
4. Students misusing water bottles will be subject to disciplinary actions;
5. Teachers have discretion in determining classroom use;
6. Water bottles may not be used in computer labs, science labs, or the library; and
7. Water bottles may not be refilled during classroom instruction.

Policy History:

Adopted on: April 19, 2018

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8240

School Meals

This policy supports the mission of the Charter School: Providing an environment that cultivates maximum student potential. Nutrition influences a child's development, health, well-being, and potential for learning. To afford students the opportunity to fully participate in the educational process, students must attend school with minds and bodies ready to take advantage of their learning environment. This nutrition policy encourages all members of the Charter School community to create an environment that supports lifelong healthy eating habits. Decisions made in all Charter School programming need to reflect and encourage positive nutrition messages and healthy food choices.

National School Lunch Program

1. The full meal program will follow the United States Department of Agriculture (USDA)'s National School Lunch Program (NSLP) Nutrition Standards as well as Smart Snacks in Schools standards, and offer a variety of fruits and vegetables. All of the grains served shall be whole grain;
2. The meals served will be appealing and attractive to children; and
3. NSLP provider shall follow the Nutrition Standards for these programs when determining the items in a la carte sales.

Lunchroom Climate

1. A lunchroom environment that provides students with a relaxed, enjoyable climate should be developed; and
2. It is encouraged that the lunchroom environment be a place where students have adequate space to eat and pleasant surroundings.

Meal Times and Scheduling Recommendations

The Charter School, to the greatest extent possible:

1. Should provide students with at least twenty (20) minutes to eat after sitting down for lunch;
2. Meal periods should be scheduled at appropriate times. For instance, lunch should be scheduled between 10:00 AM and 2:00 PM;
3. Tutoring, club meetings, and organizational meetings or activities should not be scheduled during mealtimes unless students may eat during such activities;
4. **[FOR ELEMENTARY CHARTER SCHOOLS]** Lunch periods should follow recess periods;

5. Students should have access to hand washing or hand sanitizing facilities before they eat meals or snacks; and
6. Reasonable steps should be taken to accommodate the tooth-brushing regimens of students with special oral health needs, such as orthodontia or high tooth decay risk.

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs:
Final Rule
Smart Snacks in School Regulations by the United States Department of
Agriculture

Policy History:

Adopted on: November 19, 2015

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8250

Guidelines for Food and Beverages Sales

This policy shall apply to all foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte snack lines, fundraisers, school stores, etc.

The Charter School encourages the use of nutrient dense foods for all school functions and activities. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. At any Charter School functions, such as parties, celebrations, feasts, or sporting events, healthy food options should be available. All foods will adhere to Smart Snack regulations, unless approved by an administrator as an exemption.

FOR ELEMENTARY STUDENTS The Charter School food service program will approve and provide all food and beverage sales to students. Given young children's limited nutrition skills, food should be sold as balanced meals. If available, foods and beverages sold individually should be limited to low-fat and non-fat milk, fruits, vegetables, and whole grains.

Vending Machines

The Board of Directors has determined that there shall be no installations of vending machines except as approved by the Principal. The Principal will have the authority to determine whether such machines may be installed, where they will be placed, and during which hours they might be used. All revenue produced from this source shall be deposited in the designated activity fund as approved by the Board. Revenues may be spent only on those purposes for which general revenue may be expended.

All vending sales shall comply with the standards of the Smart Snacks in Schools regulations and documentation of compliance shall be retained.

Snacks

Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage and will meet the standards of the Smart Snacks in Schools regulations. The Charter School will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The Charter School will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.

If eligible, the Charter School will pursue receiving reimbursements through the National School Lunch Program for snacks provided through after-school programs.

Fundraising Activities and Concessions

Any fundraising requires administrative approval and will be tracked.

Any food items sold at the school site during the school day, defined as from midnight until a half-hour after the end of the instructional day, and intended for consumption there must meet the requirements of the Smart Snacks in Schools regulations, except for exempt fundraisers. The number of exempt fundraisers held annually may not exceed the number established by the Idaho State Department of Education unless special permission is granted by the State Department of Education.

Any fundraising activities that involve foods not intended for consumption in schools, such as the sale of cookie dough or frozen pizza outside of school shall be also be exempt.

Foods sold at exempt fundraisers may not be sold in competition with school meals in the food service area during any meal service. To create a school environment that supports the promotion of healthy food and beverage choices for children, it is important to consider all venues where food and beverages are consumed or sold. The following recommendations are made to promote healthy choices for children related to fund-raising activities supported by the Charter School:

1. Offer only non-food items that raise funds such as books, gift wrap, candles, plants, flowers, school promotional items, etc.; and
2. Whenever food and beverages are sold that raise funds for the Charter School, through fundraisers exempted as outlined above, include healthy food choices as well.

