



[Redacted]

Policy Questions

4 messages

Tue, Jun 30, 2020 at 9:41 AM

To: [Redacted]

Hi [Redacted] and [Redacted],

Wouldn't you know it, you send a policy update and I send questions :) Can you answer the questions below or could we schedule a time to talk through them?

1. IHSAA sent out some guidance related to Idaho Code 33-6203 that the legislature approved this year. I reviewed the TFSD Policy 3281 (attached) which seems to address the change but wanted to double-check with your all. Are there any other policies that you know of that should be changed to address this new law? Do you feel that 3281 in line with the new law?

2. 1120P - based on the stricken part of this policy it seems like there is no longer a time limit for the board members to take the oath of office. Is that correct?

3. 3010 A1 or 2

This change makes this section very confusing. Is the point that no one will prevent students from attending another school? This feels like a double negative to me but maybe I'm just being dense.

Preventing or Recruiting Potential Open Enrollment Students

Neither the District nor its employees will not take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal

4. Do you happen to have a policy 2960 regarding acceptable network use? We do not have a 3270 in the TFSD manual so I'm guessing our 2960 is not in the ISBA model manual.

5. In policy 4175 when it says shall be distributed, could distribution be electronic? Could we send a link as part of our digital district newsletter? I'm curious about what spurred on the creation of this policy. Also, this policy talks about notices required to be distributed to parent but then there is a line about reaching staff, applicants, and others. My knee jerk reaction is that I want to remove that line to reduce confusion about who we are required to notify. Do you see any issue with doing that?

6. I just want to make sure I wasn't missing anything: If we have the most current version of 5120, there is only reference updates for this policy. Is that correct?

That is all for now.

Best,

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[Redacted]
Public Relations Director
208-732-7508





Tue, Jun 30, 2020 at 10:03 AM

To [REDACTED]

I have tried to answer most of them but will let [REDACTED] answer questions about 3010 (and your other email on 3080)! We know it's a doozy.

- 1) IHSAA's guidance Ugh We haven't updated our guidance on because the State Board has not conducted its negotiated rulemaking yet. I asked [REDACTED] for a copy of what they sent over because we did not receive it. Since our policy treats transgender people as, well, people I'm guessing we'll have to tweak it The dispute process which will be done in rule – is going to be a big part of this.
- 2) There is a conflict in Idaho code regarding swearing in at first regular meeting in January, so we've gotten guidance from the attorneys on this one. Technically, there is a section of code (59-402) stating that the "Time of Taking Oath" must take place within 15 days of the commencement of the term. That said, the Education code 33-501 states it must take place during the "regular meeting of the Board." So, we removed the confusing language. For those appointed, it's also important to note that they cannot be sworn in at a special meeting.
- 3) I'm going to let [REDACTED] answer about 3010 because she worked on them the most! I do agree the double negative legalese is confusing. We can blame the attorneys on that one 😊
- 4) We do not have a 2960, so at one point, we may have switched it and TFSD kept it as that number. For what it's worth, you can just swap out the language and keep the policy number. Whatever is easier for you.
- 5) It can be electronic, in fact, we're suggesting that it probably switch to electronic because of COVID. This was just an idea brought to us about keeping a list of things required to distribute It's an optional policy , but we always get questions about a list of things required to distribute. I do not see a problem with removing the asterisk note. It's because we know it's not *all* the things required to distribute to staff, etc The ones listed are just general notices listed in Idaho Code. Again, it's optional!
- 6) You are correct. Less than 1/3 of districts kept sexual orientation and gender identity, which now officially protected. We sent it out as just a reminder. You can update the legal reference, though.

[REDACTED]
Policy & Government Affairs Director

Idaho School Boards Association

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Tue, Jun 30, 2020 at 10:13 AM

To: [REDACTED]

Cc: [REDACTED]

You are the best! Thank you for your speedy response! Honestly, while there are a lot of policies here, they aren't as challenging as you made them out to be, especially when districts have awesome folks like you to check with on the few items of complexities! I really appreciate all of your work on these updates and my endless questions. You all are doing an incredible job keeping the school districts in Idaho on the right track.

Best,

[Quoted text hidden]

Tue, Jun 30, 2020 at 11:46 AM

To: [REDACTED]

Cc: [REDACTED]

Hi [REDACTED],

In 3010 and 3080, the edits were mainly aimed at clarifying what processes apply for which kinds of open enrollment.

3010A1 is for Districts that receive pupils under the State's Open Enrollment Options Program. A2 is for those that do not. I see what you mean about the double negative. That's is a typo. I recommend dropping the "not" so it reads "Neither...nor...will take any action to prohibit..."

For 3080, it looks like the highlight and strikethrough also contains some errors. It should have read:

"Students who reside in another state may attend a District school when the out-of-state school district and the {{Full_District_Name}} mutually agree, provided such transfer would not work a hardship on the District. Such attendance shall follow the enrollment process outlined in Policy 3010 for out-of-District students."

The version you suggest is synonymous and is also fine.

Thank you for catching it and bringing it to our attention. I'll make a note to include it in a future update. It's always nice to see ISBA members paying careful attention to their policies.

Warm regards,

[REDACTED]

Research & Policy Specialist

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