

# Moscow School District 281

SECTION V

(5000)

## STUDENTS

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APPENDIX A Title IX of the Educational Amendments of 1972

ATTENDANCE

(Policy Range: 5000 – 5049)

5000.00 General Statement of Attendance Policy. In accordance with Idaho Code 33-202, parents or guardians who reside in in this district shall cause their children between the ages of seven and sixteen to attend school. Such children who are enrolled in the District shall be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. All children who are enrolled shall conform to the attendance policies and regulations established by the Board of Trustees. Each building principal will publish their building's attendance procedures that reflect board policy. Parental permission will not overcome the presumption of truancy. Regular attendance is an important factor in a student's achievement at school and helps prepare them for the world of work. Students not in school have fewer opportunities to learn the material that enables them to succeed in their classes. High attendance rates are indicators of effective schools and enable greater student performance. (4-27-16)

Objectives of Attendance:

- A. To increase school completion for all students,
- B. To raise student achievement,
- C. To close gaps in student performance,
- D. To know the whereabouts of every student for safety,
- E. To comply with Idaho state education laws,
- F. To increase assessment scores through classroom learning,
- G. To acknowledge educator's accountability for student achievement.

Therefore, Moscow School District #281 requires all school children to be in attendance 90 percent of instruction days. (4-27-16)

5000.01 Truancy. Absence without a legitimate excuse shall be deemed truancy. A habitual truant is any pupil who repeatedly has violated the attendance regulations established by the Board of Trustees or other governing body operating the school attended. A child of compulsory school age may also be considered an habitual truant if the child's parents or guardians, or any of them, have failed or refused to cause such a child to be instructed as provided in Idaho Code 33-202. (4-27-16)

5000.01.01 Definition of Truancy. All students must be in attendance in each classroom 90% of the days when that class is in session. If a student is not present for more than 50% of an attendance period, regardless of reason, he/she shall be counted as absent for the entire class period. Students are expected to be in class on time. Tardies are defined as the student missing up to ten minutes of class time. Every three tardies accrued in an individual semester attendance period will be counted as one absence. No credit will be granted for the class and a student will be considered habitually truant when attending less than 90% of the days per semester. This attendance policy will be applied on a quarterly basis for Paradise Creek Regional High School due to the structure of the school. The building principal will consider a student's attendance record as a whole in making their decisions. "Extraordinary cases" are generally understood to be those in which a student's absences were due to circumstances beyond the control of the student, parent, and/or the school. Because a student is considered to be in control of his/her own

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actions, truancy or any suspension from school or a class for disciplinary purposes will not be considered an extraordinary circumstance. (4-27-16)

The following “extraordinary” criteria may be considered when reviewing petitions for waiver of the attendance policy:

- a. All school-sponsored activities in which the student is a participant
- b. All district-approved testing or counseling
- c. Illness or injury verified in writing by physician or school district nurse
- d. Death in the immediate family
- e. Activities involving state or national recognition
- f. Requirement to appear for legal proceedings
- g. Absence caused by a natural disaster as confirmed by school administration
- h. Dental, Doctor, and Health & Welfare appointments verified in writing by service provider
- i. Immediate family member leaving or returning from military overseas deployment
- j. College visitation – (Maximum 1 per Junior Year and 2 per Senior Year)

5000.01.02 Consequences of Truancy. Excessive absenteeism shall be considered when deciding to retain or promote a student for the ensuing school year. The building principal shall warn a student and his/her parents in writing of an impending loss of credit due to excessive absences when absences exceed 6 days. The building principal may refer students and their parents to Attendance Court, and include written notification that credit has been withheld, due to absences exceeding 10% of the days per semester. (4-27-16)

5000.01.03 Petition to Restore Credit when Credit Loss is Due to Truancy. After a student has been notified that credit has been withheld, he/she may file a petition requesting a waiver of the attendance policy in order that credit may be granted. Such petition shall be filed with the building principal within 10 school days of the notice of loss of credit. The building principal shall notify parents and the student of a time for a review hearing to be held within 10 school days of the receipt of the petition. The building principal, after hearing the petition, may request information from other school personnel and then shall approve or deny the petition for waiver. A second withholding of credit due to excessive absences in the same semester shall be handled in a like manner except that the building principal may establish additional conditions for the reinstating of credit. Credit shall remain withheld until the completion of the semester at which time the building principal shall approve or deny the petition. (4-27-16)

5000.02 Responsibility to Report. Whenever it may come to the attention of the Board of Trustees that the parents or guardians of any child are failing to cause their child of compulsory age to be instructed in the District’s schools, in a private or parochial school, or comparably instructed by the parents or guardians, a petition shall be filed with the probate court or magistrate court, as appropriate, per Idaho Codes 33-202; 33-205; 33-206. (4-27-16)

5000.03 A student enrolled in the District who is a habitual truant may be expelled by the Board of Trustees in accordance with Idaho Code 33-205, following notice and hearing. (3-26-02)

*Forms to implement this policy are included at the end of Section V. (3-26-02)*



5020.00 Elementary Student Attendance Zone Placement. The placement plan for students is designed to provide attendance area boundaries as well as fair and flexible procedures that would result in limited parent choice, efficient and safe busing, and balanced classroom numbers. State class size requirements and local requirements to balance class size coupled with limited classroom facilities are causes for the District's continuing need to place students in schools other than their neighborhood or choice school. (3-26-02)

5020.01 Placement Procedures/Regulations. (6-24-14)

- A. An attendance zone surrounding each school has been designated. All students who live within these zones will attend their neighborhood schools if possible. When a student is placed outside his/her attendance area due to lack of space, the student will be moved to his/her neighborhood school at the beginning of the next year if space is available.
- B. Bus students living beyond 1.5 miles from a school or in a District-determined safety busing hazard area will have bus service to a District-determined school.

5022.00 Enrollment and Placement Requirements.

5022.10 Enrollment and Placement Requirements: Out-of-district Transfers. The District will participate in the out-of-district open enrollment option described in Idaho Code, Sections 33-1402 and 33-1404, and authorizes the superintendent to enroll out-of-district pupils on the State Department of Education Open Enrollment Application (*See Forms Section*), subject to the following conditions:

- A. A pupil suspended or expelled from school shall be ineligible for the provisions of this section. [IC 33-1402]
- B. That actual average student enrollment will not cause the grade level class ratios in the building or the District to exceed: [IC 33-1404]
  - 19:1 Grades K-3
  - 24:1 Grades 4-6
  - 25:1 Grades 7-12
  - 6:1 Grades K-12 (Special Education)
- C. A pupil must apply annually for open enrollment.
- D. A pupil who applies and is accepted into open enrollment will be assigned to that school for that year only. [IC 33-1402]
- E. Assignments of out-of-district students to schools will be done on the basis of equalization of class loads throughout the District.
- F. Out-of-district students have the lowest priority for school assignment.
- G. Out-of-district student assignments to the schools will be made the week prior to the first day of school.
- H. Students in attendance under open enrollment in the District the previous school year will be granted a higher priority than new open enrollment applicants for admission for the succeeding school year.
- I. A pupil, who applies and is accepted as a non-resident student in the District but fails to attend the District, shall be ineligible to again apply for an enrollment option in the District. [IC 33-1402]
- J. No pupil shall gain eligibility to participate in extracurricular activities in violation of policies governing eligibility as a result of an enrollment option transfer to the District. [IC 33-1402]

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- K. Applications for open enrollment along with the pupil's accumulative record must be submitted to the Superintendent or superintendent's designee by February 1 for the forthcoming school year. The Superintendent or designee will respond to all applicants within sixty (60) days of the receipt of the request. [IC 33-1402]
- L. Open enrollment applications received after February 1 will be placed on a waiting list until the week prior to the first day of school when applications will be reviewed on a space available basis and by the date by which the application was received.
- M. Out-of-district students are responsible for their own transportation. [IC 33-1402]
- N. The District shall not take any action to prohibit or prevent application by resident pupils to attend school in another school district. [IC 33-1402] (2-25-03)

5022.20 Enrollment and Placement Requirements: In-district. The District will participate in the in-district open enrollment option described in Idaho Code, Section 33-1402.

- A. Assignment of students to schools will be done on the basis of equalization of class loads throughout the District. The District reserves the right to reassign any student for equalization. This can include involuntary assignment to another school. (*Procedures to implement this policy are included at the end of Section V.*)
- B. Residents in the attendance area of the school will have first priority to that school.
- C. Application for students to attend an elementary school in an attendance area other than the designated area are valid for one (1) year only and are to be submitted to the Superintendent or superintendent's designee before April 15 prior to that school year. (Specific students who were reassigned to a specific school by Board action prior to July 1, 2014 are "grand-fathered" to enrollment in that school if they so choose.) (6-24-14)
- D. A waiting list will be established from which non-attendance area students will be admitted to the requested school.
- E. If a student is receiving Special Education services and the change may result in a disruption of services, a review of the Individual Education Plan (IEP) will be made prior to any change.
- F. Non-attendance area students in the previous year will be granted the higher priority for the succeeding year.
- G. Non-attendance area students who have a sibling at the school will be given second preference.
- H. When no other criteria are available the date the District receives the application will determine order. (*See Forms Section*)
- I. In-district non-attendance area students' assignments will be made by the week following the last day of school of the previous school year. (6-24-14)
- J. Out-of-district students have the lowest priority.
- K. Parents are responsible for transportation of the transferred student to the nearest appropriate bus stop if serviced by busing, or to the school, to which the student is assigned, in the event no busing is offered.
- L. Students/families who in mid-year move to a new attendance zone may be allowed to finish the year depending on class loads but will be re-assigned to the new school for the following year. Application for students to remain in the previous school may be made following this policy. (5-27-03)

5023.00 Appeals Process. A four (4) member review committee comprised of the Transportation Director, the Special Services Director, the Superintendent or superintendent's designee, and a district patron appointed by the Superintendent will review all written exceptions to

policy requests. The Superintendent or designee will serve as chair in a non-voting capacity. The review process will be as follows:

- A. Committee reviews parent written request.
- B. Committee rules on the request.
- C. Committee decision reported to parent in writing.
- D. Parent accepts the committee decision or requests a hearing before the committee for a second consideration.
- E. Committee gives a second and final ruling on the request. (2-25-03)

5024.00 Nonresident Students from Other States. Parents or legal guardians are responsible for the payment of tuition for nonresident students from other states. Principals will notify the Business Manager of out-of-state student enrollment. The Business Manager will bill the parents or legal guardians the “Total Monthly Per Capita Cost” per student as determined by the current Tuition Certificate prepared by the Idaho State Department of Education. [IC 33-1401 through 33-1407] (3-26-02)

5025.00 Student Information. All students are required to submit information on residence and employment of parents as may be required in order to meet provisions of state and/or federal law. (3-26-02)

5026.00 Enrollment Qualifications. Regular school classes shall be open to all students between the ages of five (5) years, which shall have been attained on or before the first day of September of the year during which kindergarten enrollment is sought, and twenty-one (21) years as appropriate. For a child enrolling in the first grade, the age of six (6) years must be reached on or before the first day of September of the school year in which the child is to enroll. Courses are closed to individuals who have graduated from high school or who have completed a General Educational Development (GED) high school graduation equivalent. Non-graduates over the age of 21 will be admitted to courses at the high school upon approval of the principal. (3-26-02)

5026.01 Special Education. Special education and related services shall be available to all students between ages three (3) and twenty-one (21). The specific special education and related services will be determined by the individual student’s IEP Team. Students with disabilities become eligible for special education and related services on their third birthday. If the birthday occurs during the summer vacation, eligibility begins with the resumption of school. (3-26-02)

5026.02 Special Education Service Agreements. The Special Services Director may enter into service agreements with neighboring districts to provide services for eligible exceptional children. The services provided may include special education and related services. Such agreements will include provisions as outlined in the State Department of Education “District-to-District Memorandum of Agreement for the Education of Exceptional Children.” Agreements will also include provisions for reimbursement of instructional and/or therapeutic costs specific to the students identified in the agreement. Consideration of agreements will include the respective service provider(s), building principal, and superintendent. (3-26-02)

5026.03 Guidelines for Private Service Providers in Moscow Schools. Moscow School District is responsible to ensure that students with disabilities receive a free appropriate public education from the ages of three (3) through the semester in which they turn twenty-one

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(21). Utilization of a variety of services through private service providers in the District is recognized as a valuable and needed resource for children with disabilities to receive the full benefit of a public education. (6-24-08)

These services are a supplement to regular education programs and consist of specially designed instruction and/or related services provided in a variety of settings at no cost to the parents to meet the unique needs of students with disabilities. Therefore, it is critical that these services are coordinated and that all service providers have a complete understanding of the roles and responsibilities of the District prior to, and for, the delivery of services. (6-24-08)

Private providers can be involved in the District's special education process by referring parents to the appropriate personnel for identification and evaluation; providing appropriate evaluation information and/or recommendations to multi-disciplinary teams after parent consent is given; participating in Individual Education Program (IEP) team meetings with the consent of the parent; or, participating in the delivery of services through a memorandum of understanding with the District. (6-24-08)

Decisions regarding eligibility and the type, length, and duration of services are the responsibility of an appropriately formed IEP team. Information submitted by appropriately certified or licensed outside providers through parent consent will be considered by an IEP team. All decisions regarding education methodology, materials, and personnel are the responsibility of the District, however. (6-24-08)

### A. Delivery of Services.

1. If the student is not eligible for public special education services, but the private provider recommends services:
  - a. The District shall not provide special education services; and
  - b. The District will inform parents that private services contracted by and paid for by parents are not developed into an IEP, but should be noted.
2. If a student is eligible for public special education services and the parent requests that private services be utilized to supplement the District services, those services will be noted in the comment section of the IEP, but no additional goals and objectives are required.
3. If a student is eligible for public special education services, but the parent chooses to pay for and have those services provided by a private provider, a complete IEP will be written. It will be documented on the IEP that the District recommended the service but the parent elected to pay for services from the private provider or allowed third party billing, rather than have the District provide services. It should be noted that when a student is removed from the regular education program for services for which they are not eligible under state and federal criteria, those services might become a detriment to that student's regular education program. The District has no legal obligation to allow the private service provider to use District space during regular school hours or access to District materials or equipment for any of the above situations. (6-24-08)

- B. Contracts. When the District uses private service providers, the District will have a contract for services in place. For any private service provider that is not contracting with the District for service but is providing direct services in District facilities, a memorandum of understanding must be drafted to include District and

provider's role/responsibilities, name(s) of student(s) being served, time(s) of services, provisions for space, materials and equipment to be used, insurance requirements, billing/paying agreements, etc. (*See Forms Section*) Private providers working in the District must provide the District with the appropriate documentation of certification or licensure, insurance, and background check. (6-24-08)

The District is aware of potentially difficult constitutional issues in the above paragraph; public facilities and services may not be used to benefit private individuals (providers). The District will avoid discriminatory practices; if one provider has access to the school, all who request it must have equal opportunity for access. (6-24-08)

5027.00 Dual Enrollment and Attendance. The District will implement procedures to enroll students that meet the requirements as given in Idaho Code 33-203 and any stipulations outlined by the Idaho State Board of Education, or as given in the subsections of this policy below. (3-26-02)

5027.01 A child of school age, who is enrolled in a nonpublic school, and who has not graduated from high school or obtained a GED graduation equivalent, shall be allowed to enroll in any of the District's programs for dual enrollment purposes, subject to the same requirements as other students who are enrolled full-time in the District, to the requirements set forth in Idaho Code and District Policy, and to the following maximums set by the Board:

Enrollment will not cause the grade level, class, or program ratios in the building or in the District to exceed:

- 19:1 Grades K-3
- 24:1 Grades 4-6
- 25:1 Grades 7-12
- 10:1 Grades K-12 (Special Programs)

Note: Dual enrollment is not applicable to the District's special education program. The District's policies and procedures for this program can be found in the *Idaho Special Education Manual*.