Organizations operating concessions at Charter School functions should include healthy food choices in their offerings. It is recommended that groups market these healthy options at a lower price to encourage selection by students. If these food and beverages are consumed on school grounds, during the school day, and are not exempt fundraisers, they must comply with the Smart Snacks in Schools regulations.

Charter School-Sponsored Events

Foods and beverages sold at school-sponsored events during the school day, from midnight until a half-hour after the end of the instructional day, and held on school grounds (such as, but not limited to, athletic events, dances, or performances) will meet the nutrition standards outlined in the Smart Snacks in Schools regulations, unless they are exempt fundraisers as described above. However, the Smart Snacks in Schools standards do not apply to items sold during non-school hours.

Cross Reference: 3420 Student Fund Raising Activities

Legal Reference: Smart Snacks in School Regulations by the United States Department of Agriculture

Other Reference: <http://www.sde.idaho.gov/site/cnp/nslp/smartSnacks.htm>

Policy History:

Adopted on: November 19, 2015

Revised on: February 16, 2017

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8300

Emergency & Disaster Preparedness

The Governing Board recognizes the importance of being prepared for various types of emergencies, both natural and human, that could occur while school is in session. This necessitates the need to develop appropriate plans and procedures to deal with such emergencies at school facilities or involving school transport. It is important that students, employees and parents be knowledgeable about the various emergency plans and procedures and to be prepared should such an emergency occur.

Development of Crisis Management Plan

The Charter School will develop and maintain a Crisis Management Plan to act as a guide for the school Governing Board, administration, staff, students, parents, and community members to address potential crisis in the school.

The Crisis Management Plan will provide procedures for the school and will be used prior to, during, or after any emergency situation.

The principal or designee shall be responsible for directing the development of a comprehensive Crisis Management Plan. This plan will be shared with representatives of local municipalities and appropriate emergency personnel. The Crisis Management Plan will be reviewed annually by the principal and will be maintained by the principal working in conjunction with the Canyon County Sheriff's Department. The principal shall provide in-service training on plan implementation.

Cross Reference: 8520 Inspection of School Facilities / Emergency Evacuation Plan

Legal Reference:

Policy History:

Adopted on: April 17, 2014

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8510

Charter School Safety

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the Charter School. Rules for safety and prevention of accidents shall be posted in compliance with Occupational Safety and Health Act (OSHA) requirements. Injuries and accidents shall be reported to the Charter School office.

Legal Reference: Occupational Safety and Health Act

Policy History:

Adopted on: April 17, 2014

Revised on

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8520

Inspection of School Facilities

To ensure the safety and health of children and staff, the Charter School shall, at least once a year subject the facilities of the School to an independent inspection for the purposes of determining whether such facilities comply with safety and health standards and other codes and requirements of Idaho law. The safety inspection will be conducted by a professionally qualified independent inspector or done pursuant to Title 39, Chapter 80, Idaho Code. The safety inspection report shall be provided to the Board of Trustees and to the administrator.

After having the opportunity to review the inspection report, the Board shall identify any unsafe or unhealthy conditions and take the necessary steps to abate such conditions. Should any unsafe and unhealthy conditions remain beyond the school year in which such conditions were reported, the Board shall identify such conditions as not having been abated and take all necessary steps as soon as is practical to abate such conditions.

For purposes of this policy, the term “facilities” means school buildings, administration buildings, playgrounds, athletic fields or any other facilities or property used by schoolchildren or school personnel in the normal course of educational services.

Emergency Evacuation Plan

The Charter School shall ensure the safety and health of students and staff by having in place at all times an Emergency Evacuation Plan. The Charter School will cooperate and coordinate with city, county, and state emergency personnel. The Charter School shall review its emergency evacuation plan annually to determine whether the procedures in place require modification. The Plan will be posted in the Charter School office as well as in every school building in the Charter School. The Plan will be provided to each staff member at the beginning of the school year. In addition, the Charter School will educate parents and patrons in the School by providing periodic information regarding the Plan.

Cross Reference: 8300
8510

Emergency & Disaster Preparedness
Charter School Safety

Legal Reference: I.C. § 33-1613
IDAPA 08.02.03.106

Safe public school facilities required
Safe environment and discipline

Policy History:

Adopted on: April 17, 2014

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8530

Property Damage

The Charter School shall maintain a comprehensive insurance program which shall provide adequate coverage, as determined by the Board of Trustees, in the event of loss or damage to school buildings, equipment, or other school property, including motor vehicles.

The comprehensive insurance program shall maximize the Charter School's protection and coverage while minimizing the costs for insurance. This program may include alternatives for sharing the risk between the Charter School and the insurance carrier, and through self-insurance plans.

If, as result of loss on real property, the Charter School receives less than five thousand dollars (\$5,000), such proceeds may be credited to the general fund.

Privately-Owned Property

The Charter School shall not assume responsibility for the maintenance, repair or replacement of any privately-owned property brought to a school or Charter School function unless the use or presence of such property has been specifically requested in writing by the administration.

Legal Reference: I.C. § 33-701 Fiscal year – Payment and accounting of funds

Policy History:

Adopted on: April 17, 2014

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8600

Records Management

The Clerk and others designated by the Executive Director shall be the Public Records Custodian[s] and the Executive Director shall be the alternate custodian(s) of records.

Personnel files and student files are confidential and are to be disclosed only as provided in policy and/or by law. A record of persons examining or copying personnel files or student files, other than administrative staff, shall be kept for each employment file and student file.

All public records will be provided to the public in accordance with the laws of the State of Idaho and Charter School Policy 4260.

Record Safety

The Executive Director or designee, shall create and enforce a procedure in an effort to keep the Charter School's data and vital records safe and secure in the event of a possible disaster. Examples of vital records include personnel files, student records, fiscal documents (financial and insurance), etc.

In creating the procedure, the Executive Director or designee shall consider the following:

1. Physical security;
2. Backup storage security;
3. Backup schedule;
4. Rotate backups;
5. Remote access;
6. Personnel authentication;
7. Backup infrastructure security;
8. Duplicating records for off-site storage; and
9. Storing computer tapes and disks in fireproof, waterproof safes.

The procedures should provide for a written comprehensive disaster recovery plan. Such a plan ensures that vital records are backed up daily and that the Charter School will be able to recover operations quickly. In the event of a disaster, the identification and protection of vital records is of great importance.

Legal Reference: Title 74 Chapter 1 Public Records Act

Policy History:

Adopted on: June 19, 2014

Revised on: February 18, 2016

Revised on: November 15, 2018

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8605

Retention of Charter School Records

In compliance with Idaho Code, the Board of Trustees establishes the following guidelines to provide administrative direction pertaining to the retention and/or disposal of Charter School records. This schedule likewise identifies the anticipated physical location where such records may be kept or maintained by the Charter School, in addition to the possible document retention of all categories of records on the school's servers and computer systems.

The Charter School's Public Records Custodian(s), in conjunction with the Executive Director or designee, is responsible for the maintenance, safeguarding, and destruction of the Charter School's records. Performance of such duties shall be in cooperation with the Charter School's Business Office, Directors of Maintenance and Transportation, Technology Coordinator, the Principals at the school's buildings, and other administrative personnel employed by the Charter School. However, each school employee is likewise responsible for having knowledge of this policy and the requirement to safeguard the Charter School's records, electronic or otherwise, consistent with the chart below.

The Charter School's Public Records Custodian(s) shall work in conjunction with the Charter School's Technology department to assure that the school's staff is aware of the routine destruction of electronic Charter School records, including emails, such that they are able to assure that the Charter School's public records are retained consistent with this schedule, regardless of whether they are maintained in a hard copy or an electronic copy. In such a process, the Charter School's employees need to retain Charter School records included on the schedule below, particularly student educational records, personnel records, and investigative records, in a format that is not part of the Charter School's routine electronic records destruction and/or notify the technology personnel of the Charter School that a particular document is not to be destroyed as part of the routine destruction of electronic records.

Unless otherwise prohibited by applicable law, all Charter School records may be maintained electronically and/or in hard physical copy.

Method of Destroying Official Records

The Charter School's official records, and any copy thereof that may be deemed to be confidential and/or not intended to be disseminated to the public, will be shredded before disposal.

Destruction of Electronic Mail/e-mail

The Charter School will store electronic mail/e-mails for a maximum period of Thirty (30) days. All email will be automatically deleted from the Charter School's system at the end of this

retention period. It is the responsibility of every Charter School employee to assure that Charter School documents that need to be retained for a longer period of time due to federal law, State law, or the provisions of this policy are retained accordingly and in a different format than electronic mail. An employee's failure to retain Charter School documents accordingly could serve as a basis for discipline, up to and including possible termination.

Suspending of Destroying Official Records

The Charter School will immediately cease the destruction of all relevant records, including electronic records, even if destruction is authorized by an approved Retention Schedule, for the following reasons:

1. If the Charter School receives a Freedom of Information Act (FOIA) request;
2. If the Charter School believes that an investigation or litigation is imminent; or
3. If the Charter School is notified that an investigation or litigation has commenced.

The Public Records Custodian(s) and Principal are responsible for carrying out this policy.