See Policy Section 5054.00 regarding scholastic eligibility for extracurricular activities. (6-24-08)

5027.02 A nonpublic school student attending and participating in nonacademic school activities must reside within the attendance boundaries of the school in which the student seeks to participate. (3-26-02)

5027.03 Oversight of academic standards relating to participation in nonacademic activities shall be the responsibility of the primary educational provider for that student. (6-24-08)

5027.04 Transportation by school bus may be provided if the student would otherwise be eligible for transportation, and there is no resulting change in scheduling or bus routes. (12-16-03)

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(5000-8)

STUDENT CONDUCT

(Policy Range: 5050 – 5099)

5050.00 Basic Policy. The function of the Moscow Schools is to attempt to meet the educational needs of its students. Effective schools depend on appropriate conduct that allows all students to benefit from a positive, safe and orderly educational experience.

Students enjoy rights within the schools and also must accept the responsibilities of citizenship. These responsibilities require that student behavior contributes to a positive, safe and orderly educational experience. (3-26-02)

5051.00 Building Code of Conduct. Each school shall have a plan that is designed to provide K-12 continuity of behavioral expectations. The principal of each school will be responsible for the development of policy and procedures unique to each building and school community within the parameters of the District-wide policies and procedures. The school behavior plan shall be comprised of the administrative behavior plan, the classroom teachers' behavior plans, and the specialty area behavior plans—i.e. library, cafeteria, playground activities, etc. The above mentioned plan will state the desired behaviors, the consequences of noncompliance, as well as the positive reinforcement for acceptable behavior. Students will comply with this policy at school and at all school-sponsored activities. The emphasis will be to insure safety in an atmosphere conducive to learning. (3-26-02)

5051.01 Threatening Violence on School Grounds. Any person, including a student, who willfully threatens on school grounds by word or act to use a firearm or other deadly or dangerous weapon to do violence to any other person on school grounds is guilty of a misdemeanor. The threats prohibited by this section encompass only those statements of acts where the speaker or actor intends to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals. The prosecution is not required to prove that the defendant actually intended to carry out the threat.

Definitions as used in this section:

- A. "Deadly or dangerous weapon" means a weapon, device, instrument, material, or substance that is used for, or is readily capable of, causing death or serious bodily injury.
- B. "Firearm" means any weapon, whether loaded or unloaded, from which a shot, projectile or other object may be discharged by force or combustion, explosive, gas and/or mechanical means, regardless of whether such weapon is operable.
- C. "On school grounds" means in, or on the property of, a public or private elementary or secondary school. [IC 18-3302I]

Principals/administrators shall investigate reports of threats of violence and complete a written report for submittal to the School Liaison Officer. (6-27-06)

5052.00 Drug and Alcohol Use/Abuse Prevention. The District, recognizing the dangerous effects of alcohol and/or other drug abuse and the fact that chemical dependency frequently results in use and/or abuse, provides drug and alcohol education in the elementary, middle, and high school programs. Education and prevention programs cover the illegal, social and health consequences of drug and alcohol use. Refusal skills or techniques for resisting peer

pressure to use illicit drugs or alcohol are also presented in the drug/alcohol education program. (8-28-12)

Besides providing education, assistance and support for students affected by chemical dependency or other related problems, the District prohibits the possession, manufacture, distribution, use or sale of drugs or alcoholic beverages by students in school or at school sponsored events. Any violation may result in suspension or expulsion. Suspension and/or expulsion may be modified if the student and his/her parent(s) or guardian(s) consent to have a substance abuse evaluation, at the student's expense, by an agreed upon agency. The health care recommendation of the evaluation must be followed if the student is to remain in school, in which case, disciplinary action may be modified. (3-26-02)

5053.00 Suspension and Expulsion.

5053.01 The following actions shall be grounds for a suspension or expulsion hearing:

- A. Disruption of the educational process
- B. Violence or the threat of violence to any person
- C. Defiance of school authority
- D. Endangerment of others
- E. Vandalism and/or theft of property
- F. Use or abuse, being under the influence, and/or possession of alcohol or controlled substances or drug paraphernalia
- G. Use of tobacco or nicotine in any form. This includes but shall not be limited to , cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, electronic smoking devices, unapproved nicotine delivery devices, chemicals or devices that produce the same flavor or physical effect of nicotine substances, and any other smoking equipment, material, or tobacco innovation. (9-23-14)
- H. Possession of a weapon or an item intended to be used as a weapon (e.g. baseball bat, scissors, a hat pin, etc.) (9-23-14)
- I. Dishonesty and/or cheating
- J. Harassment
- K. Misconduct on buses operated, chartered or leased by the District. (8-26-03)

5053.02 When any of the above acts is committed or suspected, and it is determined that a student may be suspended from school attendance and/or participation in District activities, the student's parents will be notified if possible, and the student will be given an informal hearing. The hearing may precede or follow the notification of parents. (3-26-02)

5053.03 At the hearing the reasons for possible suspension will be stated and the student will be given an opportunity to refute those reasons. (3-26-02)

5053.04 A prohibited act may be determined to have occurred from the examination of facts, information, data, or evidence from any of the following sources:

- A. Direct observation by an administrator, teacher, District staff member, police, or other legal authority.
- B. Self-admission
- C. Conviction or other determination of guilt within the legal justice system
- D. Notification of school authorities by student's parent or guardian

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E. Persuasive and convincing investigatory information obtained from District employees or students who have credible knowledge of alleged misconduct. (3-26-02)

5053.05 If it is determined at an informal hearing that the student committed a prohibited act, the student may be suspended by a principal or the Superintendent for up to five (5) school days, which may be extended by the Superintendent an additional ten (10) school days. On a finding by the Board of Trustees that immediate return to school attendance by the temporarily suspended student would be detrimental to other students' health, welfare, or safety, the Board may extend the temporary suspension for an additional five (5) school days. Any student who has been suspended may be readmitted by the Superintendent or principal who authorized it upon such reasonable conditions as may be prescribed. The Board of Trustees shall be notified of all temporary suspensions, the reasons for them, and the response, if any, thereto, if known. See Idaho Code 33-205. (3-26-02)

5053.06 A student who is an habitual truant, or who is incorrigible, or whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence in a public school is detrimental to the health and safety of other pupils, may be expelled by the Board of Trustees in accordance with Idaho Code 33-205, following formal notice and hearing as required by law. The Board of Trustees may deny attendance at any of its schools to a student who has been expelled from another school district. (See Idaho Code 33-205; see also Policy Range 1200-1224 *Dealing with HIV/AIDS in the Schools.*) (3-26-02)

5053.07 Disruptive actions listed in Section 5053.01 may also be dealt with by loss of extracurricular privileges or through individual building policies. (3-26-02)

5053.08 Schools to be Free of Weapons.

A. After immediate suspension, pursuant to Idaho Code 33-205, and in conformity with the federal Gun Free Schools Act, the Board shall expel from school for a period of not less than one (1) year (twelve calendar months) a student who has been found to have carried a weapon or firearm on school property. In accordance with Idaho Code 18-3302D and 33-205, the Board of Trustees may modify the expulsion requirement on a case by case basis. The Board of Trustees, at its discretion, may designate the Superintendent to modify the expulsion requirement on a case by case base, in accordance with the federal Gun Free Schools Act. Discipline of students with disabilities shall be in compliance with federal and state statutes and related regulations pertaining to students having disabilities. The Superintendent shall report such student and incident to the appropriate law enforcement agency.

B. District employees shall have the right to search all students or minors, their belongings and lockers, which are reasonably believed to be in violation of this policy.

C. The District will not admit, or continue to enroll, a student who has been expelled from another district for violating applicable federal or state law pertaining to the carrying of a weapon or firearm on school property until the student has completed the expulsion period of not less than one calendar year. The timing of the period of expulsion will be based on written confirmation from the district that initially expelled the student. A student who wishes to challenge a decision made by the Trustees that denies admission to a student from another district, who has been



expelled by that district under this policy, is entitled to a hearing in executive session before the Trustees. (3-26-02)

- D. This policy does not apply to persons in private vehicles delivering children to and from school or school activities, nor when a person is carrying a firearm as part of the requirements of a hunter safety course offered by or approved by the District, or if a person is carrying a firearm pursuant to a requirement of law or in compliance with law. (3-26-02)

5053.08.01 Guidelines Defining “weapon” for Purposes of this Policy. For the purposes of this policy, the term “weapon” means:

- A. A firearm as defined below,
- B. A weapon as defined by Idaho Code 18-3302D, which includes
  - 1. dirk knife, Bowie knife, dagger, metal knuckles, or
  - 2. other deadly or dangerous weapon. (3-26-02)

5053.08.02 Guidelines Defining “firearm” for Purposes of this Policy.

- A. For the purposes of this policy, the term “firearm” means:
  - 1. any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
  - 2. the frame or receiver of any such weapon;
  - 3. any firearm muffler or firearm silencer; or
  - 4. any destructive device.
  - 5. The term does not include an antique firearm used with administrative approval for educational purposes.
- B. For purposes of this policy, the term “destructive device” means: any explosive, incendiary, or poison gas, in the form of any apparatus, mechanism or contrivance such as a bomb, grenade, rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or a device similar to any of the devices described in this paragraph.
- C. A firearm is included to mean any type of weapon by whatever name known which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and
- D. Any combination of parts either designed or intended for use in converting any device into any destructive device in B. or C. above and from which a destructive device may be readily assembled.
- E. The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for used as a safety, or similar device; or any other device which the Attorney General finds is not likely to be used as a weapon, such as an antique. [United States Code, Title 18, Chapter 44, 921] (2-26-08)
- F. For purposes of this policy, the term “destructive device” or “firearm” does not include a weapon or device which a student is permitted to use for educational purposes, which is brought to school with the explicit approval and permission of a school official. (3-26-02)

5053.08.03 Defining “school” for Purposes of this Policy. For purposes of this policy, the term “school” means:

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(5000-12)

- A. any building in which district educational programs are administered or implemented;
- B. district controlled or leased property, including chartered buses and school buses; and
- C. any building, playing field, activity area, parking lot, or location in which district programs, services, or activities are provided. (3-26-02)

5053.09 Policy Regarding Disciplinary Suspension and Expulsion of Students Having Disabilities. Students with disabilities may be suspended and/or expelled as long as the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act are followed. District personnel shall evaluate the misconduct of students receiving services under IDEA or Section 504 to determine whether the misconduct is a manifestation of a disability.

The term “disability” is defined in Section 504 of the Rehabilitation Act as pertaining to a person evaluated according to required procedures who (i) has a physical or mental impairment, which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment, with items (ii) and (iii) pertaining mainly to employment and entrance into post-secondary education. Under Section 504, “major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Students with disabilities under IDEA means those children evaluated in accordance with required procedures as having mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments, autism, traumatic brain injury, other health impairments, specific learning disabilities, deaf-blindness, or multiple disabilities, and who, because of those impairments, need special education and related services. The term includes children with disabilities ages 3 through 5 who meet eligibility criteria for one or more of the foregoing impairments under IDEA, except specific learning disabilities, or who are experiencing developmental delay in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development, and who, for that reason, need special education and related services. (3-26-02)

5053.10 Guidelines to Implement Discipline Policy Regarding Students Having Disabilities.

- A. Students with disabilities that do not meet IDEA eligibility criteria, having an accommodation plan under Section 504, whose misconduct is not found to be a manifestation of a disability, may be suspended or expelled according to district policy and procedures that apply to students without disabilities.
- B. Students with disabilities whose misconduct is found to be a manifestation of a disability may not be suspended from school for an accumulation of more than ten (10) school days in any school year. Exclusion for more than ten (10) days is considered the equivalent of expulsion and a significant change in placement triggering review procedures. The IEP Team or multi-disciplinary team shall evaluate existing Individual Educational Programs (IEPs) or accommodation plans (if only 504 eligible) and the appropriateness of student placements and make needed modifications as applicable. When significant changes have been made in an IEP or an accommodation plan related to student misconduct, a new ten-day limit on

days of suspension may begin. Educational services given in IEPs or accommodation plans may be provided in settings or arrangements other than the school the student would otherwise attend.

- C. Removing students from their assigned classrooms for inappropriate behavior may constitute a suspension, unless it is for short-term crisis management. Suspension of a disabled student from transportation services, if it causes the student to miss attending school, also counts toward cumulative days of suspension. However, alternative services such as in-school suspension, alternative learning centers, or time-out identified in an IEP or 504 accommodation plan, which ensure the continuation of the provision of special education and related services, or other appropriate accommodation services, will not be counted toward the accumulation of ten (10) school days of suspension.
- D. Students with disabilities eligible under IDEA whose misconduct is not found to be a manifestation of a disability may be excluded from school for up to ten (10) days. If such students are excluded for longer periods of time (expulsion), educational services given in IEPs must continue to be provided in settings or arrangements other than the school the student would otherwise attend. The IEP Team will determine the nature and extent of the special educational services that will be provided during such a period by continuing an existing or modified IEP.
- E. If a parent has initiated administrative due process hearing proceedings, has filed a formal complaint with the State Department of Education or the Office for Civil Rights, or has filed suit in court, the District may suspend up to ten (10) days, but their child's placement of program may not be changed (due to the Maintenance of Placement or Stay Put Requirement for eligible students), unless the parents and the District agree otherwise, or as permitted by the Gun Free Schools Act of 1994.
- F. If students with disabilities manifest behaviors that are determined to be a threat or danger to themselves or others the District may seek a court injunction during the days of permitted suspension/expulsion, or additional period of time with parental agreement, to prevent dangerous students from attending school. (3-26-02)

5054.00 Academic Eligibility for Activities. Privileges of activities participation, positions of honor and representation may be forfeited by a student who fails to comply with expectations of scholarship, attendance, citizenship, and conduct. (3-26-02)

5054.01 Definitions.

5054.01.01 Curricular Activities: Instructional activities that are integral to the classroom as a part of the curriculum and are a natural extension of classroom activities that result in a course grade or credit. Any activity for which a grade is issued will be considered a curricular activity. Examples of curricular activities include, but are not limited to: band or choir activities and selected drama productions. (3-26-02)

5054.01.02 Co-curricular Activities: Activities sponsored by the District that are in addition to classroom instruction and have no bearing on a course grade or credit. These activities include, but are not limited to: school clubs, student government, academic competitions, all IHSAA athletics, cheerleading and other organized activities where credit is not involved. (3-26-02)

5054.01.03 Co-curricular Academic Probation: A study table and tutorial program to address the academic performance of students who are currently participating in

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co-curricular activities and who received, at the end of the last grading period, two (2) or more grades below a “C.” (3-26-02)

5054.02 The District will comply with all Idaho High School Activities Association (IHSAA) rules regarding eligibility for and participation in IHSAA activities. In addition, the IHASS rules are supplemented by District policy and pertain to student participation 7-12. (3-26-02)

5054.03 To participate in any co-curricular activity, students must have passed at least five (5) classes the previous semester. Credits earned through correspondence study, alternative school, or summer school may be included in the calculation of the number of courses passed during the prior semester.