If relevant records exist in electronic formats (such as email, digital images, word processed documents, databases, backup tapes, etc.) the Charter School's Administrative personnel shall notify its information technology staff to cease the destruction of records relating to the subject matter of the suit/potential suit or investigation. Failure to cease the destruction of relevant records could result in penalties against the Charter School.

Charter School records shall be retained and/or disposed of as follows:

CHARTER SCHOOL RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – Charter School Office SB – School Buildings DM – Charter School Maintenance DT – Charter School Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
ADMINISTRATION —ATTENDANCE--ANNUAL ATTENDANCE SUMMARIES BY BUILDING	PM	DO, SB
ADMINISTRATION —ATTENDANCE—Enrollment attendance data	3 yr	DO, SB
ADMINISTRATION —BALLOTS AND OATHS OF ELECTION—until canvassed and recorded in the minutes	Not less than 8 months following election	DO
ADMINISTRATION —BALLOTS FOR BOND ELECTIONS	a. Not less than 60 days after bonds have been delivered to purchaser b. Not less than 8 months	DO

CHARTER SCHOOL RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – Charter School Office SB – School Buildings DM – Charter School Maintenance DT – Charter School Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
	following bond election	
ADMINISTRATION—CONTRACTS AND LEASES	AC +6 yr	DO
ADMINISTRATION—GENERAL CORRESPONDENCE	3 yr	DO, SB
ADMINISTRATION—DONATION/GIFT RECORDS	PM	DO, SB
ADMINISTRATION—BOARD MEETINGS—AGENDA AND MINUTES: Official minutes and agenda of open meetings	PM	DO
ADMINISTRATION—BOARD MEETINGS—CLOSED: Certified agendas or tape recordings of closed meetings	PM—Restricted Access	DO
ADMINISTRATION—ORGANIZATION CHARTS: Any documentation that shows program accountability	PM	DO, SB, DM, DT
ADMINISTRATION—EDUCATION PROGRAM REVIEW RECORDS	AC+3 yr	DO, SB
ADMINISTRATION—OFFICIAL STATE DEPARTMENT REPORTS	PM	DO
ADMINISTRATION—SCHOOL CERTIFICATION REPORTS	PM	DO
ANNUAL REPORTS	PM	DO
APPEAL AND REVIEW RECORDS —Records may include but are not limited to narrative history or description of appeal; minutes and testimony; exhibits; reports and findings of fact; final orders, opinions, conclusions, or decisions; audio recordings; hearing schedules and lists of participants; and related correspondence and documentation.	PM	DO
BOARD MEMBER RECORDS —Series documents board activities and serves as a reference source for board members. Records may include but are not limited to correspondence, plans, statements of goals and objectives, minutes, committee reports, budgets, financial statements, reports, and other reference material. Records are often compiled in a notebook for each member.	AC+3 yr NOTE: Some materials may warrant long-term retention. These materials should be reviewed for archival materials.	DO
BOARD RECORDS —Series documents the official proceedings of the board meetings. Records may include agendas; minutes; meeting notices; items for Board action; contested case hearings schedules; committee reports; exhibits; and related correspondence and	PM	DO

CHARTER SCHOOL RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – Charter School Office SB – School Buildings DM – Charter School Maintenance DT – Charter School Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
documentation. Records may also include audio recordings of meetings used to prepare summaries.		
COMPUTER SYSTEMS-BACKUPS —Backups on tape, disk, CD, DVD, etc. CAUTION: Records stored in this format can be subpoenaed during litigation.	US or 1 year	DO
EQUIPMENT-HISTORY FILE —Equipment service agreements, includes maintenance agreements, installation, and repair logs, etc.	LA+3 yr	DO, DM, DT
EQUIPMENT MANUALS —Instruction and operating manuals	LA	DO, SB, DM, DT
EQUIPMENT WARRANTIES	AC+1 yr	DO, SB, DM, DT
FACILITIES OPERATIONS-APPRAISALS —Building or property	3 yr	DO
FACILITIES OPERATIONS-BUILDINGS PLANS AND SPECIFICATIONS —Includes architectural and engineering drawings, etc.	PM For leased structures retain AC+2	DO, DM
FACILITIES OPERATIONS-BUILDINGS, CONSTRUCTION CONTRACT, INSPECTION RECORDS AND PROJECT FILES —Building construction contracts, surety bonds and inspection records, Planning, design, construction records, and all bids, etc.	LA	DO, SB, DM
FACILITY OPERATIONS—DAMAGE REPORTS; LOST AND STOLEN PROPERTY REPORTS	FE+3 yr	DO, SB, DM, DT
FACILITY OPERATIONS-PROPERTY DISPOSAL RECORDS —Documenting disposal of inventoried property	PM	DO
FACILITY OPERATIONS-PROPERTY MANAGEMENT SEQUENTIAL NUMBER LOGS —Property logs	US+3 yr	DO, SB, DM
FACILITY OPERATIONS-SECURITY ACCESS RECORDS —Documents the issuance of keys, identification cards, passes, passwords, etc.	AC+2 yr AC=Until superseded, date of expiration, or date of termination, whichever is sooner	DO, SB, DM
FACILITY OPERATIONS-SURPLUS PROPERTY SALE REPORTS	PM	DO, DM
FACILITY OPERATIONS-UTILITY USAGE REPORTS	1 yr	DO, DM
FACILITY OPERATIONS-VEHICLE OPERATION LOGS	1 yr	DO, DT