Students participating in co-curricular activities who receive two or more grades below a “C” at the six and/or twelve-week grading period at Moscow High School and the nine-week grading period at Moscow Middle School will be placed on co-curricular academic probation. Written notice of the co-curricular academic probation and the possible ineligibility to participate in co-curricular activities during the next semester will be provided to the student’s parent(s) and coaches/advisors. (8-28-12)

Any student on co-curricular academic probation must sign a written contract agreeing to comply with the terms of the probation. Failure to sign the contract and/or comply with its terms may result in academic ineligibility from participation in co-curricular activities during the period of probation. (3-26-02)

5054.04 The activities director and/or school principal will meet with the students on academic probation who are currently involved in co-curricular activities to discuss their grades and what can be done to improve them. (3-26-02)

5054.05 The activities director will encourage and assist students and advisors to arrange study tables and tutorial help for students on activities academic probation. (3-26-02)

5054.06 Activity coaches/advisors will establish their own academic eligibility checks that exceed the frequency of the checks outlined above, and to actively promote academic excellence. (3-26-02)

5054.07 Any student who withdraws from a class in which he/she has a grade of “F” or “I,” the end result being that the student is no longer passing at least five (5) classes, to gain eligibility for participation in co-curricular activities under dual enrollment, becomes ineligible for the remainder of the school year in which he/she withdraws and the subsequent school year. (3-26-02)

5054.08 Students in grades 7 and 8 and incoming freshmen who are declared academically ineligible may file an appeal. The appeal must be submitted to the building principal. It will be heard by the Superintendent and then subsequently by the Board of Trustees. (3-26-02)

5054.09 Students in grades 10-12 and second semester freshmen who are declared academically ineligible to participate in co-curricular activities governed by the Idaho High School Activities Association may submit appeals to the Executive Director of the Idaho High

School Activities Association. The appeal shall be in writing and filed with the Executive Director through the Moscow High School Principal. All other students determined to be ineligible for participation in co-curricular activities may appeal the decision to the Superintendent. If the Superintendent affirms the principal's decision, the student may appeal to the Board of Trustees. (3-26-02)

5055.00 Extracurricular Event Attendance. Students attending extracurricular activities are subject to behavioral directives by school personnel. (3-26-02)

5056.00 Searches. Searches within the school or on school grounds and authorized school functions will be initiated by the principal when there are circumstances which would cause a reasonable person to believe that the search of a particular person, place, or thing will lead to the discovery of:

A. Evidence of a violation of the student conduct standards contained in the policies of the Board of Trustees or a violation of Federal, State, or local laws.

B. Anything which, because of its presence, presents an immediate danger of physical harm or illness to any person. (3-26-02)

5056.01 Locker/Desk/Storage Area Searches. All lockers and other storage areas provided for student use on school premises remain the property of the School District. These lockers and other storage areas are subject to inspection, access for maintenance, and search pursuant to this policy. No student shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the principal of the school in which the locker or storage area is located. Unapproved locks shall be removed and destroyed.

A. The principal, or a member of the administrative staff designated in writing by the principal, will search a locker and its contents when the person or the principal designee has reasonable cause for a search of the locker. Where the locker to be searched is assigned to a particular student and that student is on the school premises at the time of the search, and no danger to the student is apparent, the student shall be notified and given the option to be present during the search.

B. The principal, a member of the administrative staff, or a teacher may search a desk or any other storage area on the school premises other than a locker when the person conducting the search has reasonable cause. (3-26-02)

5057.00 School Bus Discipline. Safety is of prime importance to the students as they are transported to and from school. Bus drivers will be alert and perform their duties safely. (3-26-02)

5057.01 Guidelines. Students will conduct themselves in a safe and orderly manner when boarding, being transported, and de-boarding school buses. Student conduct shall conform to Regulation Governing Pupils Riding School Buses, which is to be posted in a conspicuous place in all school buses, as provided in Section 8000, Appendix A. (3-26-02)

5057.02 Reporting of Violations and Disciplinary Actions. Bus drivers will report all cases of violation of good conduct to the principal and Director of Transportation. The student will be given a notice of violation of good conduct as provided in Section 8015.20 and 8015.30. (3-26-02)

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- 5057.03 Suspension of Bus Privileges. The bus driver will not exclude a student from the bus as it goes to or from school unless an emergency endangering the safety of the other children demands immediate exclusion of the violator. In all cases, except emergencies, exclusion will come after the parent has been properly notified by the principal as provided in Section 8015.20 and 8015.30.

The compulsory attendance laws require attendance of all minors under sixteen years of age. Any student whose bus privileges are suspended must continue his or her attendance in school and responsibility for student transportation lies with the parent or guardian. Any absences resulting from suspension of bus privileges will be considered as truancy and treated as such. Parents should report bus problems to the principal of the schools. (3-26-02)

- 5058.00 Bus Supervision for Activities. The supervision of students for activities busing shall conform to Section Eleven (11) of the District's *Pupil Transportation Responsibilities and Operations Manual*. (3-26-02)

- 5059.00 Student Bus Lists. Each student who rides a school bus must register in the office of the school he or she attends, giving name, address, phone number and the number of the bus to be ridden. Any change of bus assignment must be approved by the Principal of the school the student attends and the Director of Transportation. (3-26-02)

- 5059.01 The administrator of each school will cause a list to be created by student name, route, name of parents and phone number, to be alphabetized and sent to the bus garage by the second full week of school. Known medical problems and disabilities will be described for identification by transportation personnel. Transportation personnel will document student identification information for use by the dispatcher and drivers. (3-26-02)

- 5060.00 Student Harassment Basic Policy. It is the policy of this District to maintain a learning environment that is free from harassment. Each student has the right to attend school in an atmosphere that promotes equal opportunities and that is free from all forms of discrimination and conduct that can be considered harassing, intimidating, bullying, cyberbullying, coercive, or disruptive. (4-27-16)

A. Individuals attending district schools are:

1. Prohibited from engaging in any conduct that could reasonably be construed as constituting harassment or intimidation on the basis of sex, age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, gender identity, cultural background, socioeconomic status, or geographic location. (4-27-16)
2. Prohibited from bullying, cyberbullying or sexually harassing other students.
3. Required to report, to the building principal or designee, harassment, intimidation, bullying or cyberbullying of which the student becomes aware. (4-27-16)

- B. This policy applies to all conduct on the District's premises and at school-sponsored events, conduct during transportation to and from school and school-sponsored events, and to conduct off the District's premises that has an adverse affect upon a student's educational environment. (3-26-02)

- 5061.00 Definition of Harassment, Intimidation, Bullying, or Cyberbullying.

- A. Harassment, intimidation, bullying, or cyberbullying is defined to include any act (verbal, written, graphic, or physical conduct) that substantially interferes with a

student's educational benefits, opportunities, or performance that takes place on school grounds, at any school-sponsored activity, or on school-provided transportation, and that has the effect of:

1. Physically harming a student or damaging a student's property.
  2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property.
  3. Creating a hostile educational environment.
  4. Interfering with an individual's educational performance. *(4-27-16)*
  5. Otherwise adversely affecting an individual's educational opportunities. *(4-27-16)*
- B. Harassment or intimidation includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, or physical nature on the basis of sex, age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location. Harassment also includes an act of retaliation taken against 1) any person bringing a complaint of harassment, 2) any person assisting another person in bringing a complaint of harassment, or 3) any person participating in an investigation of an act of harassment. *(2-23-10)*
- C. Bullying is defined as intentional, repeated hurtful acts, words or other behavior such as name calling, threatening and/or shunning committed by one or more students against another. Bullying can be physical, verbal, or emotional in nature. *(3-26-02)*
- D. Cyberbullying is defined as a student using the Internet, interactive and digital technologies, or mobile phones to torment, threaten, harass, humiliate, embarrass or otherwise target another student. *(2-23-10)*

5062.00 Definition of Sexual Harassment. Sexual harassment is a form of misconduct that undermines the individual's relationship with educators and with other individuals. No student, male or female, should be subject to unasked for and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment refers to sexual overtures or conduct that is unwelcome, personally offensive, and affecting morale, thereby interfering with an individual's ability to study or participate in school activities. *(4-27-16)*

- A. Sexual harassment is a form of misconduct that includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct of a sexual nature when:
1. Submission to such conduct is either made explicitly or implicitly a term of condition of an individual's participation in the educational process;
  2. Submission or rejection of such conduct by an individual is used as a factor for educational decisions affecting the individual; or
  3. Such conduct has the purpose or effect of unreasonably interfering with an individual's education, or creating an intimidating, hostile, or offensive educational environment. *(4-27-16)*
- B. Examples of sexual harassment include, but are not limited to, the following:
1. Unwelcome verbal statements of a sexual or abusive nature, including requests or demands for sexual activity, sexual jokes, and obscene comments, etc.;
  2. Unwelcome, sexually motivated or inappropriate touching, pinching, or other physical contact;
  3. Unwelcome sexual behavior or communications, accompanied by implied or overt threats concerning an individual's education;
  4. Unwelcome behavior or communications directed at an individual because of his/her gender; and stalking or unwelcome, sexually motivated attention. *(4-27-16)*

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### 5063.00 Reporting Procedures.

- A. Any individual, and/or parents of an individual, who believe the individual is being harassed should immediately report the situation to school personnel.
- B. Any district employee who receives a report of harassment from an individual, becomes aware that an individual is being subjected to harassment, or in good faith believes that an individual is being subjected to harassment, is required to report the matter to the building principal immediately. In the event the complaint involves the principal, the matter must be immediately reported to the Superintendent.
- C. Any district employee who witnesses harassment of an individual should take immediate, appropriate action to intervene to stop the harassment.
- D. Any individual who becomes aware that a fellow individual is being subjected to harassment should immediately report the incident to a counselor, teacher, or the building principal. (4-27-16)

### 5064.00 Investigation. When the building principal or the Superintendent receives a report of harassment immediate steps will be taken to do the following: (4-27-16)

- A. Obtain a written statement from the complainant regarding the allegations;
- B. Obtain a written statement from the accused;
- C. Obtain written statements from witnesses, if any; and
- D. Prepare a written report detailing the investigation.

An investigator may be appointed to conduct the investigation or the building principal or Superintendent may conduct the investigation. The investigation should be completed within ten (10) workdays. (4-27-16)

### 5065.00 Disciplinary Action. If the allegation of harassment involves a teacher or other school employee, the building principal will submit the report of the investigation to the Superintendent. If there is sufficient evidence to support the allegations, disciplinary action, up to and including dismissal, may be taken against the offender. (4-27-16)

If the allegations of harassment are against an individual and there is sufficient evidence to support the allegations, disciplinary action, up to and including expulsion, may be taken against the offender. (4-27-16)

If there is insufficient evidence to support the allegations, no record will be made of the allegations in the complaining individual's permanent record. No record of the allegations will be placed in the accused employee's personnel record or in an accused individual's permanent record if there is insufficient evidence to support the allegations. (4-27-16)

In the event the investigation discloses that the complaining individual has falsely accused another individual of harassment knowingly or in a malicious manner, the complaining individual may be subject to disciplinary action, up to and including expulsion. (4-27-16)

### 5066.00 Protection Against Retaliation. No retaliation will be taken by this District or by any of its employees or individuals against an individual who reports harassment in good faith. Any person found to have retaliated against another individual for reporting an incident of harassment may be subject to the same disciplinary actions provided for harassment offenders. Those persons who assist or participate in an investigation of harassment are also protected from retaliation under this policy. (4-27-16)



5067.00 Record of Allegations. The District will keep and maintain a written record, including, but not limited to witness statements, investigative reports and correspondence, from the date of any allegation of harassment is reported to district personnel. The information in the written record will also include the action taken by the District in response to each allegation. The written record will be kept in the district's administration offices and will not, at any time, be purged by district personnel. (4-27-16)

LEGAL REFERENCES: Idaho Code, Section 16-1619; 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments; 34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial

5070.00 Co-curricular Substance Abuse Policy.

5070.01 Philosophy and Objectives. School activities play an integral part of the total educational process of students enrolled in the Moscow School District. Because activities provide an educational opportunity, participants and coaches/advisors strive to meet the following objectives:

- Promote and contribute to the goals of the total educational program
- Promote good citizenship and respect for rules and authority
- Promote involvement and community interest in activities
- Promote good sportsmanship
- Learn the value of competitive participation
- Development of individual and team skills
- Practice good health habits
- Practice physical, intellectual, and artistic development
- Represent the school and community in a positive manner

If students choose to participate in activities they do so voluntarily, and, therefore, there are expectations beyond those required of students who do not wish to participate in activities. These include maintaining academic eligibility, abiding by rules set forth by the coach/advisor, and setting high standards for behavior. Moreover, commitment to activities requires that participants refrain from the use or possession of controlled substances. Participation in activities is not considered to be a right, but rather, it is a privilege.

Those students who violate the "Co-curricular Substance Abuse Policy" shall be subject to discipline that may include permanent removal from participation in school district activities. Additionally, the Moscow School District Board of Trustees, by adopting this policy, hopes to decrease peer pressure to use controlled substances on student participating in activities. (3-26-02)

5070.02 Definitions.

- A. "Curricular Activities" - See Policy 5054.01.1 for this definition.
- B. "Co-Curricular Activities" - See Policy 5054.01.2 for this definition.
- C. "Controlled Substances" – These include, but are not limited to: alcohol, tobacco (including smokeless tobacco), opiates, opium derivatives, stimulants, steroids, hallucinogenic substances, cocaine, cannabis, synthetic equivalents of the substances that have a depressant effect on the central nervous system, and drug paraphernalia. Excepted from this definition are any medications specifically prescribed for a student's use by his/her own doctor. (3-26-02)

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5070.03 Seasons. The athletic season extends from the first day of tryouts to the last day of competition for that sport. All non-athletic activities begin with the first day of school. This policy shall be applied season by season for athletics, cheerleading, and pep band, or semester by semester for non-athletic co-curricular activities. (3-26-02)

5070.04 Commission of a Controlled Substance Violation.

- A. A participant shall not use, consume, possess, transmit, or sell any controlled substance.
- B. A participant shall not engage in conduct detrimental to his/her group or the school at a party or other gathering where one or more minors are using controlled substances.
- C. A participant, within the constraints of safety, shall not knowingly drive or remain in a vehicle where controlled substances are possessed or being used by one or more minors. (3-26-02)

5070.05 Determination of Violations – Student’s Right to Due Process.

- A. When there is reasonable cause to believe that a student has violated this policy by committing any of the above acts, an investigation will be conducted by the activities director or other appropriate school administrator.

As a part of the investigation process, the student will receive written notice of the allegation that he/she violated the policy, and will be given an informal hearing with the investigator. Parents/guardians and the head coach/advisor are also encouraged to attend this hearing.

At the hearing, the reasons for possible suspension from activities will be stated, and the student will be given an opportunity to provide evidence to refute those reasons.

The investigator may determine a violation of the policy has occurred from examination of the facts, information, or evidence from any of the following sources:

- 1. Direct observation by an adult or a student possessing, using, or distributing controlled substances;
- 2. Self admission by the student to a coach, activities director, or appropriate school administrator;
- 3. Notification of school authorities by the student’s parent or guardian;
- 4. A criminal charge involving the possession, use, or distribution of controlled substances. (3-26-02)

5070.06 Appeals. A student may appeal the determination that he/she has violated this policy and/or the penalty imposed by filing a written request with the principal within ten (10) days of the date the determination is made. The request for an appeal must clearly state the reasons why the review is being requested. The review will be an informal meeting of the student, parents/guardians if desired, and a panel consisting of the principal, activities director, and head coach/advisor. The panel will issue a written decision within five (5) school days of the date of the review. (3-26-02)

If the student’s appeal to the panel is not successful, the student has the right to appeal to the Superintendent in writing within ten (10) days of the panel’s decision. Within ten

(10) days, the Superintendent will meet with the student and parent(s) and send a written decision within ten (10) days. (2-23-10)

If the student's appeal to the Superintendent is not successful, the student has the right to appeal to the Moscow School District Board of Trustees by filing a written request with the Superintendent's office within ten (10) days of the date the determination is made. The request for an appeal must clearly state the reasons why the review is being requested. The Board of Trustees will issue a written decision within five (5) school days of the date of the review. The decision of the Board of Trustees is final. (2-23-10)

Students shall abide by all other terms of their suspension until a final determination is made regarding their appeal. (3-26-02)

5070.07 Penalties.

**A. First Violation**

1. The participant shall be suspended for 50% of the sport season/semester from participating in any game, contest, competition, or event. For athletics, cheerleaders, and pep band, the number of contests per season (rather than the calendar year) shall be used to determine the length of the suspension.
2. In the event that a student self-reports the violation, either voluntarily or upon being questioned by a coach, activities director, or administrator, the suspension will be reduced to 25% of the season/semester.
3. If a police citation is given related to the use of controlled substances, the student must self-report within 72 hours of the citation, or when questioned by a school official if less than 72 hours have elapsed, for the reduction in suspension to be granted.
4. For controlled substance violations, the student must also attend a controlled substance education program approved by the school district before he/she is eligible for reinstatement. The cost of the program will be borne by the participant and/or his/her parents. Failure to complete the program will result in continued suspension from activities.
5. For activities with performances/contests, students must attend all practices and performances/contests while suspended. Failure to do so will result in continued suspension from activities. For all other activities such as student council, students will not be allowed to participate while suspended.
6. When the full penalty cannot be imposed, the remaining portion of the suspension will be carried over and served during the next activity participated in by the student.
7. A participant must conclude the season/semester with any activity that is used to finish a penalty from a previous season/semester. Failure to complete the activity will result in the penalty being carried over to the next activity participated in by the student.
8. When a student commits a violation during the school year during a period of time when he/she is not involved in any activity covered by this policy, the violation will be recorded but no punishment rendered. However, when the student subsequently becomes involved in an activity, the student will begin the activity with one violation on his/her record. The first violation that occurs while involved in an activity will then automatically be treated as a second violation. If a student commits two or more violations while not involved in an activity, or as a combination of out-of-season and in-season violations, the student will have

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two violations recorded on the record as he/she enters a new activity. A subsequent in-season violation will result in the offense being treated as a third violation. (3-26-02)

**B. Second Violation**

1. A participant who commits a second violation shall be suspended from all participation in co-curricular activities for one calendar year from the date it is determined that a second violation occurred.
2. In addition, for a second alcohol or drug violation, the participant must undergo a drug and alcohol assessment program approved by the school district, comply with the recommendations of the professional conducting the test assessment, and provide documentation of the assessment and compliance with the recommendations in order to be eligible for reinstatement at the end of the calendar year. The expenses of the assessment and any actions necessary to comply with the recommendations must be borne by the student and his/her parents. (3-26-02)

**C. Third Violation**

1. A participant in grades 9-12 who commits a third violation shall be suspended from participation in activities for the remainder of his/her high school career. (3-26-02)

5070.08 Accumulation. Penalties accumulate in grades 9-12. A student who has committed one or more controlled substance violations as defined in this policy in grades 7-8, or transfers in from another school district with a record of having violated any policy prohibiting the use, possession, or distribution of controlled substances will enter grades 9-12 with one violation on their record. (3-26-02)

5070.09 Reinstatement. A student who has completed an approved treatment program and provides a recommendation from that treatment program that the student has successfully completed the program and is unlikely to use controlled substances in the future may apply for reinstatement of eligibility following a second violation. This application for reinstatement must be submitted in writing to the principal.

In the event of a third violation, any request for reinstatement must be submitted to the Superintendent. (1-26-10)

5070.10 Citizenship: Other undesirable student behavior not covered in the above policy, including, but not limited to, violations requiring administrative action as established in the “Behavior Violations” section of the Moscow Middle School handbook, and in the “Discipline/Student Hearings” section of the Moscow High School student handbook, may be cause for activities suspension at the discretion of the appropriate school administrator and/or the head coach. (8-28-12)

PLEASE NOTE: This statement below must be included with the policy, and having read the policy, the form must be signed by both the student and the parent/guardian before a student may participate in co-curricular activities. This signed form must be returned to the appropriate coach/advisor.

*I have read the Moscow School District Co-curricular Substance Abuse Policy and understand that violation of its provisions will result in the penalties described therein.*

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Student Signature \_\_\_\_\_ Date \_\_\_\_\_ Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

5080.00 Title IX Sex Discrimination.

- 5080.01 The Moscow School District Board of Trustees upholds the provisions of Title IX of the Education Amendments of 1972 Federal Law, which reads in part: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits, or be subjected to discrimination under any education program or activity...” (The *Sex Discrimination* portion of this amendment is included as Appendix A to this policy section.) (3-26-02)

*Procedures for parents/guardians and/or student to use to file a grievance based on this policy are included in the procedures and forms pages at the end of Section 5000. (3-26-02)*

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STUDENT ACTIVITIES

(Policy Range: 5100 - 5149)

- 5100.00 Basic Policy. Entertainments, plays and special group activities afford special opportunities for pupil self-expression and initiative. A balanced program of such activities is encouraged. Their coordination and integration will be managed by District administrators and designated instructional personnel. (3-26-02)
- 5101.00 General Fund Raising Activities. Fund raising activities associated with the school district must be approved by building administration prior to initiation of the fundraiser. The following information must be provided for the request to be considered: identification of the name of the organization completing the fundraiser, person responsible for oversight, purpose, and time frame of the fundraiser. Fund raising activities will not be scheduled or items purchased for such activities without consent of the building administration. All contractual agreements for fundraising must be agreed upon and signed by the superintendent. (3-29-16)
- A. Contests within the schools must be approved by the building administrator.
  - B. Fund raising by charging admission to performances or sales, etc., within the individual schools will be permitted, subject to approval by the building principals.
  - C. All funds raised must be processed through the school's accounting system.
  - D. All resale items are subject to the current sales tax and must be reported.
  - E. Pupils shall be permitted on their own initiative to raise a fund among themselves for flowers in case of severe illness or death of a schoolmate or teacher.
  - F. Parent/patron organizations that have been officially recognized by the Board of Trustees may distribute fund raising announcements to students provided that announcements indicate the name of the parent/patron organization. (3-29-16)
- 5101.01 Elementary and Middle School: No door to door sales fund drives will be permitted (3-29-16)
- 5101.02 High School: All fund drives for high school activities must be cleared through the high school administration. All door to door sales must be reported to the Moscow Police Department. Moscow does enforce the "Green River Law." (3-26-02)

WELFARE OF STUDENTS

(Policy Range: 5150 - 5199)

- 5150.00 Physical Examinations for Students. A pre-school, pre-fifth grade, and pre-ninth grade examination for students is strongly recommended. All students participating in interscholastic athletics will be required to have a physical examination prior to participation at the seventh, ninth, and eleventh grades. (3-26-02)
- 5151.00 Illness. Children too ill to benefit from instruction will be sent home. Parents, guardians or designated persons will be notified by telephone. Parents or guardians have the responsibility to make arrangements for childcare. Pupils exhibiting symptoms of infections or contagious diseases shall be excluded from school in the same manner. (See also Policy Range 1200-1224 *Dealing with HIV/AIDS in the Schools.*) (3-26-02)
- 5151.01 Administration of Medication by School Personnel. When school personnel must administer medication, the following guidelines must be followed:
- A. Any medication brought to school must come in the original container.
    - 1. Prescription medication must be in the prescription bottle with the correct label that includes the student's name, name and dose of medicine, directions for taking the medicine, doctor's name, pharmacy's name, current date.
    - 2. When medication does change, the current prescription bottle needs to reflect that new dose.
    - 3. "Over the counter" medicine must be in the original container with a note from the parent/guardian giving directions that include what the medicine is for, when, and how much is to be given. If parent directions do not follow the guidelines written on the label regarding frequency and dose, the medicine will not be given without a written note from a doctor.
  - B. Written consent for giving medication from a parent/guardian must accompany any medicine brought to school.
    - 1. For long-term medications (those given at school for longer than a week) a parent/guardian must complete the *Medication Consent Form* and it must be returned to the school before any medication is given to the student.
    - 2. Short-term medications, like antibiotics given for just a few days at school, must come with a written note from a parent/guardian that includes consent for school personnel to give the medicine to the student and directions for when and how much is to be given.
  - C. Designated school personnel only who have received training by the school nurse on dispensing medications may administer medication to students. Documentation of this training will be kept in the Human Resources Office. (8-26-03)
- 5151.02 Immunization. Idaho Code 39-4801 requires students entering school to provide proof of required immunizations signed by a physician or physician's representative stating the type, number, student name and dates of -all immunizations which are required. This documentation will be placed in the student's file. Students will not be permitted to attend school without the required immunizations unless there is an exemption certificate on file. Immunization requirements for school entry can be found at the website for Health and Welfare by searching for Idaho Immunization Requirements for School Attendance. (7-26-16)

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All students who are enrolling, transferring, or returning after withdrawal must show verifiable documentation of immunizations at entry or reentry. The documentation of the required vaccination or the appropriate signed waiver is required to be on file at the school office. (7-26-16)

- 5151.03 Immunization Exemption. Certain children shall be exempt from the immunization requirement of Idaho Code 39-4801 by Idaho Code 39-4802 provided the following is on file:
- A. Any student claiming an exemption must have a completed *Idaho Certificate of Immunization Exemption* on file at the school office. This form is available at your child's school, from the school nurse, or at the District Office. (7-26-16)
  - B. Any student who is declared exempt from immunization requirements will be excluded from school should an outbreak occur. The period of exclusion may be for a few days up to several weeks after the last reported case, depending upon the disease and the number of cases. (7-26-16)
- 5151.04 Exclusion of Students with Contagious or Infectious Diseases. [Idaho Code 33-512(7)] The Board of Trustees may exclude students from school:
- A. who have contagious or infectious diseases, or
  - B. who are diagnosed or suspected as having a contagious or infectious disease, or
  - C. who are those not immune and have been exposed to a contagious or infectious disease.
  - D. The Board of Trustees may close school on order of the State Board of Health or local health authorities as a result of contagious or infectious diseases. (3-26-02)
- 5151.05 Emergency Contact. The schools shall keep a record of persons who may be contacted in the event of a student illness or emergency. (3-26-02)
- 5151.06 Self-administration of Medical Inhalers or Epinephrine Auto-Injectors. The Board authorizes the Superintendent or designee to establish procedures which allow for the safe, reliable, and timely access in self-administration of student medication administered by way of a metered-dose inhaler by a student for asthma or other potentially life-threatening respiratory illness or by way of an epinephrine auto-injector for severe allergic reaction (anaphylaxis). [IC 33-520] (*See Procedures Section for Policy Section V*) (6-24-08)
- 5151.07 Do Not Resuscitate Orders. This District has a statutory duty to protect the health of all students enrolled in the District. [IC 33-512 (4)] Medical personnel who are employed by the District or whose medical services are contracted by the District also have statutory duties to adhere to certain protocols. Based on these statutory duties this District's medical personnel or health care providers will honor a Do Not Resuscitate (DNR) order or identification presented by or on behalf of a student who has a terminal condition, unless an exception applies.

In the event a DNR order or identification for a student enrolled in this District is presented to district personnel by the student or his or her parent/guardian, a copy of the order and/or a notation that the student has DNR identification, will be placed in the student's educational record. Nursing staff will also be notified and provided a copy of such order or notation. The individual presenting the DNR order or identification will be informed of this policy.



In the event emergency medical services personnel are called by this District to assist a student, district personnel knowledgeable of a DNR order or identification will make reasonable effort to inform the medical services personnel of the DNR order or identification. Medical personnel or health care providers employed or contracted by the District or contracted to provide medical services, if on site at the time of an emergency, will comply with the DNR order or identification and provide comfort care, unless an exception applies.

A DNR order may be disregarded by medical personnel or health care providers in the following situations, pursuant to Idaho Code Section 56-1027: 1) If the health care provider believes in good faith that the order has been revoked; or 2) to avoid verbal or physical confrontation; or 3) If ordered to do so by the attending physician.

Definitions:

1. “Comfort care” means treatment given in an attempt to protect and enhance quality of life without artificially prolonging that life.
2. “Do Not Resuscitate order” or “DNR order” means a documented directive from a licensed physician that emergency life-sustaining procedures should not be administered to a particular person.
3. “DNR identification” means a bracelet or necklace issued to an individual consistent with a valid DNR order which is in place. Typically, such bracelets or necklaces will also contain the words “comfort ONE.”
4. “Emergency medical services personnel” means the personnel of a service engaged in providing initial emergency medical assistance, including, but not limited to, first responders, emergency medical technicians, advanced emergency medical technicians, and paramedics.
5. “Life-sustaining procedure” means cardiopulmonary resuscitation (CPR) or a component of CPR.
6. “Medical personnel or health care provider” means any person licensed, certified, or otherwise authorized by law to administer health care in the ordinary course of business or practice of a profession, including emergency and other medical personnel.
7. “Terminal condition” means an incurable or irreversible condition that, without the administration of life-sustaining procedures, will, in the opinion of the attending physician, result in death within a relatively short time.

[IC 56-1020-1035] (11-28-06)

5152.00 Gifts to Employees. Gifts to employees from pupils are discouraged. (3-26-02)

5153.00 Custody. When it is known that a custody question exists that involves the relevant legal status of one or both parents of a student in one of the District’s schools, the parent(s) may furnish a copy of the pertinent court order or decree, if one exists, that provides information or guidance to clarify the question at issue. School personnel will abide by the court order or decree. Unless otherwise indicated by a court order or decree, separated or divorced parents will have equal rights regarding access and matters involving the education of their children. Unless otherwise indicated by a court order or decree, where the school receives conflicting instructions from the two parents, it will resolve this conflict by following the instructions of the parent with whom the child then currently resides. (3-26-02)

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5153.01 School records shall indicate the student's legal first and last name. The names that the student would prefer to use are included in parenthesis. (3-26-02)

5154.00 Police Interviews. In the event a member of a law enforcement agency requests an interview with a student during school hours, school personnel will adhere to the following: Treat the representative of the law enforcement agency with courtesy.

- A. Contact the Superintendent or superintendent's designee and parent or parents of the student to be interviewed and advise them of the circumstances. Request that one or both parents be present at the interview.
- B. Should the parent not be able to come to the school and should the parent not wish the child interviewed at school, so advise the officer.
- C. If the officer indicates that to do otherwise would be considered an obstruction of justice, provide the student for an interview and notify the parents of the circumstances.
- D. School authorities will not permit a student to leave the school with an officer of the law unless that student's parent is present and consents, or unless a police detention order is declared or a formal arrest is made.
- E. School authorities will permit a student to leave the school with a Youth Services official, if that is court-ordered and/or the parent has given written permission for such a release. (8-26-03)

5155.00 Loiterers. All visitors to schools are to first report to the school office. Any unauthorized person on a school campus or place of instruction who annoys any student or who loiters about any school or place at or near where children attend shall be reported to the school office. When unauthorized persons on a school campus or place of instruction persist in loitering, annoying students or school personnel or disrupt the educational process or engage in threatening conduct, the incident shall be reported to the Moscow Police Department, and/or the person removed from the school building. [Idaho Code 33-512(11)] (3-26-02)

5156.00 Student Use of Telephones. Building administrators shall govern the use of telephones by students. (3-26-02)

5157.00 Private Property. When going to and returning from school, students are to use streets and sidewalks rather than private lawns or private property of community residents. Students are to refrain from littering streets and yards with refuse and are to respect the rights and property of other people living in the vicinity of the District's schools. (3-26-02)

5158.00 Suicide, Basic Policy. Suicide is increasing as a cause of death among children and adolescents. It is the aim of this policy to decrease the potential of suicide by observing early warning signs and giving students at risk qualified help. (8-26-03)

District counselors and school psychologists will annually train personnel in a suicide prevention program through in-service and/or distribution of information. (3-26-02)

5158.10 Prevention. Counselors and school psychologists, while often trained in suicide prevention and intervention do not provide mental health care for students in crisis. Therefore, information about community mental health resources and referral procedures will be available in each building to reference.