CHARTER SCHOOL RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – Charter School Office SB – School Buildings DM – Charter School Maintenance DT – Charter School Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
FISCAL-ACCOUNTS PAYABLE/RECEIVABLE LEDGERS	FE+3 yr	DO, SB
FISCAL-ANNUAL FINANCIAL REPORTS	PM	DO, SB, DM, DT
FISCAL-ANNUAL OPERATING BUDGETS	FE+3 yr	DO, SB, DM, DT
FISCAL-APPROPRIATION REQUESTS —Includes any supporting documentation in the appropriation request	FE+3 yr	DO, SB, DM, DT
FISCAL-FINAL AUDIT REPORTS	PM	DO, SB
FISCAL-BANK STATEMENTS	FE+3 yr	DO, SB
FISCAL-CANCELLED CHECKS —Stubs/Warrants/Drafts	FE+3 yr	DO, SB
FISCAL-CAPITAL ASSET RECORDS	LA+3 yr	DO, SB, DM, DT
FISCAL-CASH RECORDS —Cash deposit slips; cash receipts log	FE+3 yr	DO, SB
FISCAL-DEEDS AND EASEMENTS —Proof of ownership and right-of-way on property	PM	DO
FISCAL-detail chart of accounts —One for all accounts in use for a fiscal year	FE+3 yr	DO, SB
FISCAL-EXPENDITURE JOURNAL OR REGISTER	FE+3 yr	DO, SB
FISCAL-EXPENDITURE VOUCHERS —Travel, payroll, etc.	FE+3 yr	DO, SB, DM, DT
FISCAL-EXTERNAL REPORTS —Special purpose, i.e. federal financial reports, salary reports, etc.	FE+3 yr	DO, SB, DM, DT
FISCAL-FEDERAL TAX RECORDS —Includes FICA records	AC+4 yr AC=Tax due date, date the claim is filed, or date tax is paid whichever is later	DO
FISCAL-FEDERAL FUNDING RECORDS —Title I; Chapter 2; Title VI-B	FE+5 yr Or until all pending audits or reviews are completed	DO
FISCAL—FEDERAL—USDA	AC+3 yr AC=submission of final expenditure	DO
FISCAL-GENERAL LEDGERS; GENERAL JOURNAL VOUCHERS	FE+3 yr	DO, SB

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RECORDS DESCRIPTION	RETENTION PERIOD	
FISCAL-GRANTS —State and Federal	AC+3 yr AC=End of grant or satisfaction of all uniform administrative requirements for the grant CAUTION: Retention requirements may vary depending on the specific federal funding agency	DO, SB
FISCAL-INSURANCE CLAIM FILES	AC+3 yr AC=Resolution of claim	DO
FISCAL-INSURANCE POLICIES —all types	AC+5 yr AC=expiration or termination of policy according to its terms	DO
FISCAL-LONG-TERM LIABILITY RECORDS —Bonds, etc	AC+4 yr AC=retirement of debt	DO
FISCAL-RECEIPTS JOURNAL OR REGISTER	FE+3 yr	DO, SB, DM, DT
FISCAL-RECONCILIATIONS	FE+3 yr	DO, SB
FISCAL-REIMBURSABLE ACTIVITIES —Requests and approval for reimbursed expenses for travel, training, etc.	FE+3 yr	DO, SB
FISCAL-RETURNED CHECKS —Uncollectable warrants or drafts	AC+3 yr AC=After deemed uncollectible	DO, SB
FISCAL-SIGNATURE AUTHORIZATIONS —Records authorizing an employee to initiate financial transactions for agency. Also, spending authority limits	US+FE+3 yr	DO
LEGAL-LITIGATION FILES--	PM CAUTION: May contain attorney-client privileged information	DO, SB, DM, DT
LEGAL-OPEN RECORDS REQUESTS —documentation relating to approved or denied requests for records under Idaho Public Records Law	PM	DO
LEGAL-OPINIONS AND ADVICE —Does not include legal opinions or advice rendered on a matter in litigation or with regard to pending litigation	PM CAUTION: May contain attorney-client privileged information	DO, SB
NEWS OR PRESS RELEASES	PM	DO, SB
PERSONNEL-ACCUMULATED LEAVE ADJUSTMENT REQUEST —Used to create and adjust employee leave balances	FE+5 yr	DO, SB, DM, DT

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RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-APPLICATIONS FOR EMPLOYMENT—HIRED —Applications, etc. required by employment advertisement	AC+5 yr AC=Termination of employment	DO, SB, DM, DT
PERSONNEL-APPLICATIONS FOR EMPLOYMENT—NOT HIRED —Applications, resumes, etc. required by employment advertisement	AC+2 yr AC=Date position is filled	DO, SB, DM,DT
PERSONNEL-BENEFIT PLANS	US+5 yr	DO
PERSONNEL-COMPLAINT RECORDS —Complaints received and records documenting their resolution	FE+3 yr CAUTION: If a complaint becomes the subject of litigation, it is subject to a longer retention period	DO, SB, DM, DT
PERSONNEL-CORRECTIVE ACTION —those actions which do not affect pay, status, or tenure and are imposed to correct or improve job performance	PM CAUTION: If during the retention period these records are used to support personnel disciplinary action, the records should be retained according to Personnel Disciplinary Action series.	DO, SB, DM, DT
PERSONNEL-DISCIPLINARY ACTION DOCUMENTATION —those actions that affect pay or status. They include demotion, dismissal, etc.	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYEE STATEMENTS (Affidavits) —for insurance, personnel or other uses for which administration has sought such statements	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYEE BENEFITS —documents relating to selection of benefits other than insurance	US+5 yr	DO,
PERSONNEL-EMPLOYEE COUNSELING RECORDS —Notes, etc. relating to job-specific counseling	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYEE DEDUCTION AUTHORIZATIONS —documents relating to all deductions of pay	AC+5 yr AC=After termination of employee or after amendment, expiration, or termination of authorization, whichever is sooner.	DO
PERSONNEL-EMPLOYEE EARNINGS RECORDS	PM	DO
PERSONNEL-EMPLOYEE INSURANCE RECORDS —Charter School copy of selection records by employees of insurance offered by the Charter School	US+ 5 yr	DO

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RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-EMPLOYEE RECOGNITION RECORDS —Awards, incentives, etc.	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYMENT ANNOUNCEMENT	2 yr	DO
PERSONNEL-EMPLOYMENT CONTRACTS	Original dates of hire +50 yr	DO
PERSONNEL-EMPLOYMENT ELIGIBILITY —Documentation or verification of Federal report form INS I-9	PM	DO
PERSONNEL-EMPLOYMENT SELECTION RECORDS —all records that document the selection process: i.e. polygraph, physicals, interview notes, etc.	2 yr CAUTION: Does not include criminal history checks	DO, SB, DM, DT
PERSONNEL-FORMER EMPLOYEE VERIFICATION RECORDS —minimum information includes name, social security number, exact dates of employment and last known address	PM	DO
PERSONNEL-GRIEVANCE RECORDS —review of employee grievances against policies and working conditions, etc. Includes record of actions taken.	PM	DO, SB, DM, DT
PERSONNEL-HIRING PROCESS—CRIMINAL HISTORY CHECKS —criminal history record information on job applications	PM	DO
PERSONNEL-JOB PROCEDURE RECORD/JOB DESCRIPTION —any document detailing duties of positions on position-by-position basis	US+8 yr	DO, SB, DM, DT
PERSONNEL-LEAVE STATUS REPORT —cumulative report for each pay cycle showing leave status	FE+3 yr	DO
PERSONNEL-LIABILITY RELEASE FORM —statements of employees, patrons, etc. who have released the Charter School from liability	PM	DO
PERSONNEL-LICENSE AND DRIVING RECORD CHECK	PM	DO, DT
PERSONNEL-OVERTIME AUTHORIZATION & SCHEDULE	5 yr	DO, SB, DM, DT
PERSONNEL-PAYROLL-DIRECT DEPOSIT APPLICATION/AUTHORIZATION	US+3 yr	DO
PERSONNEL-PAYROLL-INCOME ADJUSTMENT AUTHORIZATION ---used to adjust gross pay, FICA, retirement or compute taxes	US+3 yr	DO
PERSONNEL-PERFORMANCE EVALUATION	PM	DO, SB, DM, DT
PERSONNEL-PERSI ENROLLMENT FILE	PM	DO