Suicide Prevention Procedures.

1. Notification Responsibilities of Faculty & Staff. Any staff member who has reason to suspect a student is at risk of suicide shall notify the building counselor or school psychologist, who will contact the building administrator.
2. Crisis Interview. The counselor or school psychologist will conduct an interview with the student, if possible, to gather pertinent information.
3. Informing Parents. The counselor or school psychologist will contact the parent or guardian, informing them of the situation and providing them with community mental health resources and referral procedures information. If parents cannot be contacted, the police will be notified. The student at risk should not be left unattended.
4. Documentation. The counselor or school psychologist will complete a *Suicide Prevention Report* that provides a summary of the interview. Copies of the completed report shall be provided to the parent or guardian, the counselor/school psychologist and the building administrator. (*See Forms Section*) (8-26-03)

5158.20 Suicidal Tendencies. Neither this school district nor any teacher will have a duty to warn of a student's suicidal tendencies absent the teacher's knowledge of direct evidence of such suicidal tendencies.

"Direct evidence" is defined as evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact. Direct evidence includes unequivocal and unambiguous oral or written statements by the student which would not cause a reasonable teacher to speculate regarding the existence of the fact in question. Direct evidence does not include equivocal or ambiguous oral or written statements by a student which would cause a reasonable teacher to speculate regarding the existence of the fact in question. [IC 33-512B] (3-26-02)

CHILD ABUSE AND NEGLECT

(Policy Range: 5160 – 5169)

5160.00 Rationale. The teacher-student relationship is a special one where the adult has the responsibility to ensure that children receive appropriate supervision and care. Because of their sustained contact with children, school employees are in a position to identify when possible abuse/neglect exists. It is important then, to recognize that school personnel need to be aware of the signs and symptoms of abuse/neglect as well as specific reporting procedures. (3-26-02)

Reporting of Abuse, Abandonment, or Neglect.

- A. Any Moscow School District employee having reason to believe that a student has been abused, abandoned or neglected or who observes the student being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or Child Protection Services of the Idaho Department of Health and Welfare. The employee shall also inform a building administrator, either before or after the report to law enforcement or Child Protection Services, and complete a *Child Abuse/Neglect Reporting Form*. (See *Forms Section*) This form will be kept on file for future reference and as documentation of the report. [IC 16-1605 (1)] (12-15-09)
- B. Failure to report as required in this section shall be a misdemeanor. [IC 16-1606 (4)] (12-15-09)

5160.02 Immunity. Employees making reports in good faith shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any such judicial proceeding resulting from such report. [IC 16-1606] (12-15-09)

5161.00 Provisions for Confidentiality. Confidential documents of alleged abuse/neglect are a serious responsibility. Protection of the child's interests may be compromised if records of incidents are made a part of the individual's cumulative file. Therefore, it will be the responsibility of the individual building principal to maintain separate files for records of reports made to outside agencies. All such records shall be maintained in secured files in the respective schools. Access to reports will be to the Department of Health and Welfare, Child Protection Services, designated administrators, and others through the established subpoena process. (12-15-09)

HOMELESS STUDENTS

(Policy Range: 5170 – 5179)

- 5170.00 Basic Policy. Moscow School District recognizes the right of all students residing within the District's boundaries, including those who are homeless, to enroll in school and participate in the District's educational and support programs. (3-25-08)
- 5171.00 Student Rights. Homeless students who are enrolled in Moscow School District have the right to:
- A. Immediate enrollment even if the student is unable to produce records normally required, such as previous academic records, immunization records, proof of residency, or other documentation. School personnel shall assist the parent or guardian in acquiring needed documentation.
  - B. Equal access to all educational programs and services, including transportation and school nutrition programs.
  - C. Receive all federal, state, and local educational services for which they are eligible such as Title I, special education, limited English proficiency (LEP), and gifted and talented programs.
  - D. Continue to attend school in the school of origin to the extent feasible and when it is in the best interest of the student. (3-25-08)
- 5172.00 Parental Involvement. The District provides written and oral information to parents/guardians of homeless students about opportunities for participating in the education of their children. (3-25-08)
- 5173.00 Transportation. The District shall provide homeless students with transportation services comparable to those offered to other students at the school of attendance. If a homeless student moves to a shelter that is in another attendance zone within the District, the District may arrange transportation that enables the student to continue to attend the same school whenever feasible. If the District determines that a homeless student will be placed in a school other than the school of origin, the District will provide a written explanation including a statement regarding the right to appeal. The homeless liaison (Curriculum Director) will assist in dispute resolution. (3-25-08)

STUDENT PROGRESS

(Policy Range: 5200 – 5249)

- 5200.00 Failure. Pupils may be required to repeat a grade or a course whenever the teacher, with administrative approval, decides that the best interest of the pupil will be served. All retentions must be discussed with parents or guardians. All student retentions shall be reported by the principal to the Superintendent at the end of the academic year. (See the *Student Retention Form* requesting documentation of staff-parent conferences, a program to address skill deficiencies, and parent approval to be on file.) (3-26-02)
- 5200.01 No student may be failed in any grade or subject without the parent having prior knowledge through conferences or reports that such a possibility may occur. Lifetime transcript grades at Moscow High School are posted at the end of each semester (18 weeks); therefore, the two mid-semester report cards (distributed at six-week and twelve-week intervals) shall serve as prior knowledge and as a warning of possible failure to all Moscow High School parents/guardians. Parent-teacher conferences are encouraged for the purpose of avoiding such failures. A report of all failures is to be made by the principal to the Superintendent at the end of each academic year. (See *Student Retention/Course Failure Summary*) (3-26-02)
- 5200.02 Parents' request for retention of a student in grades seven through twelve (7-12), for other than academic reasons, must be approved by the Board of Trustees. (3-26-02)
- 5200.03 Effective July 1, 2010, all students in grades seven and eight will earn one (1) middle level credit per semester for each passed course with a grade of D or above. With the exception of Algebra I, Advanced Algebra, Geometry, and Foreign Language, these credits will not count toward high school graduation. Students in grades seven and eight must pass 80% of their classes each year to progress to the next grade level. In addition, if a student fails two (2) semesters of the same course in Math, Science, Social Studies or English the course will need to be repeated. (8-28-12)
- If a student is in jeopardy of not meeting the promotion requirements, a Panel Review will take place. The Panel will include the student's teacher team, counselor, and administrator. The Panel shall specify a Remediation Plan for school success. Students who are required to complete a Remediation Plan must submit their completed plan to the Moscow Middle School Principal at least thirty (30) days before the start of the next school year to be considered for promotion. If a student successfully completes the Remediation Plan, he/she will be promoted. If the plan is not successfully completed, the student will be retained. [IDAPA 08.02.03.107] (8-28-12)
- 5201.00 Success. In courses of instruction and related learning activities, the schools will take into account the diverse strengths, limitations, and personal characteristics of student to enhance their progress in academic, personal-social and career development within the curriculum. Courses, content, progression, and the measurement of progress or attainment may be modified and adjusted so that the instructional needs and proficiencies of students may be met or taken into account. (3-26-02)

EARLY GRADUATION

(Policy Range: 5250 – 5299)

5250.00 Basic Policy. Students who meet the requirements for graduation as established by the State of Idaho and the Board of Trustees may leave Moscow High School and Paradise Creek Regional High School upon completion of those requirements. Those students who complete requirements early may participate in commencement ceremonies and receive their diplomas at the end of the academic year in which they complete their credits.

The student will notify the building administrator (or designee) of their desire to complete the credit requirements for early graduation no later than two semesters prior to expected graduation.

Students must take one of the college entrance examinations, COMPASS, ACT, or SAT, before the end of the student's eleventh grade year. The student will need to have completed in their final year of school before graduation two (2) semester credits of mathematics. The student must have completed a Senior Project before graduation. (12-13-16)

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(5000-34)

FOREIGN EXCHANGE STUDENTS

(Policy Range: 5300 – 5349)

5300.00 Basic Policy. It is the policy of the Board of Trustees to accept foreign students in the following categories:

- A. Foreign exchange students from local (within a radius of 50 miles) recognized non-profit exchange programs. These programs must be approved by October 1 of the year prior to placement. Exchange students will be given junior year status. All students must obtain either a J-1 or F-1 visa.
  1. Local, non-profit exchange programs shall be awarded no more than three total student positions per year. The exchange program will complete the application to the high school for selected students. The Board of Trustees authorizes the school principal to approve or reject foreign exchange student applications for whatever reason deemed appropriate by the Board, so long as the reason for the rejection is not based on the applicant's race, creed, color, sex, national origin, religion, sexual orientation, gender identity, disability, or socioeconomic status. The foreign exchange student's English language skills are the responsibility of the sponsoring exchange agency and the sponsoring agency must submit proof of the student's English proficiency.
  2. Application for first semester placement must be made by June 1, and for second semester placement by November 15. The sponsoring exchange program will be notified of acceptance by the principal. (3-29-16)

*Procedures and Forms to implement this policy are included at the end of Section 5000.*  
(3-26-02)



RELIGIOUS ACTIVITIES IN THE SCHOOLS

(Policy Range: 5350 – 5399)

- 5350.00 Religious Activities in the Schools. Teachers and administrators, when acting in those capacities, are representatives of the State of Idaho and are prohibited by the Establishment Clause of the First Amendment of the U.S. Constitution from soliciting or encouraging religious activity, participating in religious activity with students, discouraging religious activity because of its religious content and from soliciting or encouraging anti-religious activity. The schools play an active role with respect to teaching civic values and virtue, and the moral social code that holds us together as a community within the schools, and as a part of the large community of which we are a part. The fact that some of these values are also held by various religions does not make it inappropriate or unlawful to promote or teach them in school. (3-26-02)
- 5350.01 Basic Policy. The Moscow School District's buildings, grounds, and facilities shall not be used to promote any religious doctrine, belief, denomination, or organization, except to the extent that students are entitled to engage in such activities by virtue of their constitutional rights of speech, association, and religious exercise. (3-26-02)
- 5350.02 Non-students. Non-students will not be permitted on school grounds to promote any religious organization or its beliefs, doctrines, purposes or activities. (3-26-02)
- 5350.03 Private Religious Expressions. Private religious expressions are allowed in school buildings and on school grounds subject to reasonable regulation by building administrators as to the time, place, manner, courtesy, and orderliness to protect the rights of other students, and to prevent disruption of school activities or the educational process, as these same rules apply to other student speech. Students may speak to and attempt to persuade their peers about religious topics just as they may do with regard to political topics. The right of religious expression in school buildings, on school grounds or at school sponsored events does not include the right to compel other students to participate, to make repeated invitations to other students to participate in religious activity when requested to stop, and does not include religious speech that becomes religious harassment aimed at a student or group of students, nor does the right include other similar types of speech or conduct which has the effect of harassing other students and/or unduly disrupting the educational environment (8-28-12)
- 5350.04 Private Religious Speech. Private religious speech by students is allowed. For example, students may engage in oral discussions of religious beliefs, private individual or group prayer, saying grace before a meal, private reading of religious scriptures or texts, and they may invite other students to participate in religious activities taking place elsewhere. Student religious groups at the District's secondary schools have the same right of access to school facilities as other comparable student groups. Under the Federal Equal Access Act, non-curriculum-related clubs, including religious clubs, may meet on the premises of a school during non-instructional times. (3-26-02)
- 5350.05 Distribution of Literature. Students have a right to distribute religious literature to other students on the same terms as they are permitted to distribute other literature that is unrelated to the school curriculum or activities. (3-26-02)

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(5000-36)

- 5350.06 Posting Notices. Announcements of religious activities or activities of religious groups may be posted on school property, subject to reasonable regulation by the building administration as to size, appearance, location, and duration, if the manner of posting and labeling makes clear to student readers that the activity and sponsoring organization are neither school-sponsored nor school-approved. Announcements to publicize religious meetings shall be limited to the same terms and conditions as other non-curriculum-related media announcements. (3-26-02)
- 5350.07 Instruction. The schools may not provide religious instruction, but may teach about religion, for example: the history of religion, comparative religion, scriptures as literature, the role of religion in the history of the United States or other countries, the religious aspects of holidays, religious influences on art, music, literature and social studies.
- A. The schools may celebrate the secular aspects of holidays, but may not observe holidays as religious events or promote or encourage through school activities such religious observances by students.
- B. Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance, and against other legitimate educational standards of professional educators. (3-26-02)
- 5350.08 Release from Lessons, Based on Religious Objections. Subject to any applicable State laws, school officials may neither encourage nor discourage students from availing themselves of being excused from lessons that are objectionable to the student or the student's parents on religious or other conscientious grounds. If it is proved that the particular lessons substantially burden a student's free exercise of religion and if the school cannot prove a compelling interest in requiring attendance, the school administration is to excuse the student from such lessons. (3-26-02)
- 5350.09 Student Clothing. Students may display religious messages on items of clothing to the same extent that they are permitted to display comparable non-religious messages. When wearing particular attire, such as yarmulkes and head scarves, during the school day is part of students' religious practices, under the Religious Freedom Restoration Act, District personnel generally may not prohibit the wearing of such items. (3-26-02)
- 5350.10 Graduation Prayer and Baccalaureates. Under current U.S. Supreme Court decisions, school officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. The District generally opens its facilities to private groups, within limitations, and must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services, if facilities for such services are sought. The District may not extend preferential treatment to baccalaureate ceremonies and it may be obligated to disclaim official endorsement of such religious ceremonies. (3-26-02)
- 5350.11 None of the foregoing shall prohibit rental of school facilities in accordance with Policy 7100-7199. (3-26-02)

GRADUATION OF STUDENTS WITH DISABILITIES

(Policy Range: 5400 – 5499)

- 5400.00 Basic Policy. The function of the Moscow School District is to strive to meet the educational needs of its students. The Moscow Board of Trustees has the authority and responsibility to provide for the individual differences among students and to provide a free appropriate education. Students having disabilities, who meet the requirements of graduation, as established by the Board of Trustees, may participate in commencement ceremonies and receive their diplomas with the graduating class. (3-26-02)
- 5400.10 Requirements. All students, including students with disabilities, shall be given the opportunity to complete prescribed minimum graduation requirements and to receive a diploma. The transcript will serve as a record of regular, modified, or special courses completed, individual accomplishments, and achievements. (7-13-03)
- A. IEP teams designing Individual Education Programs (IEPs) shall have the responsibility to prescribe programs that meet graduation requirements including the option of the locally established alternative graduation assessment mechanism. (5-24-05)
  - B. IEP teams are responsible for outlining coursework and graduation requirements on an individualized graduation plan. Graduation requirements shall be carried out in special and/or general education classes and may be academic, functional, prevocational, or vocationally oriented. (5-24-05)
  - C. Annual reviews of IEPs and graduation plans will provide evidence of proficiency leading to completion of graduation requirements. (5-24-05)

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(5000-38)

STUDENT RECORDS

(Policy Range: 5500 – 5599)

5500.00 Student Education Records. Student education records include a range of information about a student that is maintained in schools in any recorded way, such as handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche. Student records are confidential, and information from them shall not be released other than as provided by law.

Records include:

- A. student's name, date and place of birth, parent(s)/guardian(s) name(s) and address(es)
- B. academic transcripts, schools attended, attendance records, and special education records
- C. disciplinary records (severe disruptive behavior)
- D. medical and health records collected and maintained by the school which include immunization record and birth certificate (7-31-17)
- E. personal information including a unique student identification number and school pictures
- F. educational assessment data
- G. a record of all releases of information from student records, or access granted.

Records falling within the definition of "education record" pursuant to the Family Educational Rights and Privacy Act (FERPA) do not fall within the purview of Health Insurance Portability and Accountability Act (HIPAA) requirements. Reports, evaluations, summaries received by a school, including health records may be shared with individuals with legitimate educational interest and will move with a student if he/she transfers.

Personal notes made by teachers and other school officials that are not shared with others (except substitutes) are not considered educational records. (3-29-07)

5500.10 Student's Legal Name. The use of the student's legal name is required in the permanent file. (3-29-07)

5505.00 Maintenance of Permanent Student Records. The following information will be maintained indefinitely in permanent education records of students who have graduated from Moscow High School or Paradise Creek Regional High School: (7-31-17)

- A. student's name
- B. date and place of birth
- C. residence address (and mailing address, if different)
- D. phone number
- E. names of parent(s)/guardian(s)
- F. unique student identification number
- G. entrance record
- H. grades, academic transcripts
- I. attendance summary
- J. educational assessment data
- K. disciplinary information

The cumulative record of each student is maintained at the school level. The principal, individual teachers and special education personnel may also have files containing specific education records. Upon the student's withdrawal or graduation from the District, student files will be transferred to the District Office for storage. (7-31-17)

The unique student identification number is a number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled. The unique student identifier shall follow the student from each school or Local Education Agency (LEA) or upon return to a school district or LEA after an absence no matter the length of the absence. (10-27-09)

5510.00 Inspection of Records. Student records will be available for inspection by parents/guardians and eligible students upon written request. The request will be granted within a reasonable time not to exceed forty-five (45) days. A copy of the records will be given to the parent/guardian or eligible student upon request. When a record contains information about students other than a parent/guardian's child or the eligible student, the parent/guardian or eligible student may not inspect and review the portion of the record that pertains to other students. Actual copying costs may be collected from the parent/guardian or student at the rate of ten cents (10¢) per page. (9-28-10)

When the student reaches eighteen (18) years of age, graduates from high school, marries, or enters military service, all rights and privileges accorded to the parent become exclusively those of the student. (3-29-07)

5515.00 Family Educational Rights and Privacy Act (FERPA) Requirements. The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. Parents/guardians and students will be given notification of their rights as defined by FERPA once every year. This notification will be given using a parent letter from the Superintendent. The annual notice will contain information regarding the right to inspect and copy the records, the right to seek an amendment to the record, and the right to consent or object to the disclosure of personally identifiable information as authorized by law. The notice will inform parent/guardians and students of the right to make a written request to opt-out of the requirements of Section 9528-Every Student Succeeds Act (ESSA) Laws & Guidance, U.S. Department of Education that requires schools to release names, addresses, and phone numbers of students to the United States Military. The notice will also inform the parents/ guardians and students of their right to file a complaint concerning alleged failures by the District to comply with the requirements of FERPA with the U. S. Department of Education. (7-31-17)

5520.00 Disclosure of Student Education Records. The District will disclose information from a student's education record only with the written consent of the parent/guardian or eligible student with the exception that the District may disclose without consent when the disclosure is:

- A. To school officials who have a legitimate educational interest in the records. A school official is:
  - 1. A person employed by the District as an administrator, supervisor, instructor, or support staff member, including health and medical staff.
  - 2. A person elected or appointed to the Board of Trustees.

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(5000-40)

3. A person employed by or under contract to the District to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
4. A person who is employed as a school resource officer.

A school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his/her position description or by a contract agreement.
  2. Performing a task related to a student's education.
  3. Performing a task related to the discipline of a student.
  4. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
  5. Maintaining the safety and security of the campus.
- B. To officials of another school, upon request, in which a student seeks or intends to enroll.
- C. To officials of the U. S. Department of Education, the Comptroller General, the state and local educational authorities, in connection with audit or evaluations of state or federally supported education programs.
- D. In connection with a student's request of financial aid to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- E. To state and local officials or authorities if specifically required by a state law.
- F. To organizations conducting studies for or on behalf of the District.
- G. To accrediting organizations to carry out their functions.
- H. To parents/guardians of an eligible student if the student is a dependent for income tax purposes.
- I. To comply with a judicial order or a lawfully issued subpoena.
- J. To appropriate parties in a health or safety emergency.
- K. To individuals requesting directory information so designated by the District. (3-29-07)

5520.10 Non-custodial Parent. Access to records and information pertaining to a minor child including, but not limited to, medical, dental, health, and school or educational records, shall not be denied to a parent because the parent is not the child's custodial parent. If the custodial parent requests, in writing, the District will remove information regarding the address of the minor child prior to providing the information to the non-custodial parent. [I.C. 32-717A] (3-29-07)

5520.20 Record of Requests. The District will maintain a record of all requests for information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom the information may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parent/guardian or eligible student. (3-29-07)

5520.30 Directory Information. Directory information can be made public if the District provides parents/guardians written notice of the right of the parents/guardians to prohibit such a release. This notice will be given annually, in writing, using a parent letter from the Superintendent. (3-29-07)

The notice will include:

- A. The information designated as directory information.
- B. The right of the parent/guardian or eligible student to refuse to allow the District to disclose the directory information regarding that particular student. This

request must be received in writing within ten (10) calendar days of receipt of the notice.

Directory information includes:

- A. student name and gender
- B. address
- C. telephone number
- D. date and place of birth
- E. parent(s)/guardian(s) name(s)
- F. attendance dates, awards earned, honor roll data, and diploma earned
- G. height and weight of members of athletic teams
- H. information typically found in school yearbooks or athletic programs.

Directory information will be made available to the military according to the requirement of Section 9528-Every Student Succeeds Act (ESSA) Laws & Guidance, U.S. Department of Education unless the parent/guardian or eligible student makes a written request to opt-out by the annual deadline. Forms are available at the high school or on the District's website. (7-31-17)

5530.00 Record Amendment. Parents/guardians or eligible students have the right to ask to have records corrected they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- A. Parents/guardians or the eligible student must ask the District, in writing, to amend a record. In doing so, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of the student's privacy rights.
- B. The District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents/guardians or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
- C. Upon request, the District will arrange for a hearing, and notify the parents/guardians or eligible student, in writing, reasonably in advance, of the date, place, and time of the hearing.
- D. The hearing will be conducted by a District official. The parents/guardians or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents/guardians or eligible student may be assisted by an attorney.
- E. The District will cause to be prepared a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- F. If the District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents/guardians or eligible student, in writing, that the record has been amended.
- G. If the District decides that the challenged information is not accurate, misleading, or in violation of the student's right of privacy, it will notify the parents/guardians or eligible student, in writing, that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education record as long as the contested portion is maintained. If the District discloses the contested portion of the record, it must also disclose the statement. (3-29-07)

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(5000-42)

5540.00 Transfer of Records. Whenever a student transfers from one school to another, within the District, within the state, or elsewhere, and the sending school is requested to forward student records, the sending school shall respond by forwarding a certified copy of the transferred student's record within ten (10) days of receipt of the request, unless the record has been flagged pursuant to Idaho Code 18-4511 (1). [IC 33-209] (3-29-07)

5540.10 Disciplinary Records. When a school record contains information of violent or disruptive behavior or disciplinary action involving a student, the information shall be included in the transfer of the student's records. The disciplinary information must be transferred by placing it in a sealed envelope, marked "confidential," and addressed to the principal or other administrative officer of the school. [IC 33-209] (3-29-07)

5550.00 Students with Disabilities. The parents/guardians of students with disabilities have the right to inspect and review the educational records of their child upon written request. The request will be granted within a reasonable time not to exceed fifteen (15) working days.

Typical situations for request include:

- A. Before any meeting regarding an Individual Education Program (IEP).
- B. Before any hearing relating to the identification, evaluation, or educational placement of a child.
- C. Before any hearing relating to the provision of a Free Appropriate Public Education (FAPE) to a child.

Parents/guardians of students with disabilities shall be notified when personally identifiable information that has been collected for more than six (6) years is no longer needed to provide services to the child. Permanent student records as identified in Policy Section 5505.00 will not be destroyed. (7-31-17)

5555.00 Time Requirements for Maintaining Educational Records. The General Education Provisions Act and the federal regulations for State-Administered Programs both require that records be retained for at least five (5) years. With the exception of permanent records as identified in Policy Section 5505.00, student information will only be kept for a period of five (5) years after the student withdraws from the school district. (7-31-17)



The following administrative procedure executes Board Policy 5000.02:

TRUANCY

- A. All absences are subject to review. Patterns of excessive absences, unexcused absences, and/or trancies may result in denial of credit in the related class or classes as well as being subject to appropriate disciplinary action.
- B. Students with ongoing attendance problems will be referred to the principal to determine action to take.
- C. After four (4) unexcused absences, the building principal shall be authorized by the Board of Trustees to refer pupils to the prosecutor's office as habitually truant. After four (4) additional unexcused absences, the building principal shall be authorized to refer the student to the prosecutor's office a second time. If a third occasion is necessary, the Superintendent shall refer the student to the prosecutor's office following notice and hearing. (3-26-02)

SECTION V- STUDENTS  
(5000-44)

ELEMENTARY SCHOOL ATTENDANCE/PLACEMENT PROCEDURE

(Refer to Policy Section 5022.20)

1. An attendance zone surrounding each elementary school has been designated. Students residing in a designated attendance zone will attend that neighborhood school. (See maps in each school and at the District Office.)
2. Students living 1.5 miles or beyond a school or in a district-determined hazardous area will have bus service to a designated school.
3. New students registering after the initial placement of returning students completed in May of the previous school year may need to be placed in a school other than their neighborhood school for the first year due to the consideration of such factors as class size and space availability. Placement will be decided by the Superintendent/superintendent's designee in consultation with the building principals. The administration will do diligent in attempting to place as many students as possible within their neighborhood schools.
4. Students wanting to attend a school other than their designated school may make an in-district open enrollment request in accordance with Board Policy 5022.20 with the understanding that transportation responsibility rests with the parent(s).
5. Each school will track students by grade level in the following manner:
  - a. attendance zone students
  - b. in-district open enrollment students\*
  - c. out-of-district open enrollment students\*
  - d. total number of students\*need to keep original enrollment dates
6. Parents wishing to enroll their kindergarten student should register (or pre-register) the student in their neighborhood attendance school. If the student wishes to attend another school, the parent will fill out an in-district open enrollment form.
7. The student's residency is determined by the residence address of their parent or guardian. The before and after school daycare address may not be used to establish residency.

(6-24-14)

The following procedure executes Board Policy 5151.06:

**PROCEDURE FOR SELF-ADMINISTRATION OF  
MEDICAL INHALERS OR EPINEPHRINE AUTO-INJECTORS**

**Meter Dose Inhalers (MDI) for treatment of asthma and other potentially life-threatening respiratory illness or Epinephrine Auto-injector for severe allergic reaction (anaphylaxis):**

Parents or guardians of the student will provide:

1. Written authorization to the school for the self-administration of the medication.
2. Written authorization from the physician that the pupil has asthma or other potentially life-threatening respiratory illness or severe allergic reaction (anaphylaxis), and is instructed in and capable of the proper self-administration.

Physician or health care provider information shall contain:

- a. The student's name, address, and an emergency phone number for contacting the parents, guardian, or other person having charge of care of the student in an emergency.
- b. The name, dosage, directions for and purpose of the medication in the inhaler or epinephrine auto-injector.
- c. Dates the administration of the medication is to begin and end.
- d. Circumstances under which the medication should be administered.
- e. Possible side effects of the medicine.
- f. Known allergies and triggers.
- g. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing.
- h. Adverse reactions that should be reported to a physician.
- i. Any severe adverse reactions that may occur to another child, for whom the inhaler or epinephrine auto-injector is not prescribed, should such a child receive a dose of the medication.
- j. At least one emergency number for the physician.
- k. Verification of training in self-administration.

(6-24-08)

SECTION V- STUDENTS  
(5000-46)

The following administrative procedure executes Board Policy 5160.00 through 5162.00:

MOSCOW SCHOOL DISTRICT NO. 281  
CHILD ABUSE/NEGLECT PROCEDURES CHECKLIST

THE INVESTIGATION (GATHERING EVIDENCE) OF APPARENT SUBSTANTIATED CHILD ABUSE/NEGLECT CASE IS A TEDIOUS PROCESS IN WHICH ATTENTION TO DETAILS IS EXTREMELY IMPORTANT. HOWEVER, ONE MUST KEEP IN MIND THAT THE CHILD HAS ALREADY BEEN TRAUMATIZED AND EXCESSIVE ATTENTION OR CURIOSITY BY ADULTS OR OTHER STUDENTS SERVES ONLY TO COMPOUND THE PROBLEM.

1. If indicators of abuse/neglect are present, report immediately to designated building level administrator.
2. The designated administrator will immediately report the suspected incident to the Superintendent/superintendent's designee to discuss the appropriate action to be taken.
3. If determined that an outside agency is to be involved, the Superintendent/superintendent's designee will designate the administrator (usually the building principal) or nurse.
4. By the end of the school day, the employee originating the report will fill out a child abuse/neglect reporting form. The form will be maintained by the building principal in a secured file separate from the student's cumulative folder.
5. The building principal will keep the Superintendent updated on the current status of the situation.

Notification of the appropriate administrators in the proper order is absolutely necessary if they are to act as a buffer between staff members and parents, relatives, friends, neighbors, police, social services, etc.

DON'TS FOR PARTICIPATING IN AN INVESTIGATION

- DON'T Make any physical inspection of a child's problem without another adult present (preferably the building principal).
- DON'T Interrupt the child's school day more than absolutely necessary.
- DON'T Photograph injuries – police or social services will do this.
- DON'T Question the child beyond the point of determining that abuse/neglect may have occurred.
- DON'T Make promises or attempt to give explanations to the child about what may or may not happen.
- DON'T Exhibit morbid curiosity.
- DON'T Subject the child to excess attention during the investigation. You have the responsibility to say something to others who have overstepped the bounds of reasonable behavior.
- DON'T Call law enforcement agencies or social services directly.
- DON'T Interfere with the investigation by your physical presence or attempts to direct questioning.
- DON'T Refuse a parent access to the child unless the child is in imminent danger of bodily harm (let an administrator do this).

DO'S FOR PARTICIPATING IN AN INVESTIGATION

- DO Have another adult present (preferably the building principal) from your initial observation of a problem.
- DO Shield the child from embarrassment, interrogation, curiosity seekers, etc.
- DO Follow channels in notifying appropriate parties (for your protection).
- DO Be calm and attempt to reassure the child.
- DO Be confidential (especially for the child's sake).
- DO Preserve the child's privacy (especially when a physical examination must be performed).
- DO Have written documentation ready for the appropriate authorities.
- DO Have administrators review your report before it is placed in the file.