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RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-PERSI RECORD OF HOURS WORKED —Irregular help, half-time or greater	Date of hire +50 yr	DO
PERSONNEL-PERSI TERMINATION RECORD	PM	DO
PERSONNEL-PERSONNEL INFORMATION —documents that officially change pay, titles, benefits, etc.	PM	DO
PERSONNEL-POLICY AND PROCEDURES MANUAL —any manual, etc. that establishes standard employment procedures	PM	DO, SB, DM, DT
PERSONNEL-RESUME-UNSOLICITED	1 yr	DO, SB, DM, DT
PERSONNEL-SICK LEAVE POOL DOCUMENTATION —requests submitted, approvals, number of hours transferred in an out, etc.	LA+3 yr	DO
PERSONNEL-TIME CARD AND TIME SHEET	PM	DO, SB, DM, DT
PERSONNEL-TIME OFF AND/OR SICK LEAVE REQUEST	FE+3 yr	DO, SB, DM, DT
PERSONNEL-TRAINING AND EDUCATIONAL ACHIEVEMENT RECORD-INDIVIDUAL —records documenting training, testing, or continued education	PM	DO, SB, DM, DT
PERSONNEL-UNEMPLOYMENT CLAIM RECORD	5 yr	DO
PERSONNEL-UNEMPLOYMENT COMPENSATION RECORDS	AC+5 yr	DO
PERSONNEL-W-2 & W-4 FORMS	5 yr from date of termination	DO
PERSONNEL—WORKER’S COMPENSATION POLICIES	AC+10 yr AC=expiration of policy	DO
PROCUREMENT-PERFORMANCE BOND —bonds posted by individuals or entities under contract with Charter School	PM	DO
PROCUREMENT-PURCHASING LOG —Log, etc. providing a record of purchase orders issued, orders received, etc.	FE+3 yr	DO, SB, DM, DT
PROCUREMENT-BID DOCUMENTATION —includes bid requisition/authorizations, invitation to bid, bid specifications, and evaluations	FE+3 yr CAUTION: If a formal written contract is the result of a bid, etc., the bid and its supporting documentation must be retained for the same period as the contract.	DO, DM, DT

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RECORDS DESCRIPTION	RETENTION PERIOD	
RECORDS MANAGEMENT —RECORDS RETENTION SCHEDULE; DISPOSITION LOG (listing records destroyed or transferred); CONTROL MATERIALS (indexes, card files, etc.); DESTRUCTION APPROVAL SIGN-OFFS	PM	DO, SB, DM, DT
SAFETY-ACCIDENT REPORTS	8 yrs* For Minors, 8 yrs after minor reaches age of 18	DO, SB, DM, DT
SAFETY-DISASTER PREPAREDNESS AND RECOVERY PLANS	PM	DO, SB, DM, DT
SAFETY-EVACUATION PLANS	PM	DO, SB
SAFETY-FIRE ORDERS —issued by fire marshal to correct deficiencies in compliance with the fire code	AC+3 yr AC=deficiency corrected	DO, SB, DM
SAFETY-HAZARDOUS MATERIALS DISPOSAL RECORDS —Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR § 1910.1200(g).	PM	DO, DM
SAFETY-INCIDENT REPORTS —Reports concerning incidents which, upon investigation, were of a non-criminal nature	3 yr (or 30 yr*) *Exposure records require 30 year retention per 29 CFR § 1910.1020(d)(ii)(B)Footnote(1)	DO, SB, DM, DT
SAFETY-INSPECTION RECORDS —Fire, safety, and other inspection records of facilities and equipment	AC+3 yr AC=Date of the correction of the deficiency, if the inspection report reveals a deficiency.	DO, SB, DM
SAFETY-MATERIAL DATA SAFETY SHEETS	30 yrs after the end of use of the substance	DO, DM
SAFETY-WORKPLACE CHEMICAL LISTS	30 yr	DO, SB, DM
STUDENTS-EDUCATION RECORDS —Student’s name, birth date, last address, dates of attendance, graduation date and grades earned	PM	DO, SB
STUDENTS-SPECIAL EDUCATION RECORDS —educational records, including eligibility documentation and IEPs	FE+6 yr	DO, SB
STUDENTS-MEDICAID RECORDS -claims, reimbursements, and supporting documentation	FE +5 yr	DO, SB
VEHICLE-INSPECTION, REPAIR AND MAINTENANCE RECORDS	LA+1 yr	DO, DT
VEHICLE-TITLE AND REGISTRATION	1 yr	DO, DT

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RECORDS DESCRIPTION	RETENTION PERIOD	
VOLUNTEER RECORDS —records may include recruitment and selection records, volunteer personnel and intern personnel information forms, intern agreements, volunteer and intern time records, emergency notification forms, insurance documentation and correspondence	AC+3 yr AC=End of term of volunteer or intern	DO, SB
WEBSITE/WEB PAGES — INTERNET/INTRANET—system development documentation for initial setup; subsequent changes and content of pages	PM	DO, SB

In the event that Charter School records do not correspond to any of the above listed categories, the Executive Director will determine the period of retention for a particular record.