(3-26-02)

The following administrative procedure executes Board Policy 5250.00:

Procedures for Early Graduation

- A. The student will schedule a conference with his/her counselor to discuss the feasibility of early graduation.
- B. If recommended by the counselor for early graduation, the student and his/her parents will be scheduled for an appointment with the Principal to sign the *Application for Early Graduation*.
- C. The principal will submit the completed application form to the Superintendent for consideration by the Board of Trustees. (8-26-03)

SECTION V- STUDENTS  
(5000-48)

The following administrative procedures execute Board Policy 5300.00:

**FOREIGN EXCHANGE STUDENTS**

- A. District recognized exchange programs (Aspect, AFS, Rotary, and YFU) shall each be awarded two (2) student positions in the high school. If any recognized exchange program does not fill its student positions, the other recognized programs may fill the vacancy(s) for the year. The exchange group will make application to the high school for the students selected. The exchange student's English language skills are the responsibility of the sponsoring exchange agency. It is the exchange program's responsibility to communicate to the exchange student that he/she is not promised a Moscow High School diploma.
- B. **If** there is space available twelve (12) I-20 visa students may be accepted in the Moscow School District. I-20 visa students must compete with other out-of-district students as outlined in Section 5025 of the District's Policy Manual. Six (6) students may be placed at the elementary level and six students at the secondary level. Application for the elementary positions will be made to the West Park Elementary School Principal and secondary applications to the Moscow High School Principal. Applicants will be accepted on a first come-first served basis of receipt of a **completed application**. The completed application must include a statement of legal guardianship and financial responsibility, current and required immunization records, and a complete **official** transcript.

Application for first semester must be made by **June 1** and for second semester by **November 15**. The student's guardian will be notified of acceptance by the principal of the school in which the student made application.

Unless the official transcript comes in English, the official transcript of a grade 9-12 foreign or exchange student who wishes to pursue a Moscow High School diploma will be translated into English by a third party of the high school's choice and include the number of minutes per class period, number of times the class met per week, and the total number of weeks per school year. It is the applicant's responsibility to provide payment for the transcript translation. Foreign and exchange students must meet all Moscow High School requirements for graduation and receipt of a Moscow High School diploma.

An honorary diploma may be awarded to foreign and exchange students who make an effort to succeed and maintain regular attendance, but do not meet Moscow High School graduation requirements. The high school principal will determine if an honorary diploma is to be awarded.  
(3-26-02)

(Policy 5000.01)

**REQUEST FOR FILING OF HABITUAL TRUANCY PETITION**  
**Moscow School District 281**

DATE INITIATED \_\_\_\_\_

IN THE INTEREST OF \_\_\_\_\_ DOB \_\_\_\_\_

PARENT OR GUARDIAN \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

1. The above named child has been repeatedly absent from school. The lack of attendance has undermined academic growth and is out of compliance with state law. Attached is an Attendance Record showing periods and dates of absences.
2. All of the unexcused absences listed herein are truant as defined by the Board of Trustees of the Moscow School District 281 and Idaho Code.
3. \_\_\_\_\_, on behalf of the School District, has contacted the child and his/her parents with the following results:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Based on the Moscow School District Attendance Policy 5000.01 and Idaho Code 33-202 and 33-205, the above named student is being referred to the court as a habitual truant.

\_\_\_\_\_

For the School District

\_\_\_\_\_

Title

\_\_\_\_\_

School

(3-26-02)

SECTION V- STUDENTS  
(5000-50)

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**OPEN ENROLLMENT APPLICATION**

For School Year 20 \_\_\_\_\_ - 20 \_\_\_\_\_  
Grade \_\_\_\_\_

This application form (approved March 2000) was prepared pursuant to Section 33-1402, Idaho Code, and may be used by any school district. Any other form must be approved by the State Superintendent of Public Instruction.

**NOTE: For out-of-district applicants, a copy of the applicant student's cumulative record must be attached to this application.**

( ) **Out-of-District Application**

( ) **In-District Transfer Application**

Name of Proposed Receiving School \_\_\_\_\_

Elementary: Lena Whitmore K-5, McDonald K-5, Russell Gr. 3-5, West Park K-2  
Moscow Middle School Grades 6-8, Moscow High School Grades 9-12

School District Name: MOSCOW SCHOOL DISTRICT 281

1. Applicant Student's Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

2. School Student is Presently Attending:

Name of School \_\_\_\_\_

Address of School \_\_\_\_\_

Present Grade Level of Student \_\_\_\_\_

3. Has the student ever been suspended or expelled from school? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, describe the circumstances (including dates and duration): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Reason(s) for requesting attendance in this school (optional). \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. Special and/or unique instructional programs in which the applicant student is currently enrolled.  
(For example: vocational, foreign language, remedial, special education, gifted/talented, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OVER →

SECTION V- STUDENTS  
(5000-52)

OPEN ENROLLMENT APPLICATION – Page 2

6. Special and/or unique instructional programs in which the applicant student expects to enroll during the next school year. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Transportation arrangements that will be made by the parent/guardian. (Please check one)

Parent will transport to and from school.

Parent will transport to the nearest bus stop if more than 1.5 miles.

8. Parent/Guardian's Name \_\_\_\_\_

Parent/Guardian's Address \_\_\_\_\_  
\_\_\_\_\_

Home Phone \_\_\_\_\_ Message Phone \_\_\_\_\_

Mother's Cell Phone \_\_\_\_\_ Mother's Work Phone \_\_\_\_\_

Father's Cell Phone \_\_\_\_\_ Father's Work Phone \_\_\_\_\_

I have read the school district policy on open enrollment, and hereby request that my son/daughter be permitted to attend \_\_\_\_\_.

(Name of proposed receiving school)

Parent/Guardian's Signature: \_\_\_\_\_

Approved

Denied Reason(s) for Denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Superintendent's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Within 60 days following action on the application, unless otherwise noted, copies must be sent to: Parents, Building Principal, and, for out-of-district applicants, the Superintendent of the home district. If the application is denied, a written explanation for the denial must be noted above.

(7-25-12)  
(Policy 5026.03)

Moscow School District 281

Outside Service Provider Agreement

Request for Private Service Provider at a Moscow School District Facility

School Year \_\_\_\_\_

Private Service Provider Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Supervisor: \_\_\_\_\_

***Student's treatment plan must be attached when applicable.***

\*\*\*\*\*

Student: \_\_\_\_\_ School: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_

Services to be provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When services will be provided:

Days: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_ Duration: \_\_\_\_\_

Date services will be reviewed: \_\_\_\_\_

Private Services Provider Responsibilities:

- Sign in and out of the school office each visit.
- Wear an ID badge if requested to do so by the building administrator.
- Adhere to set schedule—arrive and leave on time.
- Notify building administrator if you will be absent (one day notice if possible).
- Must pick up student from and return him/her to an appropriate school staff member each visit.
- Remain in assigned location.
- Become familiar with school emergency procedures of the school.

(over)

SECTION V- STUDENTS  
(5000-54)

Outside Service Provider Agreement  
Page 2

Comments relating to materials, equipment, space, etc.: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Parent/Guardian Authorization for Services:** My signature also indicates that I understand that these services are supplemental to the school district services and this agreement may be terminated at any time by the school district. (Parent must also sign District's form, *Authorization for Exchange of Confidential Information*.)

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**Private Agency Supervisor:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

NOTE: Signature verifies that a criminal history check comparable to those done by the school district has been completed for these providers and that it revealed no convictions that would jeopardize the health or safety of children or adults.

**Agency Service Provider(s):**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**School Principal Approval:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Special Services Director Approval:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(Policy 5151.01)

## Moscow School District 281

### Medication Consent Form

Student's Name \_\_\_\_\_ Age \_\_\_\_\_

Grade \_\_\_\_\_ Teacher \_\_\_\_\_

Name of Medication \_\_\_\_\_

Dosage \_\_\_\_\_ Time \_\_\_\_\_

When it is necessary for medication to be given during school hours, the following regulations must be followed:

1. Medication must be brought to school in the original container with appropriate label intact. If medication is not properly labeled, it will not be given.
2. Parent/guardian must sign this form granting permission for the designated school personnel to administer medication.

Designated school personnel have my permission to administer the above medication to my child as prescribed by Dr. \_\_\_\_\_ for the purpose of treating \_\_\_\_\_ . I give my permission for the School Nurse to contact the Physician/Dentist, if necessary, regarding the medication.

\_\_\_\_\_ Student will be responsible for bringing his/her medication to school.

\_\_\_\_\_ Parent/Guardian will bring medication to school.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daytime Phone Number

Email address: \_\_\_\_\_

#### Additional Medication(s) Taken at Home:

Name of medication, dose, and time taken:

\_\_\_\_\_  
\_\_\_\_\_

(8-26-03)

SECTION V- STUDENTS  
(5000-56)

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Child's Name \_\_\_\_\_



## IDAHO CERTIFICATE OF IMMUNIZATION EXEMPTION School Immunization Requirement

The Idaho Department of Health and Welfare strongly supports immunization as one of the easiest and most effective tools in preventing serious infectious diseases. These vaccine-preventable diseases can cause serious illness and even death. The Idaho Department of Health and Welfare also recognizes that individuals have the right to make the decision whether or not to vaccinate their children. If you have any questions about the benefits and risks of immunization, please contact your healthcare provider or local health department.

**Section 1: Please read the following statements, check the box(es), and initial and date each statement regarding vaccine-preventable diseases for which an exemption is claimed. Sections 1 and 2 must be completed for this exemption to be valid.**

- Diphtheria (DTaP, DT, Tdap, Td):** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing diphtheria if exposed to this disease. Serious symptoms and effects of this disease include: heart failure, paralysis (can't move parts of the body), breathing problems, coma, and death. \_\_\_\_\_ Date
- Tetanus (DTaP, DT, Tdap, Td):** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing tetanus if exposed to this disease. Serious symptoms and effects of this disease include: "locking" of the jaw, difficulty in swallowing and breathing, seizures (jerking and staring), painful tightening of muscles in the head and neck, and death. \_\_\_\_\_ Date
- Pertussis (Whooping Cough) (DTaP, Tdap):** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing pertussis (whooping cough) if exposed to this disease. Serious symptoms and effects of this disease include: severe coughing fits that can cause vomiting and exhaustion, pneumonia, seizures (jerking and staring), brain damage, and death. \_\_\_\_\_ Date
- Polio:** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing polio if exposed to this disease. Serious symptoms and effects of this disease include: paralysis (can't move parts of the body), meningitis (infection of the brain and spinal cord covering), permanent disability, and death. \_\_\_\_\_ Date
- Measles, Mumps, Rubella (MMR):** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing measles, mumps, and/or rubella if exposed to these diseases. Serious symptoms and effects of measles include: pneumonia, seizures (jerking and staring), brain damage, and death. Serious symptoms and effects of mumps include: meningitis (infection of the brain and spinal cord covering), painful swelling of the testicles or ovaries, sterility, deafness, and death. Serious symptoms and effects of rubella include: rash, arthritis, and muscle or joint pain. If a woman gets rubella while she is pregnant, she could have a miscarriage or her baby could be born with serious birth defects such as deafness, heart problems, and mental retardation. \_\_\_\_\_ Date
- Hepatitis B:** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing hepatitis B if exposed to this disease. Serious symptoms and effects of this disease include: jaundice (yellow skin or eyes), life-long liver problems, such as scarring and liver cancer, and death. \_\_\_\_\_ Date
- Varicella (Chickenpox):** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing varicella (chickenpox) if exposed to this disease. Serious symptoms and effects of this disease include: severe skin infections, pneumonia, brain damage, and death. A person who has had chickenpox can get a painful rash called shingles years later. \_\_\_\_\_ Date
- Varicella Disease History:** I believe my child has had chickenpox, but was not diagnosed by a licensed health care professional. \_\_\_\_\_ Date
- Hepatitis A:** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing hepatitis A if exposed to this disease. Serious symptoms and effects of this disease include: jaundice (yellow skin or eyes), "flu-like" illness, hospitalization, and death. \_\_\_\_\_ Date
- Meningococcal:** I have been informed that by not receiving this vaccine, my child may be at increased risk of developing meningococcal disease if exposed to this disease. Serious symptoms and effects of this disease include: meningitis (infection of the covering of the brain and spinal cord), blood infections, loss of arms or legs, problems with nervous system, deafness, mental retardation, seizures (jerking and staring), strokes, and death. \_\_\_\_\_ Date

Please continue to  
complete Section 2

SECTION V- STUDENTS  
(5000-58)

**Section 2: Please select ONE of the following exemption types (medical, religious, philosophical) for vaccines checked in Section 1.**

**MEDICAL EXEMPTION (This exemption requires the signature of a licensed physician)**

As the child's physician, I certify that the physical condition of this child is such that the immunization(s) checked in Section 1 would endanger the health of the child.

- This medical exemption is permanent.
- This medical exemption is temporary. Duration of temporary exemption: \_\_\_\_/\_\_\_\_/\_\_\_\_

I hereby request that this child be exempted from the Immunization Requirements for Idaho School Children (IDAPA 16.02.15) due to a medical condition for which immunizations are contraindicated.

Name of Physician (PRINT)	Signature of Physician	Medical License #	Date
---------------------------	------------------------	-------------------	------

As the child's parent/guardian I understand that in the event of a disease outbreak my child may be excluded from school for the duration of the outbreak, both for his/her own protection and for the protection of others. I acknowledge that I have read this document in its entirety.

Name of Parent/Guardian (PRINT)	Signature of Parent/Guardian	Date
---------------------------------	------------------------------	------

Full Name of Exempted Child (PRINT)	Child's Date of Birth (Month, Day, Year)
-------------------------------------	--

**RELIGIOUS EXEMPTION**

As the child's parent/guardian, I certify that I am a member of a recognized religious organization which has doctrine that opposes immunizations for the following reason(s):

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I understand that in the event of a disease outbreak my child may be excluded from school for the duration of the outbreak, both for his/her own protection and for the protection of others. I acknowledge that I have read this document in its entirety.

Name of Parent/Guardian (PRINT)	Signature of Parent/Guardian	Date
---------------------------------	------------------------------	------

Full Name of Exempted Child (PRINT)	Child's Date of Birth (Month, Day, Year)
-------------------------------------	--

**PHILOSOPHICAL EXEMPTION**

As the child's parent/guardian, I am opposed to having my child receive the immunization(s) checked in Section 1 of this form for the following reason(s):

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I understand that in the event of a disease outbreak my child may be excluded from school for the duration of the outbreak, both for his/her own protection and for the protection of others. I acknowledge that I have read this document in its entirety.

Name of Parent/Guardian (PRINT)	Signature of Parent/Guardian	Date
---------------------------------	------------------------------	------

Full Name of Exempted Child (PRINT)	Child's Date of Birth (Month, Day, Year)
-------------------------------------	--



**MOSCOW SCHOOL DISTRICT 281**

**AUTHORIZATION FOR SELF-ADMINISTERED ASTHMA OR OTHER  
POTENTIALLY LIFE-THREATENING RESPIRATORY ILLNESS MEDICATION**  
(Policy 5151.06)

Student's Name \_\_\_\_\_ Grade \_\_\_\_\_ DOB \_\_\_\_\_

Address \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

Phone (Home) \_\_\_\_\_ Phone (Work) \_\_\_\_\_ Cell Phone \_\_\_\_\_

Emergency Contact if Parent/Guardian Not Available \_\_\_\_\_  
Name \_\_\_\_\_ Phone \_\_\_\_\_

*I give my permission for my child to self-administer the medication described below. I shall indemnify and hold harmless the District and its employees or agents for legal fees, costs, and any potential damages concerning self-administration of this medication arising out of any claims brought by the above named child or anyone else.*

\_\_\_\_\_  
Parent/Guardian's Signature \_\_\_\_\_ Date of Signature \_\_\_\_\_

**THE FOLLOWING IS TO BE COMPLETED BY THE PHYSICIAN:**

I am recommending that the above named student be allowed to self-administer the following medication:

Name and purpose of inhaler medication \_\_\_\_\_

Identification of chronic medical problem \_\_\_\_\_

Prescribed dosage to be taken \_\_\_\_\_

Length of time medication must be taken (dates) \_\_\_\_\_

Conditions under which self-medication will take place:  Independently  Under the supervision of school nurse

Possible side effects and/or special precautions to be taken \_\_\_\_\_

Known allergies and triggers \_\_\_\_\_

Actions to be taken in the event of an emergency, including if the medication does not improve the child's breathing \_\_\_\_\_

Adverse reactions that should be reported to a physician \_\_\_\_\_

Any severe adverse reactions that may occur to another child, for whom the inhaler is not prescribed, should such a child receive a dose of the medication \_\_\_\_\_

*Child must have had training and be proficient in self-administering medication.*

Trainer's Name \_\_\_\_\_ Date of Training \_\_\_\_\_

\_\_\_\_\_  
Physician's Signature \_\_\_\_\_ Type or Print Physician's Name \_\_\_\_\_ Emergency Telephone Number \_\_\_\_\_

(8-24-04)

Idaho Code 33-520

SECTION V- STUDENTS  
(5000-60)

(Policy 5158.10)

**Moscow School District No. 281**  
650 N Cleveland  
Moscow ID 83843-3659  
208-882-1120

**SUICIDE PREVENTION REPORT**

Student Name \_\_\_\_\_ Address \_\_\_\_\_

Parent/Guardian(s) \_\_\_\_\_

Home Phone \_\_\_\_\_ Parent(s) Work Phone \_\_\_\_\_

School \_\_\_\_\_ Time \_\_\_\_\_ Date \_\_\_\_\_

Initial report given by: Student(s) Parent Teacher/Staff Other \_\_\_\_\_

Brief Description of Initial Report: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Crisis Interview facilitated by: \_\_\_\_\_ Date \_\_\_\_\_

Brief Description of Crisis Interview: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Notification of Administrator \_\_\_\_\_ Date \_\_\_\_\_  
Signature

Name of Parent/Guardian notified \_\_\_\_\_ Date/Time \_\_\_\_\_

List referrals given \_\_\_\_\_

Student released to \_\_\_\_\_

Copies: Counselor/School Psychologist  
Parent/Guardian  
Building Administrator

(3-26-02)

(Policy 5160.00 – 5162.00)

MOSCOW SCHOOL DISTRICT NO. 281

**CHILD ABUSE/NEGLECT REPORTING FORM**

CHILD'S NAME \_\_\_\_\_ DOB/AGE \_\_\_\_\_ SEX \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

SCHOOL \_\_\_\_\_ GRADE \_\_\_\_\_ TEACHER \_\_\_\_\_

NAMES OF PARENTS OR OTHER PERSONS RESPONSIBLE FOR THE CHILD'S CARE

FATHER \_\_\_\_\_ MOTHER \_\_\_\_\_

OTHER (NAME AND TITLE/RELATIONSHIP) \_\_\_\_\_

ALLEGED PERPETRATOR \_\_\_\_\_

CIRCUMSTANCES LEADING TO THE SUSPICION THAT THE CHILD IS A VICTIM OF ABUSE/NEGLECT.  
SUPPLY TIME AND DATE OF OBSERVATION OR RECEIPT OF INFORMATION.

NATURE OF ABUSE/NEGLECT. INCLUDE TIME, DATE, DURATION, AND DESCRIPTION. USE BACK OF PAGE  
FOR DRAWING OF INJURIES. SHOW RELATIVE SIZE, LOCATION, SHAPE, COLOR, ETC. OF INJURY.

ADDITIONAL INFORMATION FROM INTERVIEW WITH THE CHILD. INCLUDE TIME, DATE, LOCATION,  
PARTICIPANTS.

DATE \_\_\_\_\_ TIME \_\_\_\_\_ ORAL REPORT MADE TO PRINCIPAL

INITIATOR OF THE REPORT – NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_ WRITTEN REPORT RECEIVED BY PRINCIPAL

AGENCY CONTACT \_\_\_\_\_ DATE \_\_\_\_\_

(3-26-02)

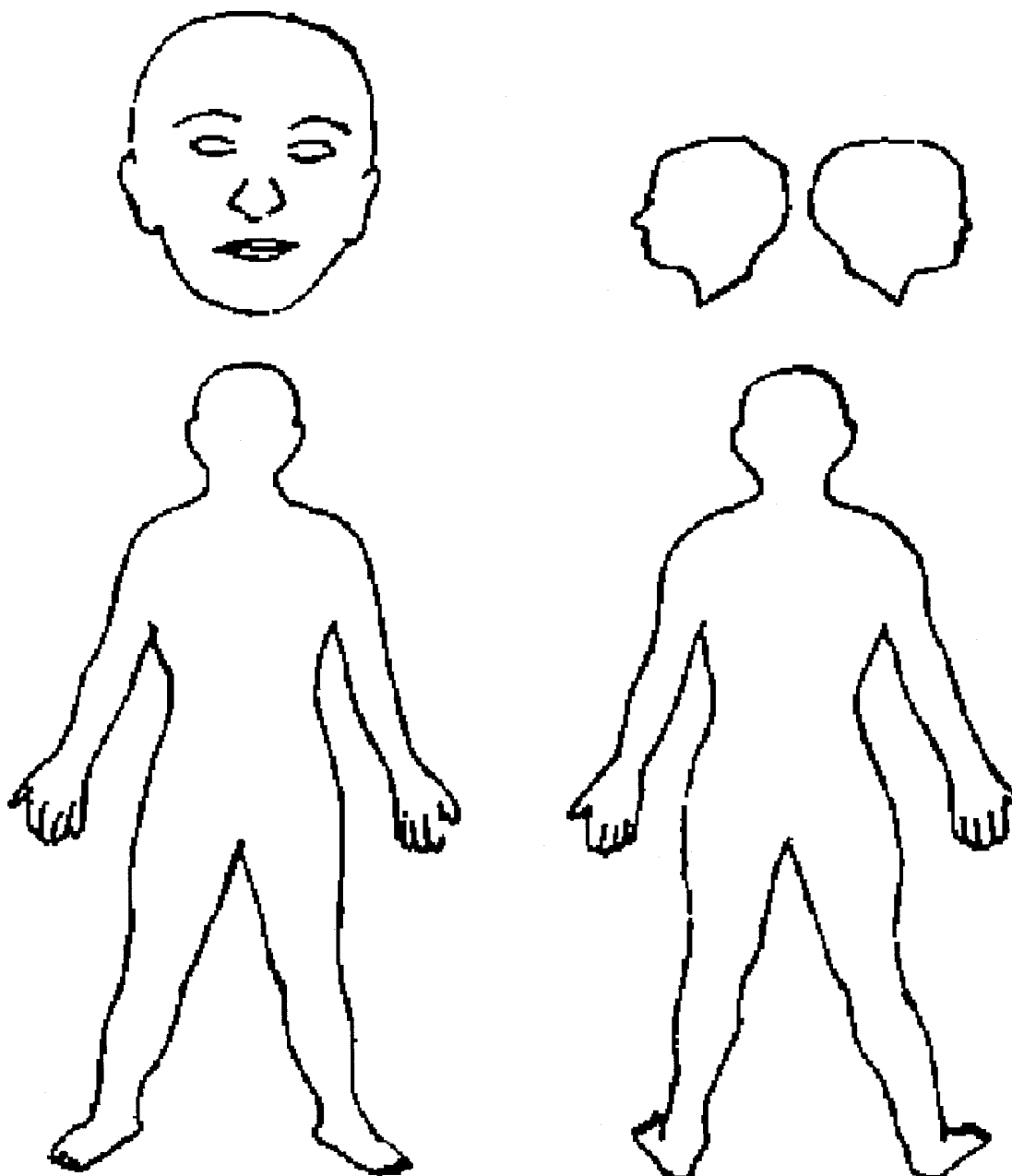
SECTION V- STUDENTS  
(5000-62)

MOSCOW SCHOOL DISTRICT NO. 281

Child's Name \_\_\_\_\_

Date \_\_\_\_\_

Form completed by \_\_\_\_\_



(Policy 5200.00)

**MOSCOW SCHOOL DISTRICT NO. 281**

**STUDENT RETENTION FORM**

Student's Name \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_

Reasons for Retention:

Test Information:

Parent-Staff Conference Dates and Results:

Specific Skills Required for Promotion:

Anticipated Program Description to Address Skill Deficiencies:

	Agree	Disagree
_____ Parent/Guardian	_____	_____
_____ Principal	_____	_____
_____ Classroom Teacher	_____	_____
_____ Counselor	_____	_____

(6-23-03)

SECTION V- STUDENTS  
(5000-64)

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(Policy 5250.00)

Moscow School District No. 281  
**Moscow High School**

**APPLICATION FOR EARLY GRADUATION**  
**Students Graduating in 2014 and Beyond**

Student \_\_\_\_\_, current grade level \_\_\_\_\_, has completed \_\_\_\_\_ semester credits as indicated below and will have completed a total of \_\_\_\_\_ semester credits, as required for graduation by \_\_\_\_\_ (date).

School Subjects	State Required Credits	School Required Credits	Total No. Credits Completed	Additional Credits Needed	Anticipated Completion Date
English	8	8			
Speech	1	1			
Mathematics (2 cr. in last year)	6	6			
Science (4 credits must be lab)	6	6			
Economics	1	1			
Humanities	2	2			
Wellness	1	2			
Physical Education – Grade 9		2			
World History		2			
U.S. History	2	2			
U.S. Government	2	2			
Senior Project		1			
Electives	17	16			
<b>Total</b>	<b>46</b>	<b>51</b>			

STUDENT: I certify that the above information is true and correct and hereby petition Moscow School District No. 281 for early graduation.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

DISTRICT: The above-named student will have completed all State and Local requirements for high school graduation by the date shown above. This petition for early graduation has been reviewed and is endorsed and approved by Moscow School District No. 281.

Student has achieved a proficient score on ISAT: *check all that apply* \_\_\_ Reading \_\_\_ Mathematics \_\_\_ Language Usage \_\_\_ Science; and has taken the following college entrance exam (eleventh grade): \_\_\_ COMPASS \_\_\_ ACT \_\_\_ SAT

\_\_\_\_\_  
Principal Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Counselor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent's Signature

\_\_\_\_\_  
Date

**\*\*\* FOLLOWING THE DATE OF INTENDED GRADUATION \*\*\***

The above-named student *did* or *did not* graduate on (date) \_\_\_\_\_ as intended.

Applications DUE by October 15 of the school year in which the applicant wishes to graduate.





**APPLICATION TO ATTEND MOSCOW HIGH SCHOOL  
Foreign Exchange Students**

(Policy 5300.00)

*This form must be completed in English before the Student enters Moscow School District\**

Student Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

School Name \_\_\_\_\_

School Address \_\_\_\_\_

\_\_\_\_\_

Grade level completed at time of withdrawal \_\_\_\_\_

Was he/she awarded a diploma from the above named school? \_\_\_\_\_

Name and title of person completing this form \_\_\_\_\_

\_\_\_\_\_

\* This form does not replace an official transcript. An official, signed transcript must accompany this translation. An explanation of your grading system must be attached.

\*\*\*\*\*

SUBJECTS							
Grade: _____ Year: _____							

(3-26-02)

SECTION V- STUDENTS  
(5000-68)

SUBJECTS						
Grade: _____ Year: _____						

SUBJECTS						
Grade: _____ Year: _____						

SUBJECTS						
Grade: _____ Year: _____						

**FOREIGN EXCHANGE STUDENTS**

**Financial Responsibility and Legal Guardianship Form**

(Policy 5300.00)

Date \_\_\_\_\_

**A. FINANCIAL RESPONSIBILITY**

I, \_\_\_\_\_, hereby certify that I shall assume all financial  
(sponsor)

responsibility for \_\_\_\_\_ while said student is  
residing in the United States.

Name of Sponsor \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**B. LEGAL GUARDIANSHIP**

I, \_\_\_\_\_, do hereby grant legal guardianship of the  
(parent or current legal guardian)

student, \_\_\_\_\_, to the sponsor, \_\_\_\_\_.

Parent Name \_\_\_\_\_ (please print)

Address \_\_\_\_\_

\_\_\_\_\_

Parent's Signature \_\_\_\_\_

Notarized by:

Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public Signature My commission expires on \_\_\_\_\_

SECTION V- STUDENTS  
(5000-70)

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**APPENDIX A**

**Moscow School District 281**

**TITLE IX,  
EDUCATION AMENDMENTS OF 1972**

**Sex Discrimination**

**(Title 20 U.S.C. Section 1681)**

**Title IX, Education Amendments of 1972  
Sex Discrimination**

**§1681. Sex**

**(a) Prohibition against discrimination; exceptions.**

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:

**(1) Classes of educational institutions subject to prohibition**

In regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

**(2) Educational institutions commencing planned change in admissions**

In regard to admissions to educational institutions, this section shall not apply (A) for one year from June 23, 1972, nor for six years after June 23, 1972, in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education or (B) for seven years from the date an educational institution begins the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education, whichever is the later;

**(3) Educational institutions of religious organizations with contrary religious tenets**

This section shall not apply to any educational institution which is controlled by a religious organization if the application of this subsection would not be consistent with the religious tenets of such organization;

**(4) Educational institutions training individuals for military service or merchant marine**

This section shall not apply to an educational institution whose primary purpose is the training of individuals for the military services of the United States, or the merchant marine;

**(5) Public educational institutions with traditional and continuing admissions policy**

In regard to admissions this section shall not apply to any public institution of undergraduate higher education which is an institution that traditionally and continually from its establishment has had a policy of admitting only students of one sex;

**(6) Social fraternities or sororities; voluntary youth service organizations**

This section shall not apply to membership practices –  
(A) of a social fraternity or social sorority which is exempt from taxation under section 501(a) of Title 26, the active membership of which consists primarily of students in attendance at an institution of higher education, or  
(B) of the Young Men's Christian Association, Young Women's Christian Association, Girl Scouts, Boy Scouts, Camp Fire Girls, and voluntary youth service organizations which are so exempt, the membership of which has traditionally been limited to persons of one sex and principally to persons of less than nineteen years of age;

**(7) Boy or Girl conferences**

This section shall not apply to –

(A) any program or activity of the American Legion undertaken in connection with the organization or operation of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(B) any program or activity of any secondary school or educational institution specifically for –

(i) the promotion of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(ii) the selection of students to attend any such conference;

**(8) Father-son or mother-daughter activities at educational institutions**

This section shall not preclude father-son or mother-daughter activities at an educational institution, but if such activities are provided for students of one sex, opportunities for reasonably comparable activities shall be provided for students of the other sex; and

**(9) Institutions of higher education scholarship awards in "beauty" pageants**

This section shall not apply with respect to any scholarship or other financial assistance awarded by an institution of higher education to any individual because such individual has received such award in any pageant in which the attainment of such award is based upon a combination of factors related to the personal appearance, poise, and talent of such individual and in which participation is limited to individuals of one sex only, so long as such pageant is in compliance with other nondiscrimination provisions of Federal law.

**(b) Preferential or disparate treatment because of imbalance in participation or receipt of Federal benefits; statistical evidence of imbalance.**

Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any community, State, section, or other area: *Provided*, that this subsection shall not be construed to prevent the consideration in any hearing or proceeding under this chapter of statistical evidence tending to show that such an imbalance exists with respect to the participation in, or receipt of the benefits of, any such program or activity by the members of one sex.

**(c) Educational institution defined.**

For the purposes of this chapter an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college or department.

(7-29-04)