Legal References: I.C. § 33-407 Return of Canvass of Elections
 I.C. § 33-508 Duties of Clerk
 I.C. § 33-701(8) Fiscal Year—Payment and Accounting of Funds
 I.C. § 56-209h Administrative Remedies
 I.C. § 67-4131 Records Management Services—Rules, Guidelines, Procedures
 I.C. § 74-101 Definitions
 I.C. § 74-119 Agency Guidelines
 SDE Idaho Special Education Manual Revised 2009, Chapter 11, Section E
 SDE Administrator’s Handbook 1.43
 Federal Regulation
 Idaho Records Management Guide, August, 2013

Policy History:

Adopted on: April 17, 2014
 Revised on: February 18, 2016
 Revised on: September 15, 2016
 Revised on: November 15, 2018

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8610

Health Insurance Portability and Accountability Act

The Board has determined that it meets the definition of a hybrid of covered entities under the Health Insurance Portability and Accountability Act (HIPAA) since the Charter School offers health-care provider programs and services that include electronic billing for the reimbursement of services under Idaho Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA. In all electronic transactions involving student education records information, the Charter School will adhere to the transaction requirements of HIPAA and the confidentiality requirements of the Family Education Rights and Privacy Act (FERPA).

As a covered entity, the Charter School will meet the national electronic transaction standards and applicable requirements of federal law designed to ensure the security of projected health information of employees and student education record information created or received by the Charter School.

In order to meet the notice requirements under the health-care provider provisions of the law, information will be provided to students and parents of their rights under FERPA in accordance with established procedures.

The Principal will designate an individual responsible for responding to HIPAA inquiries, complaints and for providing adequate notice of employee rights and Charter School duties under the health plan provisions of the Act. Notice will include the privacy provisions of the law, and uses of employee protected health information and disclosures that may be made by the Charter School.

Training will be provided to all current staff and new employees determined by the Charter School to have access to the protected health information of employees and student education records. Training will be provided within a reasonable period of time after the individual's hiring, and to those employees when their duties may be impacted by a change in the Charter School's policy and/or procedures.

Individuals who believe their privacy rights have been violated may file a complaint in accordance with established Charter School procedures. Employee complaints may also be filed directly with the U.S. Secretary of Health and Human Services. There shall be no retaliation by the Charter School against any person who files a complaint or otherwise participates in an investigation or inquiry into an alleged violation of an individual's protected privacy rights. All complaints received will be promptly investigated and documented, including their final disposition.

The Principal will ensure that satisfactory assurance has been obtained from any business associate performing HIPAA-covered activities or functions on behalf of the Charter School that the protected health information it receives from the Charter School will be protected. Such

assurance will be in the form of a written agreement, or may be included as a part of the Charter School's contract with the business associate.

Employees in violation of this policy or procedures established to safeguard student education records information and the projected health information of employees will be subject to discipline up to and including dismissal.

The Principal is directed to ensure an assessment of Charter School operations is conducted to determine the extent of the Charter School's responsibilities as a covered entity under HIPAA and to develop internal controls and procedures necessary to implement this policy and meet the requirements of the law. The procedures shall include provisions for record keeping, documentation of the Charter School's compliance efforts and appropriate administrative, technical and physical safeguards to protect the privacy of student education records and employee protected health information and to ensure that any request is limited to information reasonably necessary to accomplish the purpose for which the request is made.

In the event of a change in the law that may impact this policy or established Charter School procedures, the Principal shall ensure appropriate revisions are recommended for Board approval, necessary changes are implemented and notification is made to staff and others, as appropriate.

Legal Reference: Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, 42 U.S.C. 1320d-1320d-8; 45 CFR Parts 160 and 164.

Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).

Policy History

Adopted on: April 17, 2014

Revised on:

Legacy Charter School

NONINSTRUCTIONAL OPERATIONS

8700

Computer Software

The unauthorized copying of any computer software which is licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the Charter School and/or legal action by the copyright owner.

No Charter School-owned computing resources should be used for unauthorized commercial purposes. Illegal copies of copyrighted programs may not be made or used on school equipment. The legal or insurance protection of the Charter School will not be extended to employees who violate copyright laws.

The Principal or designee is the only individual who may sign license agreements for software for the school.

Cross-Reference: 2150 Copyright

Policy History:

Adopted on: April 17, 2014

Revised on: