

Lake Pend Oreille School District #84 - Regular Board Meeting #761

Tuesday, October 25, 2022 5:00 PM

Ponderay Events Center, 401 Bonner Mall Way, Ponderay, ID 83852

I. CALL MEETING TO ORDER

II. OPEN SESSION

Pledge of Allegiance

III. APPROVAL OF AGENDA (Action Item)

IV. PUBLIC COMMENT

Anyone wishing to speak may sign up on the roster prior to the beginning of the meeting.

V. FINANCIAL

V.A. External Audit Report for Fiscal Year 2022-
Magnuson, McHugh & Company (Action Item)

V.B. Financial Update- Chief Financial and
Operations Officer Lisa Hals

VI. BOARD

VI.A. ISBA Region 1 Meeting Report

VII. CONSENT AGENDA-ACTION ITEMS:

VII.A. Minutes

VII.A.1. September 13, 2022 - Regular Meeting #759

VII.B. Human Resources Report

VII.C. Payment of Bills

VIII. BOARD-ACTION ITEMS:

VIII.A. Calendar Changes for the 2022-2023 School
Year- Superintendent Dr. Becky Meyer

VIII.B. 2nd Reading of Board Policy

VIII.B.1. 2345 Race and the Curriculum (New)

VIII.B.2. 2470 Self-Directed Learners (New)

VIII.B.3. 2640 Mastery Based Education (New)

VIII.B.4. 3085 Sexual Harassment, Discrimination
and Retaliation (Revision)

VIII.B.5. 3345 Use of Restraint, Seclusion, and
Aversive Techniques for Students (New)

IX. ADMINISTRATION ANNOUNCEMENTS

X. EXECUTIVE SESSION (Action Item):

Executive Session as provided for in Idaho Code, Title
74, Section 206, Subsection 1 (b) to consider the

evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

XI. RETURN TO OPEN SESSION (Action Item)

XI.A. Personnel Matter

XI.B. Student Matter

XII. ADJOURN (Action Item)

Lake Pend Oreille School District

Financial Statement Audit

June 30, 2022

Presented by:

Laura Parasida, CPA, CFE
Magnuson, McHugh & Co., P.A.

What is an audit?

- An audit is an examination and evaluation of the financial statements to obtain reasonable assurance that the financial statements are free from material misstatements
- Management is responsible for the presentation of the financial statements and the auditor expresses an opinion on the information provided

Why is an audit required?

- An entity receiving federal funds are subject to a financial statement audit under the Government Auditing Standards and Uniform Guidance
- The federal government requires an audit for those entities that have exceed \$750,000 in federal expenditures
- In addition, audit is required under state statutes

Audit Results

- Unmodified (Clean) Opinion
 - Financial Statements (pages 1-3)
 - Reasonable assurance that the statements are free from material misstatement
 - Adequate Presentation
 - Adequate Disclosure
 - Internal Control over Financial Reporting and Compliance with Laws and Regulations (pages 68-69)
 - Compliance with Major Federal Programs (pages 70-72)

What are Internal Controls?

- The processes that support the District's objectives
 - operational effectiveness and efficiency
 - reliable financial reporting
 - compliance with laws, regulations and policies
- Examples of strong internal controls
 - Establishment of a separate fund to account for the receipts and expenditures of the District's supplemental tax levy
 - Internal audits of Student Body Funds
 - Dual signatures on checks
 - Segregation of duties

Management Discussion & Analysis

- Pg. 4-18
- Management Analysis of year's activity
- Financial Highlights
- Future Outlook for the District

Financial Highlights

- The district finished the year with a general fund balance of \$15,237,596, which represents 44% of total expenditures in the general fund
 - This was an increase of \$5,852,389 from prior year
- Actual revenues in the general fund were \$4,225,375 higher than budgeted
- Actual expenditures in the general fund were \$162,420 lower than budgeted
- No bonded indebtedness

Budget

- The budget process can really show how well management knows and understands their environment.

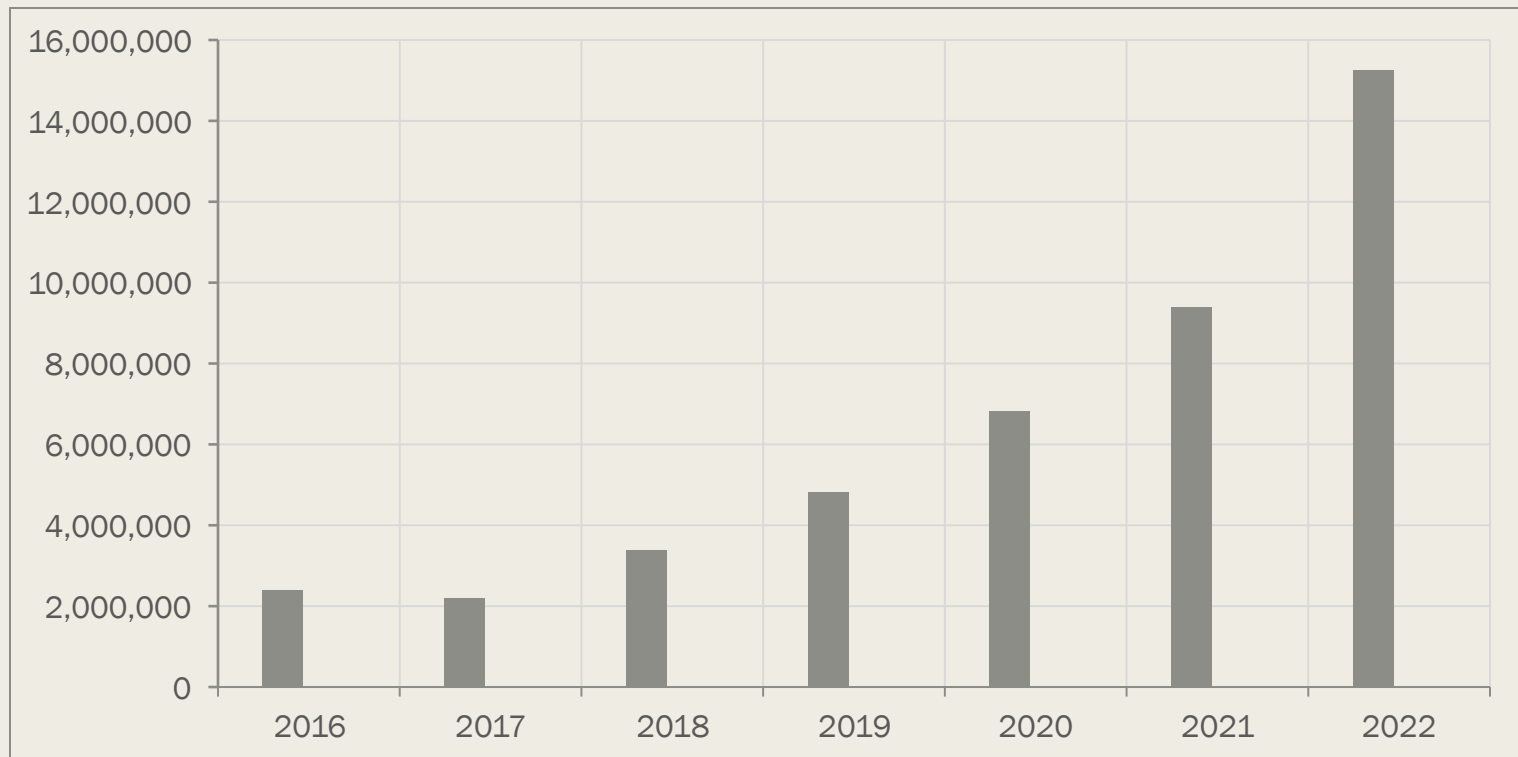
General Fund – Unassigned/Assigned Fund Balance

- Why is a Fund Balance Important?
 - Revenue stream is not consistent month to month (property taxes and state revenues)
 - Protect the District from unnecessary borrowing
 - Provide prudent resources to meet unexpected emergencies and protect against catastrophic events (recessions, pandemic, snow removal)
 - Meet uncertainties of State and Federal funding
 - Help ensure a credit rating that would qualify the District for lower interest costs (in case of needed borrowing)
 - Help ensure future financial stability

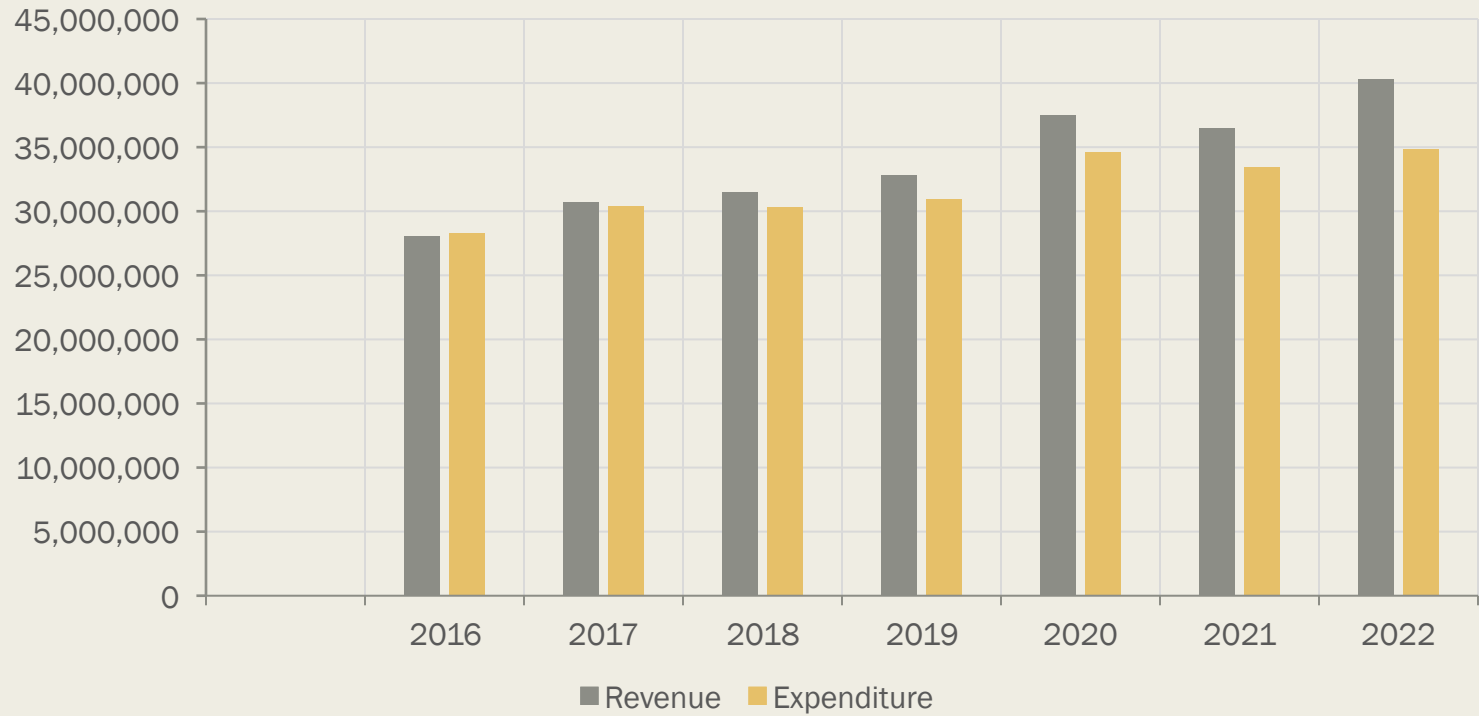
General Fund – Unassigned/Assigned Fund Balance

- The Government Finance Officers Association recommends at a minimum, that general purpose governments, maintain no less than one to two months of regular general fund operating expenditures.

General Fund Balance Year over Year Comparison



General Fund Revenues and Expenditures Comparison





Questions?

LAKE PEND OREILLE SCHOOL
DISTRICT No. 84

FINANCIAL STATEMENTS
JUNE 30, 2022

Lake Pend Oreille School District No. 84
June 30, 2022

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Lake Pend Oreille School District No. 84

June 30, 2022

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FINANCIAL SECTION

INDEPENDENT AUDITOR'S REPORT

INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees
Lake Pend Oreille School District No. 84
Ponderay, ID 83852

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, fiduciary activities, each major fund, and the aggregate remaining fund information of Lake Pend Oreille School District No. 84, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise Lake Pend Oreille School District No. 84's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, fiduciary activities, each major fund, and the aggregate remaining fund information of Lake Pend Oreille School District No. 84, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Lake Pend Oreille School District No. 84, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Lake Pend Oreille School District No. 84's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

INDEPENDENT AUDITOR'S REPORT (CONTINUED)

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Lake Pend Oreille School District No. 84's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Lake Pend Oreille School District No. 84's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

INDEPENDENT AUDITOR'S REPORT (CONCLUDED)

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Lake Pend Oreille School District No. 84's financial statements. The combining and individual nonmajor fund financial statements, and the Schedule of Expenditures of Federal Awards, as required by the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and the Schedule of Expenditures of Federal Awards are fairly stated in all material respects in relation to the financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated October 14, 2022, on our consideration of Lake Pend Oreille School District No. 84's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Lake Pend Oreille School District No. 84's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Lake Pend Oreille School District No. 84's internal control over financial reporting and compliance.

Magnuson, McHugh & Company, P.A.

Magnuson, McHugh, & Co., P.A.

October 14, 2022

FINANCIAL SECTION

MANAGEMENT'S DISCUSSION AND ANALYSIS

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

Lake Pend Oreille School District No. 84's (the "District") annual report for the fiscal year ending June 30, 2022, includes a series of basic financial statements that show information for the District as a whole, its funds, and its fiduciary responsibilities. The Statement of Net Position and the Statement of Activities provide information about all the District's activities and present both a short-term and long-term view of the District's finances. The fund financial statements provide information about all the District's funds. Information about these funds, such as the District's General Fund, is important, but will also give insight into the District's overall financial soundness as reported in the Statement of Net Position and the Statement of Activities.

FINANCIAL HIGHLIGHTS: The following items merit specific mention in fiscal year 2022:

Fiscal Year 2022 had Less Financial Uncertainty than Prior Year: Fiscal year 2022 offered more financial certainty at the local, state, and federal financial levels compared to fiscal year 2021.

- (1) Local Property Tax Funding Certainty: District Passes an Indefinite Term Supplemental Levy in November 2019 and was Effective July 2021** – Our district passed an Indefinite Term Supplemental Levy in November 2019 with an effective date 18 months into the future, namely July 1, 2021, or the beginning of the 2022 fiscal year. Forty-one percent (41%) of the eligible voters, or 8,290 people, approved a permanent \$12,700,000 per year property tax levy, with a 51.3% passage margin. Our district now joins 5 other Idaho districts to hold an Indefinite Term Levy. Moreover, this provides significant stability for our district's overall funding, as it has eliminated the necessity of running a 2-year Supplemental Levy every other election year. The ballot was contested by an eligible citizen in December 2020 and a district judge upheld the validity of our ballot in March 2020. Our district's levy rate dropped by 8% compared to the prior year's rate.
- (2) Permanent Maintenance and Operations Supplemental Property Tax Levy represents 33.1% of the General Fund Revenues in FY22** – A supplemental (instructional) levy has been in place for 22 consecutive years and has been used for salaries/benefits, curriculum, technology, facilities maintenance, and interscholastic activities. The State Department of Education includes all supplemental levy budget line items as part of the General Fund; for the reader's benefit, page 60 provides a detailed summary of the Supplemental Levy activities, which otherwise is included as the General Fund in the audit report.

The District received \$13.2 million of property tax from the supplemental levy this year or representing 32.7% of General Fund revenues. If this levy had not been in place, the District's alternative would have been to implement austere and devastating spending cuts in fiscal year 2022. It has become apparent that without the increased use of property tax levies by Idaho school districts that districts would be operationally devastated. The big jump in the supplemental override share of total property tax levies in Idaho started in fiscal year 2007 and is almost entirely due to the sales tax/property tax swap that occurred in that year. Now all except 22 school districts of 114 join the list for a total of 90 (or 79%) districts with voter-approved overrides in fiscal year 2022, levying a combined total of \$218,251,000.

Most importantly, the supplemental levy is fulcrum to the District's ability to continue our programs. The supplemental levy funds 1/3 of all the District's General Fund staff. The district's overall net taxable value increased by 14.1% in FY2022, the third sizeable appreciation since a trend of plummeting valuations starting 2010-11. The statewide average Supplemental Tax rate was .00166; LPOSD's Supplemental Tax rate was .00183. The statewide Total Tax rate was .00247; LPOSD's Total Tax rate was .00187, or 25% below this average. Moreover, LPOSD's tax rate represented 25% of the average Bonner County property taxpayer's tax bill in year 2022, which is below the statewide average of 28.1%.

More staggering is the fact that there was \$587,665,000 in property tax voter approved levies in 2022, which equals 21% of the state's entire K-12 fiscal year 2022 appropriation!

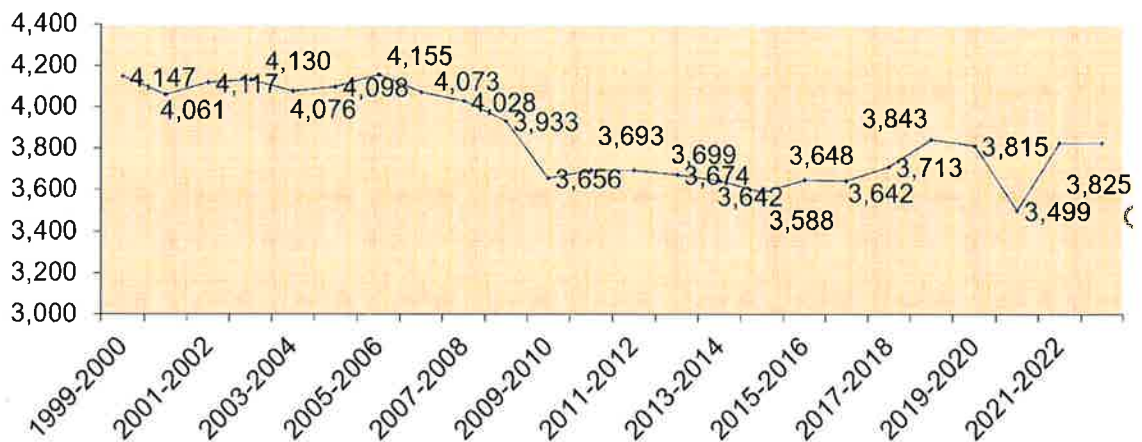
Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL HIGHLIGHTS: The following items merit specific mention in fiscal year 2022 (Continued):

- (3) **Student Enrollment Count Certainty but High Absenteeism. The District Anticipated a Return to Pre-pandemic Student Enrollment Levels in FY2022, which was Actualized** – Student enrollment rebounded after its precipitous drop in FY2021 school year, an increase of 392 students. Districts were funded in FY21 on enrollment by a temporary State Board rule, that expired before this school year. Districts across the state, even those with normal attendance numbers, were concerned (including LPOSD) about the return to attendance-based funding in FY2022. The ADA of students in the first 9 weeks of school determines 75% of a school district's funding in Idaho. Hence, swapping back to enrollment-based numbers to alleviate pressure of weighing funding needs against student health needs during a contagious pandemic (with high absenteeism) seemed prudent. As the school year 21-22 opened, it was quickly and abundantly clear that districts were experiencing as high as 20% student absenteeism. Concurrently, the governor's office and the state board of education dialogued on this matter, passing a second temporary rule with a retro-active rule to August 2022 to change back to enrollment-based funding in fiscal year 2022. Finally, our district has structured our fiscal year 2023 budget based on the actual 3,825 enrollment count for fiscal year 2022.

Student Enrollment- Fall-LPOSD



- (4) **Continued Federal Covid Relief Funding Certainty;** In December 2020 Congress passed a second Covid stimulus bill, ESSER II, CRRSA. In March 2022, a third Covid relief package, ESSER III, ARPA was passed by Congress. Supplanting (or to replace current expenses in the General Fund) was allowed by the US Treasury if each expense met the bill's qualifying expenditure categories for both CRRSA and ARPA. Our district fully spent its CRRSA allocation in FY22 and partially spent its ARPA allocation. Most salient, supplanting was permitted for qualifying expenses, allowing our General Fund reserve funds to increase by \$3 million directly tied to this supplanting factor.

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL HIGHLIGHTS: The following items merit specific mention in fiscal year 2022 (Continued):

- (5) **State Funding Certainty: Record State Revenue** – Idaho legislators, the Governor's office, the Joint Finance and Appropriations Committee and the Economic Outlook Revenue and Assessment Committee contended with projecting state revenue forecasts in January 2022 amidst a continued Covid 19 pandemic, chronic labor and supply chain shortages and emerging high inflation. Notably, the state was awash in record levels of cash, with a record budget surplus building amid far better than expected economic performance coming out of the pandemic, even as hundreds of millions in federal aid flowed out to states including Idaho. Idaho's ever-growing budget surplus was trending at this point in time towards a record-shattering \$800 million and as the legislative session months continued, revenue projections only kept increasing. Ultimately JFAC recommended an 11.3% increase to the K-12 appropriation (the largest increase in the last 3 decades) for fiscal year 2022-2023, and it was adopted. For LPOSD, the state's increase translates into an additional \$3,580,000 over fiscal year 2021-2022.
- (6) **More Stability: General Fund fund balance \$5,852,389 increase in fiscal year 2022** – The District has made a protracted effort to build its fund balance to exceed 15%. The District's current fund balance, less restricted grants of \$746,256, represents 38.2% of FY22 revenues or is the equivalent of ninety-nine (99) working days of expenditure. The District increased its General Fund fund-balance by \$5,852,389 from \$9,385,207 in fiscal year 2021 to \$15,237,596 in fiscal year 2022. However, \$746,256 is obligated by local grant parameters. Hence, the actual real cash increase in our General Fund balance is \$5,106,133, with an ending balance of \$14,491,340. The increase in fund balance this year was partially budgeted, coupled with a large infusion of unanticipated state revenues due to a temporary change in the funding formula, and the direct result of the following varied factors:
- Budgeted and anticipated Supplanting (shifting) of General Fund expenditures to the federal ESSER funding packages -CRRSA and ARPA totaling \$3,238,000.
 - Budgeted and anticipated use and allowance of unrestricted indirect costs charged to ESSER funding packages, which generated \$535,000 of revenue to the General Fund.
 - An unbudgeted transfer from the Child Nutrition Fund to the General Fund repaying loans from prior fiscal years, where historically the Child Nutrition Fund operated at a deficit, of \$500,000. This loan repayment was the result of the USDA temporary universal free breakfast and lunch program to all students with considerably higher reimbursement rates to school districts. This temporary universal free meals program ended in June 2022.
 - An unbudgeted \$2 million in additional state foundation distribution, where districts were paid on enrollment versus average daily attendance through a State Board of Education's temporary rule.

Finally, the district had budgeted both contingency and buffer dollars totaling \$330,000, which served to support staffing additions as class size and pandemic demands warranted. Level spending discipline was, otherwise, exercised district wide. The district transferred all allowable expenses from the General Fund to the Covid federal dollars. More specifically, the district plans to spend all of its ESSER dollars with the fiscal strategy of maintaining our Indefinite Term Supplemental Levy at its current annual levy amount, thereby not bloating or increasing costs or setting our district up for a financial "cliff" in 2024. ESSER dollars expire September 30, 2024.

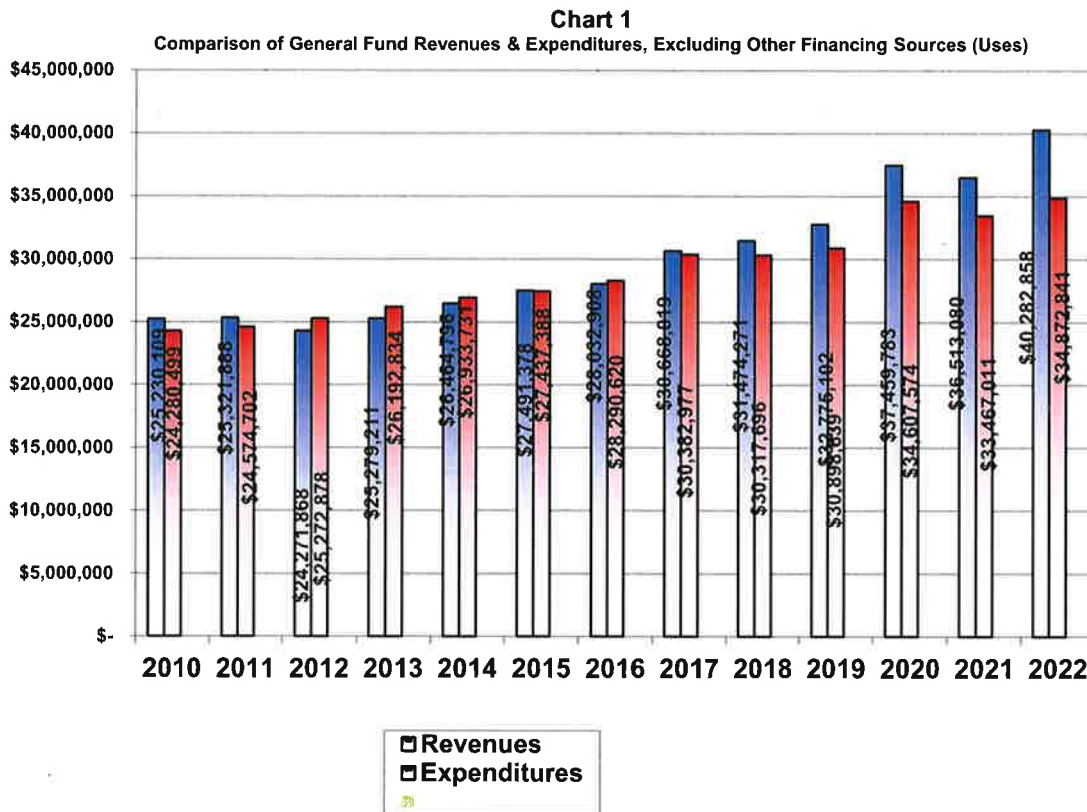
Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL HIGHLIGHTS: The following items merit specific mention in fiscal year 2022 (Continued):

It is also notable that the District's Plant Fund's fund balance is arguably non-existent for capital outlay given the overall demands, a balance of \$434,253 on June 30, 2022.

Chart 1 below illustrates the variations of General Fund revenues and expenditures, excluding other financing sources (uses) for the fiscal years ending June 30, 2010, through June 30, 2022.

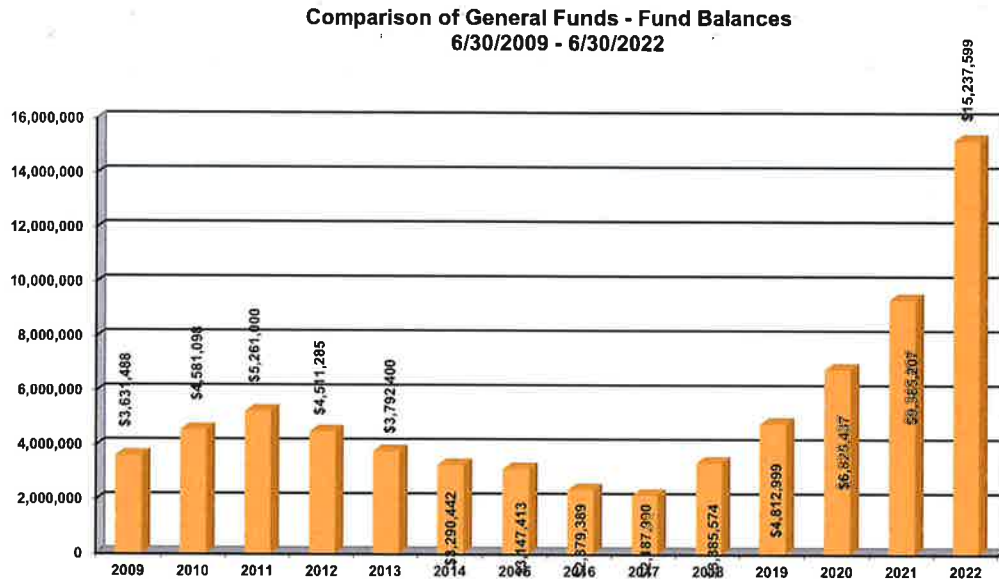


Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL HIGHLIGHTS: The following items merit specific mention in fiscal year 2022 (Concluded):

Chart 2, below, illustrates the changes in General Fund balances from June 30, 2009, through June 30, 2022.



The School District established a Designated Operating Reserve Policy in fiscal year 2005. The policy's goal is to maintain a General Fund Operating Reserve equivalent to 5% (five percent) of the combination of its General Fund revenue plus the maintenance and operating costs included in any Supplemental Levy. The district achieved this policy goal in fiscal year 2018. In September 2005, the District established said Operating Reserve. The District analyzes annually at fiscal year end the appropriate funding level for future contributions from its General Fund fund-balance. Minimum future annual contribution allocations were \$100,000 until the 5% goal was achieved. This policy explicitly prohibits the District from using budgetary procedure to balance a current budget at the expense of future budgets. The current assigned operating reserve balance as of June 30, 2022, is \$2,000,000.

In fiscal year 2017-2018, our Board established a Plant Fund reserve. The fiscal year 2022 contribution was \$200,000, bringing the Plant Fund fund balance to \$434,253. The Board plans and expects to continue an annual contribution to the Plant Fund reserve until a successful Plant or Bond Levy is approved by our voters.

OVERVIEW OF THE FINANCIAL STATEMENTS

This section of the financial report consists of three parts: management's discussion and analysis; basic financial statements, including notes to the financial statements; and other required supplementary information.

The basic financial statements consist of two kinds of statements that present different views of the District's financial activities.

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)

- The statement of net position and statement of activities provide information on a District-wide basis. The statements present an aggregate view of the District's finances. District-wide statements contain useful long-term information, as well as information for the just-completed fiscal year.
- The remaining statements are fund financial statements that focus on individual parts of the District. Fund statements generally report operations in more detail than the District-wide statements.

The notes to the financial statements provide further explanation of some of the information in the statements and provide additional disclosures so statement users have a complete picture of the District's financial activities and position. The notes provide additional information that is essential to fully understand the data provided in the government-wide and fiduciary financial statements. The notes to financial statements can be found beginning on page 29.

Required supplementary information further explains and supports the financial statements by including a comparison of the District's budget data for the year. In addition to the basic financial statements and accompanying notes, this report also presents a Schedule of Findings and Questioned Costs. This report is helpful in that it highlights any issues that the auditor may have questioned along with the District's response.

District-wide Statements

The District-wide statements report information about the District as a whole using accounting methods similar to those used by private-sector companies. The two District-wide statements report the District's net position and how they have changed. Comparative data to the prior year is available. Net position, the difference between the District's assets and liabilities, are one way to measure the District's overall financial position.

- Increases or decreases in the District's net position are one indicator of whether its financial position is improving or deteriorating, respectively.
- To assess the overall financial condition of the District, additional non-financial factors, such as changes in the District's property tax base and the condition of school buildings and other facilities, should be considered.

In the District-wide financial statements, the District's activities are all classified as governmental activities. Governmental activities include all regular and special education, all educational support activities, administration, transportation, and food services. Most of these activities are supported by property taxes and state formula driven support.

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

OVERVIEW OF THE FINANCIAL STATEMENTS (CONCLUDED)

Fund Financial Statements

The fund financial statements provide more detailed information about the District's funds, focusing on its most significant or "major" funds and not on the District as a whole. Funds are accounting devices the District uses to keep track of sources of funding and spending on particular programs and to demonstrate compliance with various regulatory requirements.

- Some funds are required by state law and by bond covenants.
- The District establishes other funds to control and manage money for particular purposes or to show that it is properly using certain revenues (like grants). A prime example can be found on page 60, where our district has elected to separate the Indefinite Term Maintenance and Operations Supplemental Levy from our General Fund.

The District has two types of funds.

- Governmental funds – Most of the District's basic services are included in governmental funds, which generally focus on: (1) how cash and other financial assets, which can readily be converted to cash, flow in and out, and (2) the balances left at year-end that are available for funding future basic services. Consequently, the governmental funds statements provide a detailed short-term view that helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the District's programs. Governmental fund information does not report on long-term commitments as is reported in the District-wide statements. Therefore, an explanation of the differences between the governmental funds and the District-wide statements is included as a separate statement.
- Fiduciary funds – The District serves as a trustee, or fiduciary, for student organizations and scholarship trust funds. The assets of these organizations belong to the organization, and not the District. The District is responsible for ensuring that the assets reported in these funds are used only for their intended purposes and only by those to whom the assets belong.

FINANCIAL ANALYSIS

The District as a Whole

Net Position

Net position, which is the difference between total assets and total liabilities, are one indicator of the financial condition of the District. When revenues exceed expenses, the result is an increase in net position. When expenses exceed revenues, the result is a decrease in net position. The relationship between revenues and expenses can be thought of as the District's operating results. The District's net position, as measured in the Statement of Net Position, can be one way to measure the District's financial health, or financial position. Over time, increases or decreases in the District's net position - as measured in the Statement of Activities- are one indicator of whether its financial health is improving or deteriorating. However, the District's goal and mission is to provide success for each child's education, not to generate profits as companies do. For this reason, many other nonfinancial factors should be considered in assessing the overall health of the District.

Lake Pend Oreille School District

**MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended June 30, 2022**

FINANCIAL ANALYSIS (CONTINUED)

Net Position (Concluded)

As shown in Table 1, the District's net position increased in year 2022. Its net position is now \$32,801,896 compared to \$23,982,804 last year. By far the largest portion of the District's net position is in capital assets (e.g., land and improvements, buildings and improvements, vehicles, furniture, and equipment) less accumulated depreciation and any related debt used to acquire those assets that is still outstanding. These capital assets amount to \$20,820,454 or 62% of the District's net position. Also shown in Table 1 is a separation out of restricted net position when legal constraints from debt covenants and enabling legislation to limit our ability to use that net position for the District's day-to-day operations.

The District's combined net position increased by \$8,819,092 in the current fiscal year. The nexus of our net position increase is the direct result of GASB 68 and 75; this standard ties pension accounting to the amount of defined pension benefits that have been earned by current and former employees at the balance sheet, regardless of whether resources are set aside to fund them. The net effect on cash flow is zero but the net effect on net position is significant (Note 9) provides the detail required in calculating the district's net pension liability.

Table 1 provides a summary of the District's net position.

Table 1
Lake Pend Oreille School District No. 84
Statements of Net Position

	2022	2021
Current and other assets	\$ 26,706,326	\$ 19,020,860
Capital assets	20,820,454	21,174,849
Total assets	47,526,780	40,195,709
Deferred outflows of resources	10,736,333	7,364,087
Long-term liabilities outstanding	2,813,926	17,823,643
Other liabilities	5,133,663	4,799,089
Total liabilities	7,947,589	22,622,732
Deferred inflows of resources	17,513,628	954,260
Net position:		
Net investment in capital assets	20,820,454	21,174,849
Restricted	1,912,343	1,465,204
Unrestricted	10,069,099	1,342,751
Total net position	\$ 32,801,896	\$ 23,982,804

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL ANALYSIS (CONTINUED)

As shown in Table 2, the Lake Pend Oreille School District relies on local property taxes for approximately 26% of its governmental activities. Additionally, state appropriations account for approximately 52% of the District's governmental activities. The District had total revenues of \$50.5 million.

Changes in net position Table 2 shows the changes in net position for the fiscal year 2022.

Table 2
Lake Pend Oreille School District No. 84
Changes in Net Position

	<u>2022</u>	<u>2021</u>
Revenues:		
Program revenues:		
Charges for services	\$ 68,257	\$ 54,444
Operating grants and contributions	9,469,496	7,194,891
General revenue:		
Property taxes	13,252,077	13,054,142
State revenues	26,061,764	22,694,126
Grants and contributions not restricted to specific programs	161,794	127,717
Federal assistance to State	3,296	9,231
Student body	964,184	682,011
Miscellaneous	602,590	161,217
Total revenues	<u>50,583,458</u>	<u>43,977,779</u>
Expenses:		
Instructional services	24,846,160	22,888,043
Support services programs	18,032,634	16,705,294
Non-instruction programs	1,577,740	1,472,951
Interest on long-term debt	-	212
Change in OPEB obligation	36,799	103,641
Change in net pension liability	277,418	5,324,210
Unallocated actual PERSI contributions	<u>(3,006,385)</u>	<u>(2,800,350)</u>
Total expenses	<u>41,764,366</u>	<u>43,694,001</u>
Increase (decrease) in net position	8,819,092	283,778
Net position – beginning	23,982,804	23,699,026
Net position – ending	<u>\$ 32,801,896</u>	<u>\$ 23,982,804</u>

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL ANALYSIS (CONTINUED)

Governmental Funds

The District completed the year with a total governmental fund balance of \$18,442,287, which is up by \$6,348,878 from the ending balance in fiscal year 2021.

The major funds – The General Fund total fund balance is \$15,237,596, which includes \$12,491,340 in unassigned funds, \$746,256 restricted for grant purposes, and \$2,000,000 in assigned funds for reserves. Table 3 shows the excess (deficiency) of revenues and other financing sources over expenditures and other financing (uses) for the governmental funds for the fiscal years ending June 30, 2022 and 2021, with variances.

Table 3
Statements of Revenues and Expenditures
Governmental Funds
For the years ended 2022 and 2021

	<u>2022</u>	<u>2021</u>	<u>Variance</u>
REVENUES			
Property taxes	\$ 13,120,660	\$ 13,110,128	\$ 10,532
Tuition	405	-	405
Interest	103,897	121,407	(17,510)
Other local revenue	932,176	385,738	546,438
Student body	964,184	682,011	282,173
State support	26,554,483	23,060,677	3,493,806
Other federal revenues	8,769,036	6,696,633	2,072,403
Total revenues	<u>50,444,841</u>	<u>44,056,594</u>	<u>6,388,247</u>
EXPENDITURES			
Instructional programs	23,993,039	22,161,778	1,831,261
Support service programs	17,096,586	15,736,386	1,360,200
Non-instruction programs	1,577,740	1,472,951	104,789
Capital asset program	1,435,798	1,155,085	280,713
Debt service (P&I)	-	24,848	(24,848)
Total expenditures	<u>44,103,163</u>	<u>40,551,048</u>	<u>3,552,115</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	3,032,027	4,297,979	(1,265,952)
Transfers out	(3,032,027)	(4,297,979)	1,265,952
Sale of fixed assets	7,200	3,350	3,850
Total other financing sources (uses)	<u>7,200</u>	<u>3,350</u>	<u>3,850</u>
Net change in fund balance	<u>\$ 6,348,878</u>	<u>\$ 3,508,896</u>	<u>\$ 2,839,982</u>

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

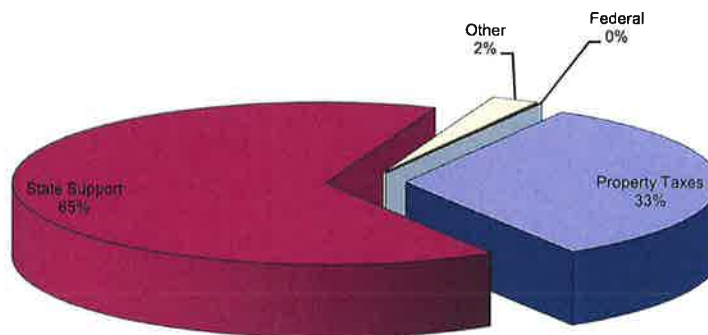
FINANCIAL ANALYSIS (CONTINUED)

This Graph 1 visually illustrates revenue in the General Fund. The funding structure in terms of percentage breakdown of revenues did not significantly alter compared to last fiscal year. However, the largest dollar changes, compared to last fiscal year are: an increase \$3.4 million received from the state foundation formula as mostly the direct result of a per student enrollment increase of 326 students coupled with an overall state K-12 appropriation increase of 3.8%.

Graph 1 below illustrates how the District receives its revenues for its General Fund.

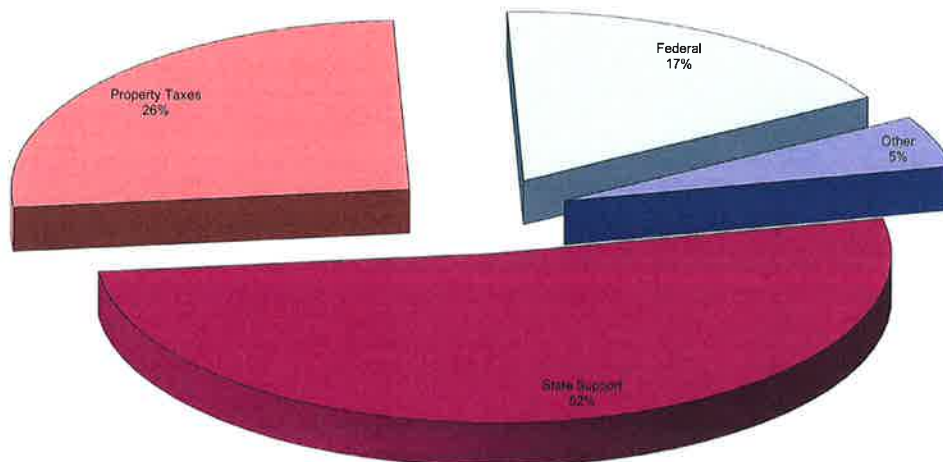
Graph 1

General Fund Revenues FY2022



Graph 2 below shows how the District receives its revenue for all governmental funds. Of note, compared to last year, the federal percentage has increased from 15% to 17%.

Revenues For All Governmental Funds FY2022



Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FINANCIAL ANALYSIS (CONCLUDED)

General Fund Budgetary Highlights

The District adopts an original budget in June for the subsequent year. The budget is, on an as needed basis, often amended later in the fiscal year, typically in the spring, following determination of the first attendance period and certification of all levies on property taxes. The District administration determined that it was not necessary to amend its budget in fiscal year 2022. Nonetheless, there are still differences between the final budget amounts and the actual results at year-end. A schedule showing the District's original budget compared to amounts actually paid and received for major funds can be found on pages 60 and 61 in the required supplementary information section of the financial statement.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets

The Lake Pend Oreille School District has \$20,820,454 in capital assets, net of accumulated depreciation. These assets are made up of a broad range of items including buildings, sites, transportation equipment and other equipment. The District capitalization threshold for fixed assets is \$5,000. This year's major additions totaled \$1,435,798 and included:

- Purchase of 5, 72-passenger school buses for pupil transport, totaling \$554,664. Additionally, there is \$576,311 in bus acquisition fund reserves for future fleet replacement.
- Continued installation and implementation of district-wide technology upgrades and equipment, which included a federal grant that funded \$430,100 in purchases of Chromebooks, as well as servers and switches totaling \$45,392 from General Fund purchases. COVID-19 dramatically increased the demand to deliver online learning capabilities.
- \$37,385 in Special Education playground equipment funded by federal dollars and \$60,654 in Child Nutrition milk coolers, ovens and ranges were also funded by federal funding.
- Construction In Progress expenses of \$125,715 were also incurred for HVAC, a Northside Elementary classroom, Sandpoint Middle School roof, Sandpoint High School locker room, and a Child Nutrition freezer and building addition improvements. These projects will be completed in fiscal year 2023.

Additionally, the District has a nominal \$434,253 in combined Plant Funds' reserves at fiscal year-end. No voter approved property tax levy to finance capital improvements is in place to meet the capital expenditure needs of the district. Again, this is a major hurdle when assessing our district's overall financial position.

Long-Term Debt

The District has no bonded indebtedness. The District has long-term debt of \$234,320 for compensated absences and \$2,579,606 of other post-employment benefits, (pointing out to the reader that the GASB 68 and 75 statement reporting requirement of net pension asset is \$495,717). The District has decreased its long-term capital lease indebtedness by 100% during the last 17 years: this decrease, in turn, has allowed our District to channel more funds to support instruction.

Lake Pend Oreille School District

**MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended June 30, 2022**

CAPITAL ASSET AND DEBT ADMINISTRATION (CONCLUDED)

Long-Term Debt (Concluded)

Table 5 below shows changes in long-term debt along with current maturities.

Change in Long-Term Debt and
Current Maturities
Table 4

	Compensated Absences
Balance, June 30, 2021	\$ 235,344
Additions	-
Retirements/payments	(1,024)
Balance, June 30, 2022	\$ 234,320
 Long-term portion	 \$ 234,320
 Total	 \$ 234,320

FACTORS BEARING ON THE DISTRICT'S FUTURE

The economy, legislative or voter-approved changes, and district demographics are key factors in determining the District's financial outlook in future years. Currently known circumstances that will impact the District's financial status in the future are:

- **Federal ESSER Funding Pivotal to District's Future Financial Position:** Due to extraordinary pandemic related financial conditions, we cannot discuss factors bearing on the district's future without accenting and highlighting the pivotal role of the federal ESSER packages. They were not only are key in formulating the FY22 budget but also future budgets. These one-time ESSER federal funding packages platform our very budget structure through September 30, 2024. Equally significant for the district's long-term financial planning, the ESSER dollars will facilitate increasing the General Fund's reserves. In turn, the build up of General Fund reserves will ensure that our Indefinite Term Supplemental Levy, at an annual fixed amount, will allow our district to operate within this levy amount capacity for the several fiscal cycles ahead. The district will expend \$3.8 million of ESSER III funding in fiscal year 2023, thereby almost completely draining this one-time funding source.

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FACTORS BEARING ON THE DISTRICT'S FUTURE (CONTINUED)

- **Lack of Plant Levy or Bond Measure Continues to Deteriorate District's Overall Fiscal Soundness:** For our district, the absence or inability to pass a construction levy financially positions and completely hamstrings and deteriorates our overall fiscal health long-term. The district's last bond was almost 60 years ago; the district's last plant levy was in 2008. The need to invest and improve our facilities was identified through an extensive strategic planning process, ranking it as the district's top need. A Facility Advisory Committee started working in August 2018; this work included both a professional building assessment as well as an expert demography report. Over the course of this past fiscal year, our school board publicly reviewed each school's or campus' condition outlined in this report. Our district has \$434,000 in Plant Fund fund balance and no other constitutional funding mechanism available to us except passage of either a property tax Bond or Plant Levy to upgrade or construct new facilities. Presently and for the last several decades, our district has operated in the absence of a facilities levy; in 2022, 80% of public school districts in Idaho had facility levies in place.
- **Ybarra asks for an 6.9% funding boost for FY2024:** In early September 2022, State Superintendent Ybarra released her draft budget request for fiscal year 2024. Her proposal would push general fund spending for schools to a record \$2.5 billion, amounting to a 6.9% increase over current. Of that increase, about one-third is necessary to fund nondiscretionary spending that supports programs already required by Idaho law. Highlights include, restoring remaining pandemic triggered holdbacks and continuing to improve salaries for teachers and support staff: \$59.1 million to increase funding for the Career Ladder which allocates teacher pay, including an additional step for veteran teachers: a 8.5% increase in base salary for classified school support staff: and a 8.3% increase in operational funding. The governor will unveil his spending blueprint on January 2, 2023, the first day of the legislative session. Polling data in September 2022 suggests that Ybarra will not be reelected in two months, providing a new state superintendent the opportunity to modify the budget request for FY24 in February 2023.
- **The State of Idaho Closed Out the 2022 fiscal year with Record Surplus:** Revenue and budget news are important in public education because K-12 is our state's largest expense every year. Reserve funds are important because reserves can be used to help soften holdbacks or cuts in the event of a recession or in this case, a pandemic economy. After the last recession devastated states' budgets, legislatures passed laws that forced their successors to start stashing away money for the next recession, including Idaho policymakers. Now Idaho ranks 6th in the nation for the size of our reserve balances, ending its fiscal year 2022 with a record setting \$1.3 billion. From a policy lens, Idaho is now awash in enough cash to address a lot of issues or to start a lot of policy fights.
- **Governor Little calls for a Special Session, Held on Sept 1st and 2nd:** Governor Little stated one overarching goal for calling his special session: helping households and schools cope with inflation that has reached a 40-year high. The record surplus detailed in the bullet above provided the governor with the funding source to introduce a proposal to provide one-time \$500 million tax credits, \$150 million in ongoing income tax cuts and \$410 million in ongoing education funding. House Bill 1 passed quickly, of which \$330 million is directly for K-12 public school districts. Next steps are: (1) for the 2023 Idaho legislature to appropriate this funding for FY24 and forward, as well as, and most salient, (2) determine how these new funds would flow (the formula for distribution) to public school districts.

Lake Pend Oreille School District

MANAGEMENT'S DISCUSSION AND ANALYSIS For the Year Ended June 30, 2022

FACTORS BEARING ON THE DISTRICT'S FUTURE (CONCLUDED)

Other:

- A new superintendent was hired effective July 1, 2022, Dr. Becky Meyer. Dr. Meyer returns to LPOSD after a 7-year hiatus, serving as the superintendent during that time period in a neighboring district. A top priority for her is to develop a rolling 5-year strategic plan with stakeholder input.
- At some point soon, it is needed and expected that a recommendation will be made to the School Board, which will most likely may result in a future construction and/or safety/security ballot measure.
- Districts nationwide will wrestle with what will happen when ESSER emergency funding runs out. LPOSD is well positioned in this domain and has been strategic to ensure there will be no financial cliff to navigate. Additionally, almost 100% of these funds will be spent by fiscal year end 2023.
- Chronic labor shortages, coupled with astronomical increases to housing prices locally, are acutely affecting LPOSD's hiring and applicant pools. LPOSD increased average classified pay by 14% and average teacher pay by 8.25% in fiscal year 2023.
- The Idaho State Board of Education has approved another temporary rule allowing public schools to continue to base school funding on student enrollment rather than actual attendance for fiscal year 2023. Board members aspire to work with legislators to create a permanent solution when the legislature convenes in January.
- November elections will select 45 new Idaho legislators of the 105 legislative official body, as well as 11 of the 20 membership seats on the powerful, budget setting committee called Joint Finance Appropriations Committee. Discord in the Idaho legislature is expected to continue in the 2023 session as the Republican party continues to bifurcate.

The District will continue its efforts to educate and communicate to the public on the financial, facility, and capital equipment needs and conditions of our District.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayer, customer, investors, and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the money it receives. If you have questions about this report or need additional financial information, contact:

Lisa Hals
Chief Financial and Operations Officer
Lake Pend Oreille School District #84
901 Triangle Drive
Ponderay, Idaho 83852
(208) 263-2184 ext. 1018

**Lake Pend Oreille School District #84
Board of Trustees Regular Meeting #759
Ponderay Events Center, Ponderay, ID
Tuesday, September 13, 2022**

CALL MEETING TO ORDER

Chair Geraldine Lewis called the meeting to order at 5:00 PM. A quorum was established with Trustees Geraldine Lewis, Purley Decker, Jalon Peters and Tonya Sherman present. Trustee Lonnie Williams was absent. Also present were Superintendent Dr. Becky Meyer, Clerk of the Board Kelly Fisher, Teaching and Learning Directors Andra Murray and Casey McLaughlin, Chief Finance and Operations Officer Lisa Hals, Director of Services for Exceptional Children Dr. Joy Jansen, Facilities Director Matt Diel, Principals TJ Clary and Jackie Crossingham, Homeschool Academy Program Director Alissa McGonigal, Ponderay Planning Director Kayleigh Miller, staff and constituents.

OPEN SESSION

The *Pledge of Allegiance* was led by Chair Geraldine Lewis.

APPROVAL OF AGENDA (Action Item)

Trustee Decker made a motion to Approve the Agenda. Trustee Peters seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

INFORMATION ITEMS/REPORTS:

PUBLIC COMMENTS

There was no one signed up for Public Comment.

ADMINISTRATION

Superintendent Report- Dr. Becky Meyer shared that we had our first week of school and it has been amazing. Dr. Meyer started with her transition plan encompassing five goals. She will be touching base on three of these goals this evening. Dr. Meyer reminded the Board and public about our community input forums. Dr. Meyer shared that we sent cards to over 17 thousand residents and the costs have increased. Only one post card will be sent out this year. We want a lot of input from the community and parents. This Monday we will be at Sandpoint Middle School in the cafeteria, Tuesday we will be at Clark Fork in the gym, and on Wednesday we will be at Sagle Elementary School in the gym/cafeteria. It will be really nice if people come. Dr. Meyer shared what the flyer looked like that was sent out.

Dr. Meyer shared a quick update on the District Safety Task Force. We continue to meet on Mondays and will move to once a month. She shared those items such as the raptor system, important numbers on staff badges, and staff training are all under way. Every school will be participating in a training on Move-Secure-Defend. We are currently working on reunification sites if there is an evacuation with plans A and B in place. We applied for an 85-thousand-dollar NRA grant for keyless entry for every building.

Dr. Meyer expressed that we are really working hard with a comprehensive and collaborative communication plan. We currently have staff, community and safety surveys out. She is starting a think tank with staff from the district. We need to think about strategic planning, covid dollars, post covid dollars and staffing. We will also have a CDI or Classified District Input team. This team will be meeting four times during the year.

Dr. Meyer updated the Board on our first week's enrollment. We ended the first week of school with 3,791 students. We ended last school year at 3,811 students. Dr. Meyer share that we ran into some unanticipated open enrollment issues. She updated the procedures and the reporting form. We approved 242 applications for open enrollments, denied 50, denied in district 40 and denied out of district 10. Dr. Meyer shared the details of where these applications were denied and where they were approved per school. Reasons for denial included overall

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September 13, 2022

district student enrollment, balancing class sizes, taxpayer locality, grandfathered returning unless additional resources or class sizes. Some unanticipated results of this policy were the lack of notice to families, the need to move staff, and class size disparity within the district. As we plan for the future with growth in the area, she wants to make sure that taxpayers in our district will allow for smaller class sizes and higher retention of quality teaching staff. The local taxpayers are paying our tax rate knowing the benefits they receive for paying this tax rate. There was some discussion by the Board on balancing class sizes. Dr. Meyer shared that we had to move staff due to very disparaging class size differences from one school to another. We had 32 first graders at one school and low teens at another. We did have to move teachers. Everyone is fine and happy now. It was very team player oriented and what was best for kids. It was incredible on how staff stepped up. We have our class sizes balanced at the elementary level now, especially the K-3 grade levels where reading is key. Dr. Meyer shared that Coeur d'Alene, Post Falls, Lakeland and St. Maries school districts all have closed borders for open enrollments from out of district. This is significant. If those four local districts have shut down that may increase our open enrollment denials from out of district as those families are not happy with their current districts. Dr. Meyer shared the changes to the policy and application that have been updated to reflect the new procedures. We have vetted these changes with administration, and we are open to suggestions. We realize the short notice does cause hardships for some families.

Dr. Meyer shared some first week magic. She shared that the leadership team went to every school in the district. To sum up the first week there was so many smiles of kids back with their teachers and in full sessions. The talk of COVID was out and over. People were excited to be learning and to be engaged with learning. She was highly impressed with all of the Teachers in the district. The compassion for kids and everyone is back together. We are looking forward to our bright future. Every child is a story yet to be told. When you talk to staff in this district they truly believe in this statement. Dr. Meyer shared pictures of the first week back with staff and students.

Home School Academy Introduction and Overview- Director of Teaching and Learning Andra Murray expressed that she has the honor of introducing HSA Program Coordinator and lead teacher Alissa McGonigal who has over 18 years in education in both public and private schools. She has a wealth of background experiences to share. Alissa McGonigal shared information about herself. She is very excited to be back in this community where she was raised. She has three kids and two crazy dogs.

McGonigal shared information about the Home School Academy which is a part time enrichment-based program serving homeschool children ages 6-14. This is the seventh year for this, and they have 84 students currently enrolled. Some courses they are offering this fall are horticulture, botany, knitting, mad scientist, forest Fridays, percussion and voice partnered with the Music Conservatory of Sandpoint, musical theater, costume set and design, martial arts, 3D arts, adventure seekers book club, and critical thinkers. They partner with other community organizations which they hope to make more robust this year. McGonigal shared photos with the Board. Kids come one to two days per week. There were some questions from the Board for clarification. There are three age level groups that rotate through instructors throughout the day. The average attendance per day is about 45 students. The Board thanked her for presenting to them. Dr. Meyer shared that the Board is allowed to stop by and see the program in action.

BOARD

1st Reading of Policy – Chair Lewis shared that these are first readings for these policies and there is no action. Dr. Meyer shared the revisions to policy 2340 Controversial Issues & Academic Freedom with the Board. The only change to this policy is on page two where the word teacher was changed to parent. This change was due to conflicting policies, and we needed to change the language to the parent who can provide the alternative assignment. This is the only change to this policy.

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Dr. Meyer shared that we recognize that people want to attend this school district. Families will have to apply if they want an out of zone and district. The contract for 3010 Open Enrollment has been updated as well. Clerk Fisher also linked in the open enrollment form so that the Board could see the procedures that were added.

Dr. Joy Jansen Director of Services for Exceptional Children discussed new policy 3345 Use of Restraint, Seclusion, and Aversive Techniques for Students. Trustee Sherman asked about aversive techniques under the definitions since the other two are defined. Clerk Fisher shared that this policy was reviewed by Dr. Jansen and her entire team. Dr. Jansen shared that in 2021 we formed our guidelines based off of what the Federal guidelines are. Dr. Jansen shared that she calls them guidelines outside of procedure as they outlined best practices. Last year alone we had 128 incidences of restrain and seclusion as these students can cause harm to themselves or others. Parents are involved on the front end of all of these discussions. If students are on an individual educational plan, parents go through the process we use with children in the classroom. Parents then provide us with a yes or no to the best practices used. These are last resorts in working with students. Some students are biters, pull hair and become even more physically violent. Dr. Jansen shared that this policy would cover all students. We have only had one student in her ten years here, who required restraint and seclusion from the general population of students.

ACTION ITEMS:

CONSENT AGENDA

- A. HR Report
- B. Payment of Bills

Trustee Peters made a motion to Approve the Consent Agenda. Trustee Sherman seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

BOARD

CIP (Continuous Improvement Plans)- Superintendent Dr. Becky Meyer reminded the Board that this is one of their duties. This is a required state model and their templet. Dr. Meyer thanked Andra Murray who has done all of the work. Murray has developed this, so it has followed the students, tracking growth from year to year. One of the main goals this year is to close the learning gaps. Dr. Meyer reminded the Board that both Andra and Casey will come back with evidence and data to show growth with our students and measurements used. This templet does not allow you to use every grade level. She shared this templet is not as useful as they would like it to be. Chair Lewis shared that this is familiar as these are metrics that we look at every year.

Trustee Decker made a motion to Approve the Continuous Improvement Plan as presented. Trustee Peters seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

City of Ponderay Easement Proposal- Ponderay Planning Director and Project Manager Kayleigh Miller thanked the Board for allowing her to present to them this evening. She works to help establish green belts, easements, and drainage channels. They are seeking an easement across the east 20 feet of the two lots along Triangle Drive. The City of Ponderay owns the property to the north. She detailed the sites on maps presented to the Board and reasoning behind the request. This easement will allow the city to improve the channel of water that flows out to the storm drainage site. They would clear the area for the road and drainage area. This is their only approach to do this work properly with the apartment buildings to the North and the railroad tracks to the East. They have drafted a legal easement document for the Board to consider. There were questions from the Board for clarification. Dr. Meyer shared that CFO Hals and Facilities Director Matt Diel have reviewed these documents and walked the property with Ms. Miller. CFO Hals shared that she is not an attorney, but she would

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have our legal team review before we would give the easement to the city. Ms. Miller shared that this is the East 20 feet of an easement. Trustee Lewis expressed that not having the knowledge of what she is looking at makes it a little difficult. Trustee Peters asked if that easement is granted to the city that it would no longer be usable. Trustee Peters asked about page nine and that the entire green strip in the presentation was requested. He asked why they would need the entire strip. Ms. Miller shared that the entire strip is required due to the wetlands that are found behind the building. They are looking at taking the subsurface water and piping it out. There was further discussion by the board. Ms. Miller shared that the clearing is hoped to happen this year and the road to be constructed next year. Chair Lewis asked if we could have another set of eyes on the easement. Dr. Meyer shared that we could have our district's attorney look at this easement. The Board could give approval pending district attorney approval on this easement. Trustee Sherman expressed that she fully supports this.

Trustee Sherman made a motion to Approve the City of Ponderay Easement Proposal pending legal approval. Trustee Decker seconded. Chair Lewis asked for comments. Trustee Peters expressed that he is only one voice, but he doesn't see that the city needs the entire length. He knows that partnering with the city is important. There being no further comments, the vote was taken with Trustees Lewis, Decker, and Sherman voting aye. Trustee Peters voted no. Motion carried on a 3-1 vote.

Calendar Changes for 2022-2023- Dr. Meyer shared that there are two reasons the calendar is coming back to the Board. We would like to change the student led conferences to March 10th. All elementary school have requested this move for additional training they would like. On April 19th Lake Pend Oreille Alternative High School Principal would like to have an additional parent teacher conference which would be really important for them as it makes a lot of sense to have a check in with families two times a year.

Trustee Peters made a motion to Approve the Calendar Changes for 2022-2023. Trustee Decker seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

2nd Reading of Policy

Dr. Meyer reminded the Board that only policies are approved by the Board, not procedures. The policies requiring a vote this evening are 1200 Annual Organization Meeting and 4330 Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events. The other two, 4210P Community Use of School Facilities and 4330P Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events. are procedures.

Trustee Peters made a motion to Approve the Revisions to 1200 Annual Organization Meeting. Trustee Sherman seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

Trustee Decker made a motion to Approve Policy 4330 Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events. Trustee Sherman seconded. Chair Lewis asked for comments. Dr. Meyer reminded the Board that she has integrated parent and patron comments into the policy presented. Trustee Peters asked who makes the decision on who removes someone. Dr. Meyer shared that it is whoever the administrator is at the event. Trustee Peters expressed that he has a little fear from acquisitions and people being thin skinned in some cases. He does not want this becoming the potential of something coming to fruition without due process. Dr. Meyer shared the procedural steps that will be taken to actually ban someone from a sporting event. Dr. Meyer shared that we do have officials that refuse to sign up for games and officiate. This is concerning to Dr. Meyer, and she is trying to support administration. We have to have some levels of sportsmanship and collegiality with others. Chair Lewis expressed this gives follow through on what we would expect our community to emulate.

Minutes of Regular Board Meeting #759

September 13, 2022

There being no further questions or discussion, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

Trustee Peters shared that he was not seeing in procedure who would have the ability to remove someone from a game. Dr. Meyer expressed that she could add this language to the procedure.

ANNOUNCEMENTS (No Action)

Principals TJ Clary and Jackie Crossingham, Trustee Purley Decker, Andra Murray, Dr. Becky Meyer, Casey McLaughlin, Dr. Joy Jansen, and Matt Diel made announcements.

ACTION ITEMS:

EXECUTIVE SESSION

Trustee Peters made a motion to move into Executive Session as provided for in Idaho Code, Title 74, Section 206, Subsection 1 (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. Trustee Decker seconded. Chair Lewis asked for comments. There being none, Clerk Fisher took a roll call vote with

Trustees voting as follows:

Trustee Peters	aye
Trustee Sherman	aye
Trustee Decker	aye
Trustee Lewis	aye

Motion carried. The Board went into Executive Session at 6:17 PM. The Board discussed a legal matter from 6:20 to 6:24 PM and a personnel matter from, 6:24 to 6:28 PM. No final action or decision was made during Executive Session.

RETURN TO OPEN SESSION

Chair Lewis reconvened into open session at 6:28 PM and asked for motions or discussion due to Executive Session.

Trustee Decker made a motion to Rescind the Continuing/Renewable Contract for Employee A for Failure to Comply with State of Idaho Education Recertification Requirements. Trustee Peters seconded. Chair Lewis asked for comments. There being none, the vote was taken with Trustees Lewis, Decker, Peters and Sherman voting aye. Motion carried.

No further motions were made due to executive session.

ADJOURN

There being no further business before the Board, the meeting was adjourned at 6:29 PM.

Attest: Kelly Fisher, Clerk

Geraldine Lewis, Chair

25-Oct-22

CERTIFICATED EMPLOYEES

v New Employee

NAME	SCHOOL	POSITION	FTE	FUND	STATUS	EFFECTIVE
BANKSON, CATHERINE	SHS	SEC TEACHER CTE	0.5	FEDERAL	partial LOA rtrn	10/17/2022

v Resignation/Retirement/Change of Status

NAME	SCHOOL	POSITION	FTE	FUND	STATUS	EFFECTIVE
BANKSON, CATHERINE	SHS	SEC TEACHER CTE	0.5	FEDERAL	rescind .50 LOA	9/30/2022
CESSNA, LISA	SHS	COACH SOFTBALL ASST	0.0875	LEVY	RESIGN	8/31/2022

CLASSIFIED EMPLOYEES

v New/Returning

NAME	SCHOOL	POSITION	FTE	FUND	STATUS	EFFECTIVE
ERICHSEN, AMY	SpSrv/WA	SpSrv PARAPRO	3.95	GENERAL	REPLACEMENT	10/5/22
McVANY, LAURA	SO	CCLC SUPPORT STAFF	3.2	FEDERAL	REPLACEMENT	10/7/22
MORGAN, AMY	SO	SpSrv PARAPRO	3.95	GENERAL	REPLACEMENT	12/19/22
RUSSELL, KIRA	FA/ST	INSTRUCTIONAL SUPPORT	4.80	LEVY	NEW	10/17/22

v Additional Assignment

NAME	SCHOOL	POSITION	FTE	FUND	TYPE	EFFECTIVE
JACOBS, ANNETTE	KT	CCLC SUPPORT STAFF	3.2	FEDERAL	REPLACEMENT	10/10/22
McLAGAN, DENISE	TRANSP	SCHOOL BUS ATTENDANT	1	GENERAL	INCREASE	10/11/22

v Position Changes/Resignations

NAME	SCHOOL	POSITION	FTE	FUND	TYPE	EFFECTIVE
DIAMOND, MARCELA	WA	SpSrv PARAPROFESSIONAL	3.95	GENERAL	RESIGN	9/30/22
ERICHSEN, AMADA	WA	PARAPRO ELEM SP & DUTY AIDE	3.58	LEVY	TRANSFER	10/4/22
HUNTER, RICHARD	TRANSP	SCHOOL BUS DRIVER	0.25	GENERAL	REDUCED	9/9/22
MOE, JEAN	TRANSP	SCHOOL BUS DRIVER	0.25	GENERAL	REDUCED	9/9/22
SOMMERFELD, CAROL	TRANSP	SCHOOL BUS DRIVER	0.25	GENERAL	REDUCED	9/9/22

Sent to Clerk: 10/6/2022

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

From Date: 10/4/2022

To Date: 10/4/2022

From Check: 256816

To Check: 256822

From Voucher: 1042

To Voucher: 1042

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256816	10/04/2022	BLUE CROSS OF IDAHO	\$589.90	1042	Printed	Expense	<input type="checkbox"/>		
256817	10/04/2022	CLARK FORK, CITY OF	\$1,757.97	1042	Printed	Expense	<input type="checkbox"/>		
256818	10/04/2022	DELTA DENTAL	\$134.69	1042	Printed	Expense	<input type="checkbox"/>		
256819	10/04/2022	DEPREZ, MICHAEL JOHN	\$550.00	1042	Printed	Expense	<input type="checkbox"/>		
256820	10/04/2022	UNITED HERITAGE LIFE	\$7.77	1042	Printed	Expense	<input type="checkbox"/>		
256821	10/04/2022	UNITED HERITAGE LTD	\$5.91	1042	Printed	Expense	<input type="checkbox"/>		
256822	10/04/2022	UNITED HERITAGE VISION	\$22.10	1042	Printed	Expense	<input type="checkbox"/>		

Total Amount: \$3,068.34

End of Report

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

From Date: 10/14/2022

To Date: 10/14/2022

From Check: 256826

To Check: 256991

From Voucher: 1014

To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256826	10/14/2022	ACCURATE TESTING LABS LLC	\$50.00	1014	Printed	Expense	<input type="checkbox"/>		
256827	10/14/2022	ACE SEPTIC TANK SERVICE	\$55.00	1014	Printed	Expense	<input type="checkbox"/>		
256828	10/14/2022	AEXEL, JOHN FITZPATRICK	\$300.00	1014	Printed	Expense	<input type="checkbox"/>		
256829	10/14/2022	AK ATHLETIC EQUIPMENT INC	\$2,327.80	1014	Printed	Expense	<input type="checkbox"/>		
256830	10/14/2022	ALL SEASONS GARDEN CENTER	\$30.83	1014	Printed	Expense	<input type="checkbox"/>		
256831	10/14/2022	ALLEN, AMANDA	\$138.25	1014	Printed	Expense	<input type="checkbox"/>		
256832	10/14/2022	ALTSULER, SUZANNA RENEE	\$114.06	1014	Printed	Expense	<input type="checkbox"/>		
256833	10/14/2022	AMAZON CAPITAL SERVICES	\$15,064.39	1014	Printed	Expense	<input type="checkbox"/>		
256834	10/14/2022	AMEND MUSIC CENTER	\$3,625.00	1014	Printed	Expense	<input type="checkbox"/>		
256835	10/14/2022	ARBOR SCIENTIFIC	\$455.00	1014	Printed	Expense	<input type="checkbox"/>		
256836	10/14/2022	BAFUS, CHRISTOPHER	\$50.00	1014	Printed	Expense	<input type="checkbox"/>		
256837	10/14/2022	BARBED K CUSTOM ETCHING LLC	\$251.60	1014	Printed	Expense	<input type="checkbox"/>		
256838	10/14/2022	BEARDEN, JACLYN ROSE	\$97.69	1014	Printed	Expense	<input type="checkbox"/>		
256839	10/14/2022	BEST WESTERN COTTON TREE INN-IDAHO FALLS	\$3,785.00	1014	Printed	Expense	<input type="checkbox"/>		
256840	10/14/2022	BIG LEAP CREATIVE, LLC	\$5,600.00	1014	Printed	Expense	<input type="checkbox"/>		
256841	10/14/2022	BONNER GENERAL HEALTH	\$154.60	1014	Printed	Expense	<input type="checkbox"/>		
256842	10/14/2022	BRADFORD, SHELBY E	\$1,347.81	1014	Printed	Expense	<input type="checkbox"/>		
256843	10/14/2022	BSN SPORTS	\$3,000.90	1014	Printed	Expense	<input type="checkbox"/>		
256844	10/14/2022	BUCHOLTZ, JAMES A	\$300.00	1014	Printed	Expense	<input type="checkbox"/>		
256845	10/14/2022	BUCK, JEFFREY T	\$19.08	1014	Printed	Expense	<input type="checkbox"/>		
256846	10/14/2022	BUOY, APRIL	\$418.50	1014	Printed	Expense	<input type="checkbox"/>		
256847	10/14/2022	BURKE, BARRY LEE	\$30.54	1014	Printed	Expense	<input type="checkbox"/>		
256848	10/14/2022	CAMBIUM LEARNING	\$375.00	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

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Criteria:

Bank Account: Main Checking 01331851

From Date: 10/14/2022

To Date: 10/14/2022

From Check: 256826

To Check: 256991

From Voucher: 1014

To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256849	10/14/2022	CAMTEK, INC	\$2,960.00	1014	Printed	Expense	<input type="checkbox"/>		
256850	10/14/2022	CAPITAL ONE	\$200.00	1014	Printed	Expense	<input type="checkbox"/>		
256851	10/14/2022	CAROLINA BIOLOGICAL SUPPLY	\$496.94	1014	Printed	Expense	<input type="checkbox"/>		
256852	10/14/2022	CINTAS CORPORATION #606	\$122.42	1014	Printed	Expense	<input type="checkbox"/>		
256853	10/14/2022	CITY OF SANDPOINT - UTILITY DEPT	\$15,362.15	1014	Printed	Expense	<input type="checkbox"/>		
256854	10/14/2022	CITYSERVICE VALCON LLC	\$1,800.42	1014	Printed	Expense	<input type="checkbox"/>		
256855	10/14/2022	CO-OP GAS AND SUPPLY 84402	\$35.29	1014	Printed	Expense	<input type="checkbox"/>		
256856	10/14/2022	COLEMAN OIL COMPANY	\$37,401.02	1014	Printed	Expense	<input type="checkbox"/>		
256857	10/14/2022	COLUMBIA PAINT COMPANY	\$5.32	1014	Printed	Expense	<input type="checkbox"/>		
256858	10/14/2022	CONSOLIDATED SUPPLY CO	\$610.94	1014	Printed	Expense	<input type="checkbox"/>		
256859	10/14/2022	CORSIGLIA, VALERIE ELAINE	\$87.88	1014	Printed	Expense	<input type="checkbox"/>		
256860	10/14/2022	CULLIGAN LLC	\$506.50	1014	Printed	Expense	<input type="checkbox"/>		
256861	10/14/2022	CUSTOM DEN LLC	\$25.00	1014	Printed	Expense	<input type="checkbox"/>		
256862	10/14/2022	DAIRY DEPOT	\$600.00	1014	Printed	Expense	<input type="checkbox"/>		
256863	10/14/2022	DARDAN ENTERPRISES, INC	\$14,540.75	1014	Printed	Expense	<input type="checkbox"/>		
256864	10/14/2022	DAVIS, CHLOEY	\$973.50	1014	Printed	Expense	<input type="checkbox"/>		
256865	10/14/2022	DELL MARKETING LP % DELL USA, LP	\$1,855.89	1014	Printed	Expense	<input type="checkbox"/>		
256866	10/14/2022	DEMME LEARNING	\$1,650.00	1014	Printed	Expense	<input type="checkbox"/>		
256867	10/14/2022	DICKINSON, DEREK	\$576.88	1014	Printed	Expense	<input type="checkbox"/>		
256868	10/14/2022	DOMINOS PIZZA CORP.	\$192.82	1014	Printed	Expense	<input type="checkbox"/>		
256869	10/14/2022	EDNETICS INC	\$7,729.48	1014	Printed	Expense	<input type="checkbox"/>		
256870	10/14/2022	ELLISPORT BAY SEWER DISTRICT	\$1,061.76	1014	Printed	Expense	<input type="checkbox"/>		
256871	10/14/2022	EXCESS DISPOSAL SERVICE	\$504.00	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

From Date: 10/14/2022	To Date: 10/14/2022
From Check: 256826	To Check: 256991
From Voucher: 1014	To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256872	10/14/2022	FAIRBRIDGE INN & SUITES - SANDPOINT	\$175.93	1014	Printed	Expense	<input type="checkbox"/>		
256873	10/14/2022	FARWELL, DAVID P	\$11.80	1014	Printed	Expense	<input type="checkbox"/>		
256874	10/14/2022	FLINN SCIENTIFIC INC	\$331.80	1014	Printed	Expense	<input type="checkbox"/>		
256875	10/14/2022	GANDER PUBLISHING INC.	\$87.90	1014	Printed	Expense	<input type="checkbox"/>		
256876	10/14/2022	GEE, LORAINNE	\$305.25	1014	Printed	Expense	<input type="checkbox"/>		
256877	10/14/2022	GLOWFORGE INC	\$515.20	1014	Printed	Expense	<input type="checkbox"/>		
256878	10/14/2022	GOPHER SPORT	\$1,169.87	1014	Printed	Expense	<input type="checkbox"/>		
256879	10/14/2022	GRAINGER INC., W.W.	\$905.26	1014	Printed	Expense	<input type="checkbox"/>		
256880	10/14/2022	GRASMICK PRODUCE CO INC	\$502.40	1014	Printed	Expense	<input type="checkbox"/>		
256881	10/14/2022	H & H BUSINESS SYSTEMS INC.	\$4,506.39	1014	Printed	Expense	<input type="checkbox"/>		
256882	10/14/2022	HANDWRITING WITHOUT TEARS	\$499.50	1014	Printed	Expense	<input type="checkbox"/>		
256883	10/14/2022	HARBOR FREIGHT TOOLS	\$339.97	1014	Printed	Expense	<input type="checkbox"/>		
256884	10/14/2022	HEINEMANN	\$148.50	1014	Printed	Expense	<input type="checkbox"/>		
256885	10/14/2022	HEISER, ZACHARY BOYD	\$121.50	1014	Printed	Expense	<input type="checkbox"/>		
256886	10/14/2022	HENSEN, KEVIN	\$175.00	1014	Printed	Expense	<input type="checkbox"/>		
256887	10/14/2022	HOME DEPOT # *****40623042	\$3,967.22	1014	Printed	Expense	<input type="checkbox"/>		
256888	10/14/2022	HOME DEPOT CRC/GECF# ****13485119	\$2,842.47	1014	Printed	Expense	<input type="checkbox"/>		
256889	10/14/2022	HOUGHTON MIFFLIN HARCOURT	\$2,300.00	1014	Printed	Expense	<input type="checkbox"/>		
256890	10/14/2022	IHA, ELIZABETH A	\$825.00	1014	Printed	Expense	<input type="checkbox"/>		
256891	10/14/2022	INLAND NORTHWEST THERAPY LLC	\$3,243.75	1014	Printed	Expense	<input type="checkbox"/>		
256892	10/14/2022	INSIGHT DISTRIBUTING INC	\$2,466.97	1014	Printed	Expense	<input type="checkbox"/>		
256893	10/14/2022	IVERSON, JACOB R	\$300.00	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

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From Check: 256826

To Check: 256991

From Voucher: 1014

To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256894	10/14/2022	JANSEN, JOY CAROLINE	\$403.10	1014	Printed	Expense	<input type="checkbox"/>		
256895	10/14/2022	KANIKSU HEALTH SERVICES	\$2,500.00	1014	Printed	Expense	<input type="checkbox"/>		
256896	10/14/2022	KELLER, ERIK ROBERT	\$150.00	1014	Printed	Expense	<input type="checkbox"/>		
256897	10/14/2022	KENWORTH SALES - SPOKANE	\$15,333.97	1014	Printed	Expense	<input type="checkbox"/>		
256898	10/14/2022	KNOWBE4 INC	\$7,020.00	1014	Printed	Expense	<input type="checkbox"/>		
256899	10/14/2022	KRAEMER, MARYANN	\$52.50	1014	Printed	Expense	<input type="checkbox"/>		
256900	10/14/2022	LAKE PEND OREILLE SD 84 - CHILD NUTRITIO	\$2,148.39	1014	Printed	Expense	<input type="checkbox"/>		
256901	10/14/2022	LEETH, JAMI N	\$333.18	1014	Printed	Expense	<input type="checkbox"/>		
256902	10/14/2022	LONGWELL + TRAPP ARCHITECTS	\$3,135.55	1014	Printed	Expense	<input type="checkbox"/>		
256903	10/14/2022	LORENZ, JOHN EDWARD	\$22.29	1014	Printed	Expense	<input type="checkbox"/>		
256904	10/14/2022	LRP PUBLICATIONS	\$270.00	1014	Printed	Expense	<input type="checkbox"/>		
256905	10/14/2022	LYONS, KAREN MILEAN	\$10.94	1014	Printed	Expense	<input type="checkbox"/>		
256906	10/14/2022	MANZARDO, PAUL M	\$175.00	1014	Printed	Expense	<input type="checkbox"/>		
256907	10/14/2022	MATHER, ALLISON MARGARET	\$159.00	1014	Printed	Expense	<input type="checkbox"/>		
256908	10/14/2022	MAURER, ARYANI CECE	\$16.50	1014	Printed	Expense	<input type="checkbox"/>		
256909	10/14/2022	MCCLURE, ERIN E	\$111.44	1014	Printed	Expense	<input type="checkbox"/>		
256910	10/14/2022	MCLAUGHLIN, PATRICK CASEY	\$245.38	1014	Printed	Expense	<input type="checkbox"/>		
256911	10/14/2022	MESCHKO, MALIA LYNN	\$508.63	1014	Printed	Expense	<input type="checkbox"/>		
256912	10/14/2022	MILLER, TAMMY A	\$248.93	1014	Printed	Expense	<input type="checkbox"/>		
256913	10/14/2022	MILLERS COUNTRY STORE	\$45.50	1014	Printed	Expense	<input type="checkbox"/>		
256914	10/14/2022	MILLIMAN INC	\$19,500.00	1014	Printed	Expense	<input type="checkbox"/>		
256915	10/14/2022	MOON, PATRICK LAWRENCE	\$28.88	1014	Printed	Expense	<input type="checkbox"/>		
256916	10/14/2022	MOREHEAD, CHAD KB	\$650.00	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

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From Voucher: 1014

To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256917	10/14/2022	MURRAY, ANDRA	\$304.94	1014	Printed	Expense	<input type="checkbox"/>		
256918	10/14/2022	MUSIC CONSERVATORY OF SANDPOINT	\$792.00	1014	Printed	Expense	<input type="checkbox"/>		
256919	10/14/2022	MYSTERY SCIENCE INC	\$30,400.00	1014	Printed	Expense	<input type="checkbox"/>		
256920	10/14/2022	N2Y LLC	\$219.65	1014	Printed	Expense	<input type="checkbox"/>		
256921	10/14/2022	NATIONAL PEN COMPANY	\$771.90	1014	Printed	Expense	<input type="checkbox"/>		
256922	10/14/2022	NEW MANAGEMENT, INC	\$2,033.86	1014	Printed	Expense	<input type="checkbox"/>		
256923	10/14/2022	NOBELUS LLC	\$258.64	1014	Printed	Expense	<input type="checkbox"/>		
256924	10/14/2022	NORTH 40 OUTFITTERS	\$85.13	1014	Printed	Expense	<input type="checkbox"/>		
256925	10/14/2022	NORTHERN LIGHTS INC	\$1,570.67	1014	Printed	Expense	<input type="checkbox"/>		
256926	10/14/2022	NORTHWEST DISTRIBUTION SERVICE	\$5,946.74	1014	Printed	Expense	<input type="checkbox"/>		
256927	10/14/2022	ODEN WATER ASSOCIATION	\$70.00	1014	Printed	Expense	<input type="checkbox"/>		
256928	10/14/2022	OFFICE DEPOT INC.	\$5,109.87	1014	Printed	Expense	<input type="checkbox"/>		
256929	10/14/2022	ORLANDO, KRISTIN	\$5,180.00	1014	Printed	Expense	<input type="checkbox"/>		
256930	10/14/2022	PACIFIC STEEL & RECYCLING-SCHOOL	\$2,913.33	1014	Printed	Expense	<input type="checkbox"/>		
256931	10/14/2022	PANHANDLE DRIVING SCHOOL	\$5,850.00	1014	Printed	Expense	<input type="checkbox"/>		
256932	10/14/2022	PANHANDLE SPECIAL NEEDS, INC	\$1,587.74	1014	Printed	Expense	<input type="checkbox"/>		
256933	10/14/2022	PC PARTS PLUS	\$1,398.85	1014	Printed	Expense	<input type="checkbox"/>		
256934	10/14/2022	PCS EDVENTURES COM INC	\$2,625.00	1014	Printed	Expense	<input type="checkbox"/>		
256935	10/14/2022	PEARSON ASSESSMENT	\$142.80	1014	Printed	Expense	<input type="checkbox"/>		
256936	10/14/2022	PLANK ROAD PUBLISHING INC.	\$237.83	1014	Printed	Expense	<input type="checkbox"/>		
256937	10/14/2022	PONDERAY NURSERY AND GARDEN CENTER	\$88.00	1014	Printed	Expense	<input type="checkbox"/>		
256938	10/14/2022	POWER, LAURA LOUISE	\$224.64	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

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Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256939	10/14/2022	QUADIENT LEASING USA INC	\$4,630.80	1014	Printed	Expense	<input type="checkbox"/>		
256940	10/14/2022	REGO, DAVID	\$141.58	1014	Printed	Expense	<input type="checkbox"/>		
256941	10/14/2022	RIDDELL	\$2,806.56	1014	Printed	Expense	<input type="checkbox"/>		
256942	10/14/2022	RIVERSIDE INSIGHTS	\$387.20	1014	Printed	Expense	<input type="checkbox"/>		
256943	10/14/2022	RIVERTREE INN & SUITES	\$121.21	1014	Printed	Expense	<input type="checkbox"/>		
256944	10/14/2022	ROBERTS, COURTNEY L	\$1,188.00	1014	Printed	Expense	<input type="checkbox"/>		
256945	10/14/2022	ROBOTRONICS INC	\$608.00	1014	Printed	Expense	<input type="checkbox"/>		
256946	10/14/2022	ROSS-MOON, CANDIS L	\$896.56	1014	Printed	Expense	<input type="checkbox"/>		
256947	10/14/2022	RUBY RIVER HOTEL	\$965.58	1014	Printed	Expense	<input type="checkbox"/>		
256948	10/14/2022	SAGLE VALLEY WATER & SEWER DIST	\$975.00	1014	Printed	Expense	<input type="checkbox"/>		
256949	10/14/2022	SCHILLER, JESSICA	\$396.54	1014	Printed	Expense	<input type="checkbox"/>		
256950	10/14/2022	SCHOLASTIC, INC. EDUCATION	\$256.77	1014	Printed	Expense	<input type="checkbox"/>		
256951	10/14/2022	SCHOOL SPECIALTY CORP.	\$854.09	1014	Printed	Expense	<input type="checkbox"/>		
256952	10/14/2022	SECOND AVENUE PIZZA	\$389.90	1014	Printed	Expense	<input type="checkbox"/>		
256953	10/14/2022	SELKIRK GLASS & CABINETS	\$211.25	1014	Printed	Expense	<input type="checkbox"/>		
256954	10/14/2022	SELKIRK PRESS INC.	\$453.00	1014	Printed	Expense	<input type="checkbox"/>		
256955	10/14/2022	SHORT, THORETTA ANN	\$46.25	1014	Printed	Expense	<input type="checkbox"/>		
256956	10/14/2022	SHROCK, MELODY	\$390.00	1014	Printed	Expense	<input type="checkbox"/>		
256957	10/14/2022	SJS EDUCATIONAL CONSULTING	\$4,000.00	1014	Printed	Expense	<input type="checkbox"/>		
256958	10/14/2022	SKAUGSTAD, NATHAN R	\$40.50	1014	Printed	Expense	<input type="checkbox"/>		
256959	10/14/2022	SMITH, LOVINNA L	\$89.80	1014	Printed	Expense	<input type="checkbox"/>		
256960	10/14/2022	SOLUTION TREE, LLC	\$1,937.00	1014	Printed	Expense	<input type="checkbox"/>		
256961	10/14/2022	SOUTH FORK HARDWARE - SANDPOINT INC	\$5.99	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

From Date:	10/14/2022	To Date:	10/14/2022
From Check:	256826	To Check:	256991
From Voucher:	1014	To Voucher:	1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256962	10/14/2022	SPANN, KATHERINE E	\$2,178.00	1014	Printed	Expense	<input type="checkbox"/>		
256963	10/14/2022	SPECIALY DESIGNED EDUCATION SERVICES	\$1,306.78	1014	Printed	Expense	<input type="checkbox"/>		
256964	10/14/2022	SPECIALTY FOREST PRODUCTS	\$1,452.90	1014	Printed	Expense	<input type="checkbox"/>		
256965	10/14/2022	SPOKANE PRODUCE INC	\$3,963.70	1014	Printed	Expense	<input type="checkbox"/>		
256966	10/14/2022	SPOKANE TESTING SOLUTIONS	\$550.00	1014	Printed	Expense	<input type="checkbox"/>		
256967	10/14/2022	SPRINGHILL SUITES BY MARRIOTT	\$1,914.00	1014	Printed	Expense	<input type="checkbox"/>		
256968	10/14/2022	SQUIRES, DAVID	\$87.19	1014	Printed	Expense	<input type="checkbox"/>		
256969	10/14/2022	STAPLES CREDIT PLAN	\$356.93	1014	Printed	Expense	<input type="checkbox"/>		
256970	10/14/2022	STONEWAY ELECTRIC SUPPLY CO	\$280.47	1014	Printed	Expense	<input type="checkbox"/>		
256971	10/14/2022	SUPER 1 FOODS - SANDPOINT	\$1,075.81	1014	Printed	Expense	<input type="checkbox"/>		
256972	10/14/2022	TAYLOR & SONS CHEVROLET	\$64.69	1014	Printed	Expense	<input type="checkbox"/>		
256973	10/14/2022	TERRY'S DAIRY	\$4,414.29	1014	Printed	Expense	<input type="checkbox"/>		
256974	10/14/2022	TIBBS, NICOLE CHRISTEN	\$50.00	1014	Printed	Expense	<input type="checkbox"/>		
256975	10/14/2022	UNITED DATA SECURITY INC	\$55.50	1014	Printed	Expense	<input type="checkbox"/>		
256976	10/14/2022	URM STORES INC.	\$2,098.75	1014	Printed	Expense	<input type="checkbox"/>		
256977	10/14/2022	USI EDUCATION & GOVERNMENT SALES	\$366.88	1014	Printed	Expense	<input type="checkbox"/>		
256978	10/14/2022	VANDERFORDS BOOKS & OFFICE	\$35.17	1014	Printed	Expense	<input type="checkbox"/>		
256979	10/14/2022	VERIZON WIRELESS	\$2,266.84	1014	Printed	Expense	<input type="checkbox"/>		
256980	10/14/2022	VESECKY, VICTORIA ANNE	\$2,340.00	1014	Printed	Expense	<input type="checkbox"/>		
256981	10/14/2022	VIRCO	\$7,661.99	1014	Printed	Expense	<input type="checkbox"/>		
256982	10/14/2022	WALTER E. NELSON CO	\$857.80	1014	Printed	Expense	<input type="checkbox"/>		
256983	10/14/2022	WATSON, LAUREL MEGAN-JONES	\$70.11	1014	Printed	Expense	<input type="checkbox"/>		

Lake Pend Oreille Sch Dist No 84

Check Listing

Fiscal Year: 2022-2023

Criteria:

Bank Account: Main Checking 01331851

From Date: 10/14/2022

To Date: 10/14/2022

From Check: 256826

To Check: 256991

From Voucher: 1014

To Voucher: 1014

Check Number	Date	Payee	Amount	Voucher	Status	Type	Cleared?	Clear Date	Void Date
256984	10/14/2022	WESTERN PSYCHOLOGICAL SERVICES	\$65.00	1014	Printed	Expense	<input type="checkbox"/>		
256985	10/14/2022	WILLIAMS, HEIDI JEAN	\$81.54	1014	Printed	Expense	<input type="checkbox"/>		
256986	10/14/2022	WM CORPORATE SERVICES INC	\$2,460.13	1014	Printed	Expense	<input type="checkbox"/>		
256987	10/14/2022	WM CORPORATE SERVICES INC	\$843.46	1014	Printed	Expense	<input type="checkbox"/>		
256988	10/14/2022	WOODWINDS & BRASSWINDS	\$75.15	1014	Printed	Expense	<input type="checkbox"/>		
256989	10/14/2022	YMCA OF THE INLAND NORTHWEST	\$3,000.00	1014	Printed	Expense	<input type="checkbox"/>		
256990	10/14/2022	YOKES PAC N SAVE	\$1,126.06	1014	Printed	Expense	<input type="checkbox"/>		
256991	10/14/2022	ZIPLY FIBER	\$2,464.56	1014	Printed	Expense	<input type="checkbox"/>		

Total Amount: \$338,867.74

End of Report



Lake Pend Oreille School District #84

Student Calendar 2022-2023



July 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September

6 First Day for Students

October

7 Non Student Day
Professional Development

November

4 Non Student Day
End of Quarter 1

August 22

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

16 Normal Early Release Wednesday
Parent/teacher Conference All Levels,
Wednesday Early Release Schedule -
All Students.

17 Early Release - District Wide
Parent/Teacher Conference, (Exclude
LPOHS), Wednesday Early Release
Schedule - All Students.

18 Early Release- District Wide
Wednesday Early Release
Schedule - All Students.

September 22

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

21 Thanksgiving Break
11/21/22-11/25/22

December

16 Minimum Day - District Wide
1 Hr Prior to Early Release
Schedule

19 Christmas Break Begins
12/19/22-1/2/23

January

3 School Resumes

16 Non Student Day
Martin Luther King Day

27 Non Student Day
End of Quarter 2/Semester 1

October 22

S	M	T	W	T	F	S
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February

20 Non Student Day
President's Day

March

10 Non Student Day - Elemen-
tary ONLY, Secondary in
Session
Student Led Conference Elem-
entary ONLY

31 Non Student Day
End of Quarter 3

November 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

3 Spring Break
4/3/23-4/7/23

19 LPOHS ONLY

Parent/Teacher
Conference

May

Memorial Day
29 Non Student Day

June

7 CFHS Graduation

8 LPOHS Graduation

9 SHS Graduation - Last Day for
ALL Students
Minimum Day - 1 Hr Prior to
Early Release Schedule

January 23

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 23

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March 23

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 23

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 23

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 23

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30



Lake Pend Oreille School District #84

Certified Calendar 2022-2023



July 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- August**
- 30** Professional Work Day
Building Meetings
 - 31** Professional Workday
Professional Development
Certified Only, ADA Counts

- December**
- 19** Christmas Break Begins
12/19/22-1/2/23
 - 25** Christmas
Holiday

January 23

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 22

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- September**
- 1** Professional Workday
Opening Meeting
 - 2** Professional Workday
 - 5** Labor Day
Holiday
 - 6** First Day for Students

- January**
- 2** New Year's Day Observed
Holiday
 - 3** School Resumes
 - 16** Martin Luther King Day
Holiday
 - 27** End of Quarter 2/Semester 1 -
42/86 Days
Non Student Day

February 23

S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

September 22

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- October**
- 7** Professional Development -
ALL STAFF
ADA Counts - Non Student
Day

- February**
- 20** President's Day
Holiday

March 23

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
	19	20	21	22	23	24
25	26	27	28	29	30	31

- November**
- 4** End of Quarter 1 - 42 Days
Non Student Day
 - 16** Normal Early Release

- March**
- 10** Student Led Conference -
Elementary ONLY, Second-
ary IN SESSION
Non Student Day ELEMEN-
TARY ONLY

April 23

S	M	T	W	T	F	S
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Parent/teacher Conference All
Levels, Wednesday Early Release
Schedule - All Students. 1.5 Certified
Work Days

- 31** End of Quarter 3 - 42 Days
Non Student Day

October 22

S	M	T	W	T	F	S
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- 17** Early Release
- Parent Teacher Conference,
Wednesday Early Release Schedule -
All Students. 1.5 Certified Work Days
(Exclude L.POHS)

- April**
- 3** Spring Break
4/3/23-4/7/23

May 23

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- 18** Early Release

- 19** LPOHS ONLY
Parent/Teacher Conference
1.5 Certified Work Days

November 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 21** Thanksgiving Break
- 22** Thanksgiving Break
- 23** Thanksgiving Break
- 24** Thanksgiving
Holiday
- 25** Thanksgiving Break
Holiday

- May**
- 29** Memorial Day
Holiday
- June**
- 7** CFHS Graduation
 - 8** LPOHS Graduation
 - 9** SHS Graduation - Last Day for
ALL Students
Minimum Day - 1 hr prior to
bldg early release schedule
 - 12** Professional Work Day - End of
Quarter 4/Semester 2 -
44/86 Days
Non Student Day

June 23

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 22

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- December**
- 16** Minimum Day
1 hr prior to bldg early release
schedule



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 33
EDUCATION
CHAPTER 1

STATE BOARD OF EDUCATION

33-138. DIGNITY AND NONDISCRIMINATION IN PUBLIC EDUCATION. (1) It is the intent of the legislature that administrators, faculty members, other employees, and students at public schools, including public charter schools and institutions of higher education, respect the dignity of others, acknowledge the right of others to express differing opinions, and foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association.

(2) The Idaho legislature finds that tenets outlined in subsection (3)(a) of this section, often found in "critical race theory," undermine the objectives outlined in subsection (1) of this section and exacerbate and inflame divisions on the basis of sex, race, ethnicity, religion, color, national origin, or other criteria in ways contrary to the unity of the nation and the well-being of the state of Idaho and its citizens.

(3) In accordance with section 6, article IX of the constitution of the state of Idaho and section 67-5909, Idaho Code:

(a) No public institution of higher education, school district, or public school, including a public charter school, shall direct or otherwise compel students to personally affirm, adopt, or adhere to any of the following tenets:

(i) That any sex, race, ethnicity, religion, color, or national origin is inherently superior or inferior;

(ii) That individuals should be adversely treated on the basis of their sex, race, ethnicity, religion, color, or national origin; or

(iii) That individuals, by virtue of sex, race, ethnicity, religion, color, or national origin, are inherently responsible for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin.

(b) No distinction or classification of students shall be made on account of race or color.

(c) No course of instruction or unit of study directing or otherwise compelling students to personally affirm, adopt, or adhere to any of the tenets identified in paragraph (a) of this subsection shall be used or introduced in any institution of higher education, any school district, or any public school, including a public charter school.

(4) Nothing in this section should be construed to prohibit the required collection or reporting of demographic data by public schools or public institutions of higher education.

History:

[33-138, added 2021, ch. 293, sec. 1, p. 885.]

How current is this law?

Search the Idaho Statutes and Constitution

Self-Directed Learners

Lake Pend Oreille School District #84 schools offer students the opportunity to be designated as a self-directed learner for the purpose of being granted additional flexibility in meeting the District's graduation requirements. This allows students to tailor their education activities to meet individual learning goals developed in consultation with the student's supervising teacher and their parent/guardian.

A student designated as a self-directed learner shall have a right to flexible learning to support their postsecondary goals. Flexible learning may include:

1. Flexible attendance requirements;
2. Attending school virtually;
3. Extended learning opportunities; and
4. Any other agreed-upon learning inside or outside the classroom. This may include, but is not limited to, curriculum compacting, acceleration, or credit by examination.

This flexibility may be used to allow the student to make use of the District's educational resources in customized ways and/or to allow the student to pursue educational opportunities outside of those offered by the District.

The District maintains a policy of not charging a fee for any course for which academic credit is awarded. In keeping with this policy and with the State Constitution's requirement to maintain a system of free public schools, the learning activities incorporated into the student's program of flexible learning may not include activities for which a fee is charged.

Additionally, the learning activities incorporated into the student's program of flexible learning may not include activities for religious purposes.

A student's self-directed learner status may be terminated if the district faculty supervising the student's self-directed learning determines that the student is failing to meet the requirements laid out in Procedure 2470P or is failing to complete assignments within the time provided.

The process for designating a student as a self-directed learner and maintaining this designation is provided in Procedure 2470P. This procedure shall be reviewed and approved by the Board prior to promulgation and prior to any revision of the procedure.

Each year, the District shall report to the State Department of Education the number of students in attendance who are designated as self-directed learners.

Cross References: 2435 Advanced Opportunities
 3440 Student Fees, Fines, and Charges-Return Property

Legal References: **Constitution of the State of Idaho, Article IX, Section 1 Legislature to Establish System of Free Schools**
 Constitution of the State of Idaho, Article § XI Religious Test and Teaching in School Prohibited
 I.C. § 33-512D Self-Directed Learner Designation
 I.C. § 33-1001 Definitions

Policy History:
Adopted on:

Self-Directed Learners Procedure

Eligibility Requirements

To be designated a self-directed learner, a student must meet all of the following criteria;

1. Demonstrate mastery of content knowledge through grades, assessments, or mastery-based learning rubrics.
2. Demonstrate mastery of addition and multiplication for numbers 0-10, as well as related subtraction and division problems. Students in grades kindergarten through 4th grade shall be exempt from this requirement.
3. Demonstrate academic growth on assigned local and state assessments in all content areas identified in the student's self-directed learning plan commensurate with grade-level peers.
4. Demonstrate timeliness in returning all assignments, self-motivation, and ability to establish goals identified in the self-directed learning plan.
5. Reach age-appropriate learning outcomes commensurate with grade-level peers.

Additionally, students in 8th grade or higher must show that they have made an informed choice of postsecondary career and education goals by:

1. Creating a full student learning plan as defined in I.C. 33-1001(30), and keeping it up-to-date based on the meeting dates assigned; and
2. Working toward their postsecondary goals and supplementing their student learning plan, if applicable, with such activities as participation in extended learning opportunities, advanced opportunities, challenging courses as described in Policy 2435, or successful completion of an online course.

A student's progress toward meeting their learning goals will be measured at least annually against a common rubric that will be included with the student learning plan. These measures may be based on the following and/or on other measures the Superintendent or their designee deems appropriate:

1. GPA and/or achievement of a minimum grade for all classes or for specified classes; Scores on specified assessments;
2. A portfolio of student work;
3. Regular communication and documentation of learning activities chosen; and
4. Teacher reports of whether the student meets all of the criteria listed above or specific criteria.

Designation of Self-Directed Learners

To be designated a self-directed learner, a request must be submitted to the building principal. The request process may be initiated by a student, their parent/guardian, or one of the student's teachers.

The request must include the following:

1. A description of the exemptions from standard instruction practices and requirements sought for the student. If a student is to be absent from the classroom during the usual school day, this must include a statement of who will be responsible for supervising the student.
2. An explanation of how this flexibility will aid the student in meeting their goals as well as mastering grade-level content. For students in 8th grade and above, this must include an explanation of how flexible learning will further the student's progress toward identified postsecondary goals.
3. Criteria the student will be required to meet to maintain their designation as a self-directed learner, such as:
 - a. Continued mastery of content knowledge and skills, academic growth, progress toward postsecondary goals (if the student is in Grade 8 or higher), or other measures of student learning as specified further in the request;
 - b. Compliance with the District's rules regarding student conduct, except for any from which the student is specifically exempted; and
 - c. Submission of regular updates outlining the flexibility sought for upcoming instruction and how it will aid the student in meeting their goals.

Students who are in grade 8 or higher must also include a four-year plan identifying how they plan to meet district graduation requirements as well as a description, written by the student, of their self-determined personal life goals, including an explanation of how attending specific classes will lead to the fulfillment of personal life goals in addition to the identified post-secondary goals.

These plans will be reviewed at least once annually beginning in grade 08 and will be considered as evidence toward continuing as a self-directed learner. This practice will take place at least 30 days prior to the beginning of the school year. The deadline may be waived at the discretion of the building principal.

Applications will be reviewed by the building principal and a team of no fewer than three school or district faculty, including any other staff they deem appropriate. A decision will be made within 15 days of receipt of the application. The student will be notified in writing of the status of the application. If additional information is needed, the information must be submitted within one week of receipt of the request.

A student whose request has been denied may request a meeting with the building principal or Director of Elementary or Secondary Education. They will provide the student with a rationale as to why the proposal was denied. The student may resubmit an alternate proposal if there is enough time to do so within the deadline.

described above.

If the building principal or appropriate director rejects the resubmitted proposal, the student may appeal to the Superintendent. All decisions made by the Superintendent shall be final.

Credit for Flexible Learning Opportunities

To receive credit for activities a student participates in as part of their flexible learning activities, a middle or high school student must:

- 1. Successfully complete an accredited online or correspondence course or a class taught by an Idaho school district or charter school; or**
- 2. Earn college credit as allowed by District policy; or**
- 3. Successfully challenge a course as described in Policy 2435.**

Ending Self-Directed Learning Status

A review team of no fewer than three faculty members will be established to supervise the self-directed learner's educational program. This team shall support the student in their flexible learning, monitor their academic progress, and monitor whether they are meeting the criteria described in the request for self-directed learner status.

If the review team determines that:

- 1. A student is failing to meet these criteria; or**
- 2. A student is failing to complete assignments within the time provided**

The review team will submit to the building principal a written recommendation to rescind the designation of self-directed learner. The building principal shall determine whether to rescind the self-directed learner status. A student's parent or a student with the permission of their parent (if the student is under 18 years of age) may submit notice to the District that they wish to terminate the student's flexible learner status at the end of the quarter, semester, or school year.



Application for Self-directed Learner Designation (2470F)
(To be received within 30 days of the incoming school year and reviewed annually)

Name: _____, School: _____ Grade Level: _____

Lake Pend Oreille School District allows highly motivated pupils to tailor their education activities to meet individual learning goals developed in consultation with a review committee and their parents and/or guardians. Student performance will be measured annually against a rubric of academic growth, measurable objectives, and ability to communicate and collaborate their advancement when compared to grade-level peers.

What are your goals as a self-directed learner?
What are the learning objectives? (What new knowledge, skills and abilities will the student have at the end of the study?)
What activities will the student engage in to promote learning within the community? (The plan might include readings, interviews, discussion with a mentor/advisor, or other activities as appropriate.)
Outcomes / Evaluation (How will the student's learning be demonstrated and assessed?)
Timetable (Include interim mileposts such as advisor meetings, feedback on drafts, and final project completion. The advisor and student can use this to gauge progress and provide feedback and support as needed.)

By signing this document, I agree to complete the work outlined above. I understand I am bound by policies and procedures of the school and Coeur d'Alene School District. I understand failure to complete the agreed upon program by the end of the indicated term could result in a termination of the plan..

Student Signature: _____ **Date:** _____

By signing this document, I agree to supervise said student in their defined learning plan. I understand it is my responsibility collaborate with members of the review committee and building principal to support the student in the identified learning goals and will ensure that the student abides by the policies and procedures of the school and Coeur d'Alene School District.

Parent/Guardian Signature: _____ **Date:** _____

Teacher/Faculty Recommendation:

Approval by Faculty

Approved Disapproved

Review Committee Member Date

Approved Disapproved

Review Committee Member Date

Approved Disapproved

Review Committee Member Date

Approved Disapproved

Building Principal or Designee Date

Office Coordinator/Registrar Use Only- PowerSchool Coding Completed

Date



Self-Directed Learner Rubric

Name: _____ School: _____ Grade Level: _____ Date of Review: _____

In order to maintain designation as well as a self-directed learner, the student must be marked as “proficient” or “advanced” annually in each of these traits:

Trait	Novice	Basic	Proficient	Advanced
Goal Setting	Lacks strategies to set personal goals and rarely participates in goal setting. Others usually set goals for student.	Has difficulty using strategies in the goal-setting process without on-going assistance.	Applies strategies to set achievable goals, seeking minimal assistance, and provides regular communication on progress.	Independently utilizes strategies to set challenging, achievable goals, adjusting goals based on progress with input from others.
Focus	Is unfocused and consistently off task and is unable to meet the goals in the learning plan.	Requires frequent prompting to focus on the learning process and demonstrate growth in the plan.	There is documented evidence that the student is focused on meeting the agreed learning goals.	Independently maintains focus and perseveres during the learning process; meets most of the agreed learning goals.
Self-instruction	Lacks strategies to learn, and rarely engages in problem solving or seeking help.	Applies strategies and problem-solves with frequent teacher assistance, sometimes seeking inappropriate help.	Applies strategies and problem-solves with occasional teacher/appropriate assistance.	Applies strategies independently for self- instruction, solving problems, and seeking appropriate help only if necessary.
Self-monitoring	Rarely monitors learning progress, and consistently requires teacher guidance.	Monitors learning progress with frequent teacher intervention.	Monitors learning progress and self-corrects with occasional teacher guidance.	Monitors learning progress, self-correcting as needed.
Effective Use of Resources	Rarely uses resources effectively and needs consistent teacher guidance.	Frequently requires teacher guidance to select and use resources effectively.	Selects and uses appropriate resources with minimal teacher guidance.	Independently identifies and effectively uses relevant resources.
Self-evaluation and Reflection	Rarely reflects upon learning without teacher prompting to identify strengths and weaknesses, use feedback, and modify work.	Frequently requires teacher prompting to reflect upon learning, identify strengths and weaknesses, use feedback, and modify work.	Occasionally reflects upon learning independently, identifying strengths and weaknesses, using feedback, and modifying work.	Independently reflects upon learning, identifying strengths and weaknesses, using feedback, and modifying work accordingly.
Attainment of Learning Goals	The student has little or no evidence of mastery toward the grade-level learning targets.	The student is approaching meeting the grade-level learning targets but is not on par with peers.	Documented evidence in coursework and assessments show that the student is on par in meeting grade-level learning targets.	Documented evidence shows that the student has excelled in meeting grade-level learning targets.

Grade 05 and higher: Does the student have demonstrated abilities in basic operations of addition/subtraction/multiplication/division? YES NO

Grade 08 and higher: Does the student have current 4-year graduation and post-secondary education plans? YES NO

Mastery-Based Education

The purpose of this policy is to allow schools to provide opportunities for students to demonstrate the full extent of their knowledge and abilities, to offer appropriate credit for their efforts outside the normal classroom environment, and to allow for more personalized and differentiated learning. This process may allow a student to achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the District.

This policy permits District schools to:

1. Offer flexibility as they meet each student's diverse needs, interests, and levels and rate of learning; and
2. Create additional options for students to demonstrate their mastery of course content.

"Mastery-based education" shall mean an education system where student progress is based on a student's demonstration of mastery of competencies and content, not seat time or the age or grade level of the student.

Mastery-Based Education Plan

The Board directs the Superintendent to develop a plan that describes how the District or school will maintain a mastery-based approach to education. The plan may be developed with the input of teachers and other education stakeholders.

The plans shall include a process for determining mastery and awarding credit. Such rubrics and assessments shall be based on the Idaho Content Standards and the Idaho College and Career Readiness Competencies and Subskills. They may provide a variety of modes for a student to demonstrate mastery, including:

1. The successful completion of classroom or equivalent work, such as supervised independent study, extended learning experiences, or project-based learning.
2. Passing an appropriate exam;
3. Providing a portfolio of work or other assessment evidence;
4. Providing documentation of prior learning activities or experiences, such as through diplomas or transcripts from schools, colleges, or universities; awards; or letters attesting to the completion of the activity or experience; or
5. Some combination of the above.

Legal References:	I.C. § 33-1632	Mastery-Based Education
	I.C. § 33-6401 et seq.	Extended Learning Opportunities
	I.D.A.P.A. 08.02.03.105b	Mastery

Other Reference: **Summary: Determining Mastery for Advancement, Grading, and Crediting by the Idaho State Department of Education,**
<https://www.sde.idaho.gov/mastery-ed/files/guides/Determining-Mastery-Summary.pdf>

Policy History:
Adopted on:

Sexual Harassment, Discrimination and Retaliation

Policy Purpose

The purpose of this policy is to promote working and learning environments that are free from sex and gender-based harassment, discrimination, and retaliation, and to affirm Lake Pend Oreille School District's commitment to non-discrimination, equity in education and equal opportunity for employment.

Scope of Policy

This policy applies to all members of Lake Pend Oreille School District's community, including students, employees, and other members of the public including guests, visitors, volunteers, and invitees.

Policy Statement

Lake Pend Oreille School District is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, the District prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment and discrimination, file a formal complaint, or participate in a grievance process.

Students, employees, or other members of the District community who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance process(es). Violations of this policy may result in discipline for both students and District employees.

Title IX Coordinator

The **Federal Programs Director serves athletics and activities, and the Sr. Human Resource Specialist serves LPOSD staff** Superintendent serves as **the** Lake Pend Oreille School District's Title IX **Coordinators** and **they** oversees **the** implementation of this policy. The Title IX Coordinators **have** has the primary responsibility for coordinating the District's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sex and gender-based harassment, discrimination, and retaliation prohibited under this policy. The Title IX Coordinators **acts** with independence and authority and **are** is free from bias and conflicts of interest.

To raise any concern involving bias, conflict of interest, misconduct or discrimination committed by the Title IX Coordinators, contact the **District Office** Superintendent at 901 Triangle Drive, Ponderay, ID 83852 or 208-263-2184.

If the District's Title IX Coordinators **are** is the subject of any complaint regarding sex or gender-based harassment or has an apparent bias or conflict of interest regarding such a case, another person shall be appointed to act as the Title IX Coordinator for handling that case. Such appointees may include, but are not limited to:

1. The Title IX Coordinator of another school district which the District has an agreement with;
2. Another employee of the District who is qualified and trained to address the matter, such as a deputy Title IX Coordinator;
3. A qualified and trained individual who enters into a professional services contract with the District; including but not limited to the District's legal counsel and/or contracted Human Resources or Title IX professionals.

Concerns of bias, conflict of interest, misconduct, or discrimination committed by any other official involved in the implementation of this policy or related grievance processes should be raised with the **applicable** Title IX Coordinator.

Mandatory Reporters

Lake Pend Oreille School District has classified all employees as mandatory reporters of any knowledge they have that a member of the District community experienced sex or gender-based harassment, discrimination, and/or retaliation. Accordingly, all District employees must promptly report actual or suspected sex and gender-based harassment, discrimination, and/or retaliation to the **applicable** Title IX Coordinator. District employees must share with the **applicable** Title IX Coordinator all known details of a report made to them in the course of their employment, as well as all details of behaviors under this policy that they observe or have knowledge of. Failure of a District employee to report an incident of sex or gender-based harassment, discrimination, or retaliation to the **applicable** Title IX Coordinator of which they become aware is a violation of this policy and can be subject to disciplinary action for failure to comply.

In addition, District employees must also report allegations of suspected child abuse and/or neglect to either law enforcement or the Idaho Department of Health and Welfare.

Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and related procedures, may be made internally to **the applicable** Lake Pend Oreille School District Title IX Coordinator (or deputies, if applicable) using the contact information below:

Lake Pend Oreille School District
Superintendent/ **Applicable** Title IX
Coordinator
901 Triangle Drive, Ponderay, ID 83852
208-263-2184

Federal Programs Director ext. 1022
Sr. Human Resources Specialist ext. 1004
<http://www.lposd.org/home>

~~Lake Pend Oreille School District/Personnel
Sr. Human Resource Specialist/ Deputy
901 Triangle Drive, Ponderay ID, 83852
208-263-2184
<http://www.lposd.org/home>~~

LPOSD Extracurricular Activities
Athletic/Activities Director/Deputy
410 S Division, Sandpoint, ID 83864
208-263-3034
<http://sh.lposd.org/contact-us>

Clark Fork Jr./Sr. High
Principal/Deputy
502 N. Main St., Clark Fork, ID 83811
208-255-7177
<http://cf.lposd.org/>

Farmin-Stidwell Elementary
Principal/Deputy
1626 Spruce Street, Sandpoint, ID 83864
208-265-2417
<http://fs.lposd.org/>

Hope Elementary
Principal/Deputy
255 Hope School Road, Hope, ID 83836
208-255-7232
<http://hp.lposd.org/>

Kootenai Elementary
Principal/ Deputy
301 Sprague, Kootenai, ID 83840
208-255-4076
<http://kt.lposd.org/>

Lake Pend Oreille Alternative High
Principal/ Deputy
1005 N Boyer, Sandpoint, ID 83864
208-263-6121

External inquiries can be made to the U.S. Department of Education, Office for Civil Rights, Region 10, using the contact information below:

**Seattle Office
Office for Civil Rights
U.S. Department of Education
915 Second Avenue, #3310
Seattle, WA 98174-1099
OCR.Seattle@ed.gov**

<http://lp.lposd.org/>

Northside Elementary
Principal/ Deputy
7881 Colburn-Culver Road, Sandpoint, ID
83864
208-263-2734
<http://ns.lposd.org/>

Sagle Elementary
Principal/ Deputy
550 Sagle Road, Sagle, ID 83860
208-263-2757
<http://sa.lposd.org/>

Sandpoint Middle School
Principal/ Deputy
310 S Division, Sandpoint, ID 83864
208-265-4169
<http://sm.lposd.org/>

Sandpoint High School
Principal/ Deputy
410 S Division, Sandpoint, ID 83864
208-263-3034
<http://sh.lposd.org/home>

Southside Elementary
Principal/Deputy
307 Southside School Rd., Cocolalla, ID 83813
208-263-3020
<http://ss.lposd.org/>

Washington Elementary
Principal /Deputy
420 S. Boyer, Sandpoint, ID 83864
208-263-4759
<http://wa.lposd.org/>

1-800-877-8339

Notice/Formal Complaints of Sex and Gender-Based Harassment, Discrimination, and/or Retaliation

Notice or formal complaints of sex or gender-based harassment, discrimination, and/or retaliation may be made using any of the following options:

1. File a complaint with, or give verbal notice to, the **applicable** Title IX Coordinator (or deputy/deputies, if applicable). Such a report may be made at any time, including during non-business hours, by using the telephone number, email address, or by mail to the office address listed for the Title IX Coordinator (or any other official as listed above).
2. Report online, using the web address provided above.
3. Report by phone at 208-263-2184.

When notice is received regarding conduct that may constitute Title IX sexual harassment, Lake Pend Oreille School District shall provide information about supportive measures and how to file a formal complaint, as described in Title IX procedures.

A formal complaint means a document filed/signed by the alleged victim or signed by the Title IX Coordinator alleging an individual violated this policy and requesting that the District investigate the allegation(s). As used in this paragraph, the phrase “document filed/signed by the alleged victim” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the District, if applicable) that contains the alleged victim’s physical or digital signature, or otherwise indicates that the alleged victim is the person filing the complaint. For example, an alleged victim may send an email to the **applicable** Title IX Coordinator, identify themselves as the alleged victim and the one sending the email, to file a formal complaint. If notice is submitted in a form that does not meet this standard, the **applicable** Title IX Coordinator will contact the alleged victim to ensure that it is filed correctly.

Parents and legal guardians of primary and secondary school students who have the legal authority to act on their child’s behalf may file a formal complaint on behalf of their child.

Grievance Processes

When a formal complaint is made alleging that this policy was violated, the allegations are subject to resolution using one of Lake Pend Oreille School District’s grievance processes noted below, as determined by the **applicable** Title IX Coordinator. All processes provide for a prompt, fair, and impartial process.

1. For formal complaints regarding conduct that may constitute Title IX sexual harassment involving students or employees, the District will implement procedures detailed in Procedure 3085P.
2. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where students are the accused party, and that do not constitute Title IX sexual

harassment, the District will implement procedures described in: Relationship Abuse Sexual Assault Prevention, Student Code of Conduct, Harassment Intimidation Procedure, Patron/Student Complaints, and Child Abuse.

3. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where employees are the accused party, and that do not constitute Title IX sexual harassment, the District will implement procedures described in: Grievance.

Cross References:

3285	Relationship Abuse and Sexual Assault Prevention
3285P	Relationship Abuse and Sexual Assault Prevention
3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
3295P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
3570	Student Records
3570P	Student Records
3330	Student Discipline
4110	Patron/Student Complaints
5240	Sexual Harassment
5250	Grievance
5500	Personnel Files
5500P	Releasing Personnel Records

Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Policy History:

Adopted on: September 8, 2020

Revised on:

Title IX Sexual Harassment Grievance Process

When This Process Will Be Used

The procedures outlined in this process apply only to qualifying allegations of Title IX sexual harassment involving members of the Lake Pend Oreille School District No. 84 community, which include students, staff, administrators, and faculty members. A qualifying allegation must include all of the following elements:

1. The alleged conduct would constitute Title IX sexual harassment as defined below;
2. The conduct occurred in a District educational program or activity as defined below;
3. The respondent is a member of the District community as defined below;
4. The conduct occurred against a person in the United States; and
5. In cases where formal complaints are filed, at the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education program or activity.

Allegations of sexual misconduct that do not meet the criteria above will be addressed through the applicable procedures outlined in Policy 3085, as determined by the **applicable** Title IX Coordinator.

Collateral Misconduct

This procedure may be used to address collateral misconduct (e.g., vandalism, physical abuse of another, retaliation, etc.) arising from the investigation of, or occurring in conjunction with, reported conduct that meets the criteria of a qualifying allegation of Title IX sexual harassment as described above. For example, if a formal complaint is filed alleging that a qualifying allegation of Title IX sexual harassment and an act of vandalism occurred during the same incident, both allegations may be addressed using the procedures described below.

Terms Used For This process

“Advisor” means a person chosen by a party to accompany the party to meetings, interviews, or hearings related to this grievance process and to advise the party on the process.

“Appeal decision-maker” refers to those who have decision-making authority during the appeals phase of the District's formal grievance process.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute Title IX sexual harassment, as defined below.

“Decision-maker” refers to those who have decision-making and sanctioning authority within the District's formal grievance process.

“Education Program or Activity” means locations, events, or circumstances where the District exercises substantial control over both the respondent and the context in which the Title IX sexual

harassment occurs. For example, this could include, but is not limited to, conduct that takes place within a District school or on property owned or controlled by the District, or at District-sponsored events.

“Formal complaint” means a document submitted by a complainant or their parent/guardian or signed by the **applicable** Title IX Coordinator alleging a violation of Policy 3085 and requesting that the District investigate.

“Formal grievance process” is the method of formal resolution used to determine whether a qualifying allegation of Title IX sexual harassment as described above violates Policy 3085. The formal grievance process is used in a manner that complies with the requirements of the 34 CFR §106.45.

“Investigator” means the person or persons assigned by the District to gather facts during the formal grievance process, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report.

“Lake Pend Oreille School District No. 84” community means, for the purpose of this process, District students, staff, administrators, and faculty members.

“Notice” means that any District employee, including the **applicable** Title IX Coordinator, is made aware of conduct that may constitute a violation of Policy 3085.

“Parties” include the complainant(s) and respondent(s), collectively.

“Remedies” are applied to the complainant and/or the District community, following a resolution, to address safety, prevent recurrence, and restore access to the District’s educational program.

“Respondent” means someone who has been reported as having engaged in conduct that could constitute Title IX sexual harassment, as defined below.

“Sanction” means a consequence imposed by the District on a respondent who is found to have violated Policy 3085 subsequent to engaging in the formal grievance process.

“**Applicable** Title IX Coordinator” is the official(s) designated by the District to ensure compliance with Title IX and the District’s Title IX program. References to the **applicable** Title IX Coordinator throughout this document may also include a designee of the **applicable** Title IX Coordinator for specific tasks.

Definition of Title IX Sexual Harassment

Title IX sexual harassment, as an umbrella category, includes the actual or attempted offenses of quid pro quo harassment, sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following criteria:

1. Quid pro quo harassment: An employee of the Lake Pend Oreille School District No. 84 conditions, explicitly or implicitly, the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct.
2. Sexual harassment: Unwelcome conduct determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the District's Education program or activity.
3. Sexual assault: Sexual assault shall mean forcible and non-forcible sex offenses as defined in the Clery Act, or dating violence, domestic violence, stalking as defined in the Violence Against Women Act (VAWA).

Acts of Title IX sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Definitions of Force, Coercion, Consent, and Incapacitation

As used in the definitions referenced for the offenses listed above, the following definitions and understandings apply:

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent to reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn in the middle of a sexual act, that sexual activity should stop immediately. If consent is withdrawn while the other party is not present, the activity shall cease as soon as is practicable.

Consent to some sexual contact, such as kissing or fondling, does not imply there is consent for other sexual activity, such as intercourse. A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the District to determine whether policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. It is a violation of policy if a respondent engages in sexual activity with someone who is incapable of giving consent.

It is a defense to a District policy violation that the respondent neither knew nor should have known the complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. Incapacitation also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Retaliation

Lake Pend Oreille School District No. 84 and any member of the District community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Policy 3085 or its associated grievance processes.

Acts of alleged retaliation should be reported immediately to the **applicable** Title IX Coordinator and will be promptly investigated either as collateral misconduct under this process or, as determined by the **applicable** Title IX Coordinator, through the applicable procedures outlined in

Policy 3085. The District will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Filing a complaint under another District policy or procedure related to the incident could be considered retaliatory if those charges are made for the purpose of interfering with or circumventing any right or privilege provided under this process that is not provided under the other District policy/procedure that was used. Therefore, the District vets all complaints carefully to ensure this does not happen, and to assure that complaints are tracked to the appropriate process.

The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of this grievance process does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties. Supportive measures are designed to restore or preserve access to the District's Education Program or Activity, including measures designed to protect the safety of all parties or the District's educational environment, and/or deter Title IX sexual harassment.

The **applicable** Title IX Coordinator shall promptly make supportive measures available to the complainant upon receiving notice or a formal complaint alleging they were the victim of Title IX sexual harassment, and to the respondent upon receipt of a formal complaint alleging that they engaged in Title IX sexual harassment in violation of Policy 3085. At the time that supportive measures are offered, the District will inform the complainant, in writing, that they may file a formal complaint with the District either at that time or in the future, if they have not done so already.

The **applicable** Title IX Coordinator works with the complainant and/or their parent/guardian to ensure that their wishes are considered with respect to the supportive measures that are planned and implemented.

The District shall maintain the privacy of the supportive measures so long as the privacy does not impair the District's ability to provide the supportive measures. The District shall reduce the academic or occupational impact on the parties as much as possible and shall implement measures in a way that does not unreasonably burden the other party.

Examples of supportive measures may include, but are not limited to:

1. Referral to counseling, medical, and/or other healthcare services;
2. Referral to the Employee Assistance Program;
3. Referral to community-based service providers;
4. Visa and immigration assistance;

5. Education of the school community or community subgroup(s);
6. Altering work arrangements for employees;
7. Safety planning;
8. Providing school safety escorts;
9. Providing transportation accommodations;
10. Implementing contact limitations, such as no contact orders, between the parties;
11. Academic support, extensions of deadlines, or other course or program-related adjustments;
12. Emergency warnings;
13. Class schedule modifications, withdrawals, or leaves of absence;
14. Increased security and monitoring of certain areas of the school; and
15. Any other actions deemed appropriate by the **applicable** Title IX Coordinator

Allegations of violations of no contact orders will be investigated either as collateral misconduct under this process or through the applicable procedures outlined in Policy 3085, as determined by the **applicable** Title IX Coordinator.

Emergency Removal

The District can act to remove a student respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This risk analysis is performed by the **applicable** Title IX Coordinator in conjunction with the District/School threat assessment team. In cases when an emergency removal involves a student with a disability who is receiving services under an Individualized Education Program (IEP), this risk analysis will also be performed in conjunction with the student's IEP Team and may present the need for a manifestation determination.

In all cases in which an emergency removal is imposed, the student respondent and their parent/guardian will be given notice of the action and the option to request to meet with the **applicable** Title IX Coordinator OR Deputy Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to demonstrate why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. A student respondent may be accompanied by an advisor of their choice during the meeting. The student respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation. A complainant and their advisor may be permitted to participate in this meeting if the **applicable** Title IX Coordinator determines it is equitable to do so.

When this meeting is not requested, objections to the emergency removal will be deemed waived, except as described below.

In cases when an emergency removal involves a student with a disability who is receiving services under an IEP, this meeting can serve as the student's manifestation determination hearing and will be conducted in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA). The student will not have to request such a meeting as it will be scheduled and held within ten days of the decision to implement the emergency removal. If it is determined that an emergency removal is necessary for more than ten school days, the removal would constitute a change in placement and shall be addressed in accordance with the requirements of the IDEA. The results of the manifestation determination may be appealed in accordance with the requirements under the IDEA.

This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX sexual harassment.

The **applicable** Title IX Coordinator shall have sole discretion under this process to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal shall be grounds for discipline, which may include expulsion.

The District will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the **applicable** Title IX Coordinator OR threat assessment team, these actions could include, but are not limited to:

1. Temporarily re-assigning an employee;
2. Restricting a student's or employee's access to or use of facilities or equipment;
3. Changing transportation arrangements;
4. Authorizing an administrative leave; and
5. Suspending a student's participation in extracurricular activities, student organizational leadership, or athletics.

At the discretion of the **applicable** Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the respondent is an employee, existing provisions for interim action are applicable.

Promptness

All allegations of Title IX sexual harassment, whether by notice or formal complaint, shall be acted upon promptly. Formal complaints that are addressed through this process can take 45 school days to resolve, typically. There may be exceptions and extenuating circumstances that cause a resolution to take longer, but the District will avoid all undue delays within its control. If the timeframes for resolution outlined in these procedures will be delayed, the District shall provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

Privacy

The District shall make every effort to preserve the privacy of reports of Title IX sexual harassment.

“Privacy” means that information related to notice or a formal complaint will only be shared with the parties, their advisors, and a limited number of District employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the District’s Title IX sexual harassment response under this process shall receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the District’s policies and procedures on student records. The privacy of employee records will be protected in accordance with District policies regarding personnel records.

The District shall not share the identity of any individual who has made a report or formal complaint of Title IX sexual harassment, any complainant, any respondent, or any witness, except as permitted by the 20 U.S.C. 1232g or 34 CFR part 99 or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these procedures.

The District reserves the right to determine which District officials have a legitimate educational interest in information about incidents that fall within this process, pursuant to FERPA.

Time Limits on Reporting

There is no time limit on providing notice or formal complaints to the **applicable** Title IX Coordinator. However, if the respondent is no longer subject to the District’s jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/formal complaints significantly impacted by the passage of time shall be at the discretion of the **applicable** Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

Online Harassment

Policy 3085 and these procedures are written and interpreted to include online manifestations of any of the conduct prohibited above, when the conduct occurs in the District’s Education Program and Activities or uses the District’s networks, technology, or equipment.

When a Complainant Does Not Wish To Proceed

If a complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the **applicable** Title IX Coordinator, who shall evaluate that request in light of the duty to ensure the safety of the Lake Pend Oreille School District No. 84 community and to comply with state or federal law.

The **applicable** Title IX Coordinator shall have ultimate discretion over whether the District proceeds when the complainant does not wish to do so, and the **applicable** Title IX Coordinator may sign a formal complaint to initiate the applicable grievance process. Any decision to proceed should be due to a compelling risk to health and/or safety that requires the District to pursue formal action to protect the District community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The District may be compelled to act on alleged employee misconduct irrespective of a complainant's wishes.

The **applicable** Title IX Coordinator shall also consider the effect that non-participation by the complainant may have on the availability of evidence and the District's ability to pursue a grievance process fairly and effectively.

When the **applicable** Title IX Coordinator signs the formal complaint, they do not become the complainant. The complainant is the individual who is alleged to have experienced conduct that may constitute Title IX sexual harassment.

When the District proceeds, the complainant (or their advisor) may have as much or as little involvement in the process as they wish. The complainant retains all rights of a complainant under this process irrespective of their level of participation. Typically, when the complainant chooses not to participate, the advisor or the complainant's parent/guardian may be appointed as proxy for the complainant throughout the process, acting to ensure and protect the rights of the complainant, though this does not extend to the provision of evidence or testimony except in situations where a complainant is unable to provide evidence or testimony without assistance (e.g. due to age, disability, etc.).

The District's ability to remedy and respond to notice of Title IX sexual harassment may be limited if the complainant does not want the District to proceed with an investigation and/or grievance process. The goal is to provide the complainant with as much control over the process as possible, while balancing the District's obligation to protect its community.

In cases in which the complainant requests no formal action and the circumstances allow the District to honor that request, the District shall offer informal resolution options as described below, supportive measures, and remedies to the complainant, but will not otherwise pursue the formal grievance process.

If the complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a complainant has the right, and can expect, to have allegations taken seriously by the District, and to have the incident investigated and properly resolved through the applicable procedures, as determined by the **applicable** Title IX Coordinator, as outlined in Policy 3085. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

False Allegations and Evidence

Deliberately false and/or malicious accusations are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination. Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under District policy.

Resolution Processes for Qualifying Allegations of Title IX Sexual Harassment

Upon receiving a formal complaint or notice pertaining to a qualifying allegation of Title IX sexual harassment, the **applicable** Title IX Coordinator initiates a prompt initial assessment. The **applicable** Title IX Coordinator will initiate at least one of the following responses:

1. Offering and/or implementing only supportive measures because the complainant does not want to file a formal complaint. References to the complainant, respondent, or to the parties collectively throughout these procedures may also include their parent(s)/guardian(s) when applicable.
2. An informal resolution process upon submission of a formal complaint; and/or
3. A formal grievance, upon submission of a formal complaint, including an investigation and a determination of whether Policy 3085 was violated.

The District shall use the formal grievance process as detailed by the procedures below to determine whether or not a qualifying allegation of Title IX sexual harassment violates Policy 3085. If so, the District will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to Title IX sexual harassment, its potential recurrence, or its effects.

Initial Assessment

The Title IX Coordinator's initial assessment typically occurs within one to three school days. The steps in an initial assessment can include:

1. If notice is given, the **applicable** Title IX Coordinator seeks to determine whether the complainant wishes to make a formal complaint and will assist them in doing so, if desired. If the complainant does not wish to make a formal complaint, the **applicable** Title IX Coordinator determines whether to initiate a formal complaint due to a compelling threat to health and/or safety.
2. If a formal complaint is received, the **applicable** Title IX Coordinator assesses its sufficiency and works with the complainant to make sure it is correctly completed.
3. The **applicable** Title IX Coordinator reaches out to the complainant to offer supportive measures.
4. The **applicable** Title IX Coordinator works with the complainant to ensure they are aware of the right to have an Advisor.

5. The **applicable** Title IX Coordinator works with the complainant to determine whether the complainant prefers a supportive measures only response, an informal resolution process, or a formal grievance process.
 - A. If a supportive measures only response is preferred, the **applicable** Title IX Coordinator works with the complainant to identify their wishes, assesses the request, and implement the measures accordingly. No formal grievance process is initiated, though the complainant can elect to initiate one later, if desired.
 - B. If an informal resolution process is preferred, the **applicable** Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine whether the respondent is also willing to engage in informal resolution.
 - C. If a formal grievance process is preferred, the **applicable** Title IX Coordinator determines whether the conduct alleged constitutes a qualifying allegation of Title IX sexual harassment:
 - I. If it does, the **applicable** Title IX Coordinator will initiate the formal grievance process.
 - II. If it does not, the **applicable** Title IX Coordinator will “dismiss” the complaint under this process and may address the allegation(s) using the applicable grievance process as outlined in Policy 3085. Dismissing a complaint under this process is solely a procedural requirement under Title IX and does not limit the District’s authority to address a formal complaint through a different applicable process.

Dismissal - Mandatory and Discretionary

The District must dismiss a formal complaint or any allegations therein if, at any time during the investigation or meeting with the Decision-maker, it is determined that:

1. The conduct alleged in the formal complaint would not constitute a qualifying allegation of Title IX sexual harassment as defined above, even if proved; or
2. The conduct alleged did not occur in the District’s education program or activity; or
3. The conduct alleged did not occur against a person in the United State.

The District may dismiss a formal complaint or any allegations therein if, at any time during the investigation or meeting with the Decision-maker:

1. A complainant notifies the **applicable** Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint in whole or in part; or
2. The respondent is no longer enrolled in or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the District will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties. This dismissal decision is appealable by any party under the appeal procedures below.

Counterclaims

The District shall ensure that the grievance process is not abused for retaliatory purposes. The District permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the applicable procedure, as determined by the applicable Title IX Coordinator. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the applicable Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of Policy 3085.

Statement of the Rights of the Parties

Any party, as defined in this procedure, has the following rights:

1. The right to an equitable investigation and resolution of all credible allegations of Title IX sexual harassment made in good faith to District officials.
2. The right to timely written notice of all alleged violations, including the identity of the parties involved, if known; the precise misconduct being alleged; the date and location of the alleged misconduct, if known; the implicated policies and procedures; and possible sanctions.
3. The right to timely written notice of any material adjustments to the allegations; such as additional incidents or allegations, additional complainants, or unsubstantiated allegations; and any attendant adjustments needed to clarify potentially implicated policy violations.
4. The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
5. The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
6. The right to be treated with respect by District officials.
7. The right to have District policies and procedures followed without material deviation.

8. The right not to be pressured to informally resolve any reported misconduct involving violence, including sexual violence.
9. The right not to be discouraged by District officials from reporting Title IX sexual harassment to both District and local authorities.
10. The right to have allegations of violations of Policy 3085 responded to promptly and with sensitivity by District law enforcement and/or other District officials.
11. The right to be informed of available supportive measures, such as counseling; advocacy; health care; legal or student financial aid; visa and immigration assistance; or other services, both in the District and in the community.
12. The right to a District-implemented no contact order when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
13. The right to be informed of available assistance in changing academic and/or working situations after an alleged incident of Title IX sexual harassment, if such changes are reasonably available. No formal complaint or investigation, either District or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - A. Changing an employee's work environment, such as changing their reporting structure or office or workspace relocation;
 - B. Transportation accommodations;
 - C. Visa or immigration assistance;
 - D. Exam, paper, and/or assignment rescheduling or adjustment;
 - E. Transferring classes;
 - F. Temporary leave of absence;
 - G. School safety escorts;
 - H. Alternative course completion options.
14. The right to have the District maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the District's ability to provide the supportive measures.
15. The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
16. The right to ask the investigator(s) and decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
17. The right to provide the investigator(s)/decision-maker(s) with a list of questions that, if deemed relevant by the investigator(s)/Chair, may be asked of any party or witness.
18. The right not to have irrelevant prior sexual history or character admitted as evidence.

19. The right to know the relevant and directly related evidence obtained and to respond to that evidence.
20. The right to a fair opportunity to provide the investigator(s) with their account of the alleged misconduct.
21. The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law and the right to have at least ten school days to review the report prior to any determination being made.
22. The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report.
23. The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
24. The right to regular updates on the status of the investigation and/or resolution.
25. The right to have reports of alleged policy violations addressed by investigators, **applicable** Title IX Coordinators, and decision-maker(s) who have received relevant training.
26. The right to preservation of privacy, to the extent possible and permitted by law.
27. The right to meetings, interviews, and/or hearings that are closed to the public.
28. The right to petition that any District representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
29. The right to have an advisor of their choice to accompany and assist the party in all meetings, interviews, and/or hearings associated with the resolution process.
30. The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
31. The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
32. The right to be promptly informed in a written notice of outcome letter of the finding(s) and sanction(s) of the formal grievance process and a detailed rationale of the decision, including an explanation of how credibility was assessed, delivered simultaneously—meaning without undue delay—to the parties.
33. The right to be informed in writing of when a decision by the District is considered final and any changes to the sanction(s) that occur before the decision is finalized.

34. The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the formal grievance process, and the procedures for doing so in accordance with the standards for appeal established by the District.
35. The right to a fundamentally fair resolution as defined in these procedures.

Right to an Advisor

The parties may each have an advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. This could include an attorney, advocate, or support person. The parties may select whoever they wish to serve as their advisor as long as the advisor is eligible and available. "Available" means the party cannot insist on an advisor who simply doesn't have inclination, time, or availability. Also, the advisor cannot have conflicting roles, (such as being a Title IX administrator, who has an active role in the matter), or a supervisor, who must monitor and implement sanctions.

For students, this advisor can be someone in addition to their parent/guardian who may also be present with them for all meetings, interviews, and hearings within the resolution process.

Who Can Serve as an Advisor

The advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose advisors from inside or outside of the Lake Pend Oreille School District No. 84 community.

Parties also have the right to choose not to have an advisor during the resolution process.

Advisor's Role in Meetings and Interviews

The parties may be accompanied by their advisor in all meetings, interviews, and hearings at which the party is entitled to be present, including intake and investigation interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The District cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, the District is not obligated to provide an attorney.

Pre-Interview Meetings

Advisors may request to meet with the administrative officials conducting interviews, meetings, or hearings in advance of these interviews or meetings. This pre-meeting allows advisors to clarify and understand their role and the District's policies and procedures.

Advisor Violations of District Policy

All advisors shall be subject to the same District policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings or meetings.

The parties are expected to ask and respond to questions on their own behalf throughout the resolution process. In cases where a party requires assistance in asking and/or responding to questions on their own behalf, (for example, due to age or disability), the advisor shall be allowed to ask and/or respond to questions on behalf of their advisee, at the discretion of the investigator(s) or decision-maker(s). Although the advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for private consultation.

Any advisor who oversteps their role as defined by this process shall be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the **applicable** Title IX Coordinator shall determine how to address the advisor's non-compliance and future role.

Sharing Information with the Advisor

The District expects that the parties may wish to have the District share documentation and evidence related to the allegations with their advisors. Parties may share this information directly with their advisor or other individuals, if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The District shall also provide a consent form which authorizes the District to share such information directly with the party's advisor. The parties must submit this completed form to the **applicable** Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the advisor before the District is able to share records with an advisor.

Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. Advisors may not share these records with third parties, disclose them publicly, or use them for purposes not explicitly authorized by the District. The District may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the District's privacy expectations.

Advisors who are also District staff members may also be subject to more stringent confidentiality law, administrative rules, and policies.

Expectations of an Advisor

The District generally expects an advisor to adjust their schedule to ensure attendance at resolution process meetings when planned but may change scheduled meetings to accommodate an advisor's inability to attend, if doing so does not cause an unreasonable delay.

The District may also make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Expectations of the Parties with Respect to Advisors

A party may elect to change advisors during the resolution process and is not obligated to use the same advisor throughout. The parties are expected to inform the investigator(s) and decision-maker(s) of the identity of their advisor at least two school days before the date of their first meeting with investigators and decision-makers, or as soon as possible if a more expeditious meeting is necessary or desired.

If a party changes advisors, consent to share information with the previous advisor is terminated, and a release for the new advisor must be secured before documentation and evidence related to the investigation will be provided to them.

Resolution Process

Resolution processes are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with District policy. Although there is an expectation of privacy around what investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to an informal resolution, if applicable, and as discussed below. The District encourages parties to discuss any sharing of information with their advisors before doing so.

Informal Resolution Process

An informal resolution process can include the following different approaches:

1. The **applicable** Title IX Coordinator resolves the matter informally by providing supportive measures only to remedy the situation.
2. The parties agree to resolve the matter through an alternate resolution mechanism as described below, (including mediation), usually before a formal grievance process takes place.
3. The respondent accepts responsibility for violating Policy 3085 and desires to accept a sanction and end the resolution process. This usually occurs after the investigation phase of the formal grievance process.
4. The **applicable** Title IX Coordinator negotiates a resolution that is satisfactory to the parties and the District.

To initiate the informal resolution process, a complainant must first submit a formal complaint. A respondent who wishes to initiate the informal resolution process should contact the **applicable** Title IX Coordinator.

It is not necessary to pursue informal resolution first in order to engage in the formal grievance process. Any party participating in the informal resolution process can stop the process at any time and begin or resume the formal grievance process.

Prior to implementing the informal resolution process, the District shall provide the parties with written notice of the reported misconduct and the requirements of the informal resolution process, including any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the District.

The District shall obtain voluntary, written confirmation that all parties wish to resolve the matter through an informal resolution process before proceeding and shall not pressure the parties to participate in informal resolution.

Informal resolution shall not be used to resolve allegations or complaints where the complainant is a student and the respondent is an employee.

Alternate Resolution Mechanisms

An alternate resolution is an informal mechanism (including mediation), by which the parties mutually agree to resolve an allegation. All parties must consent to the use of an alternate resolution mechanism.

The **applicable** Title IX Coordinator may consider the following factors to assess whether alternate resolution is appropriate, or which form of alternate resolution may be most successful for the parties:

1. The parties' preference for alternate resolution;
2. The likelihood of a potential resolution, considering any power dynamics between the parties;
3. The parties' motivation to participate;
4. The civility of the parties;
5. The disciplinary history of the parties;
6. Whether an emergency removal is needed;
7. The skill of the alternate resolution facilitator with this type of allegation;
8. The complexity of the complaint;
9. The capacity of the parties to understand and fully participate in the process;
10. The goals of the parties; and
11. Adequate resources to invest in alternate resolution, such as time and staff.

The ultimate determination of whether an alternate resolution is available or successful shall be made by the **applicable** Title IX Coordinator. The **applicable** Title IX Coordinator shall maintain records of any resolution that is reached. Failure to abide by the resolution agreement may result in appropriate disciplinary actions. The results of complaints resolved by an alternate resolution are not appealable.

Respondent Accepts Responsibility for Alleged Violations

The respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal grievance process will be paused, and the **applicable** Title IX Coordinator will determine whether informal resolution can be used according to the criteria above. If so, the **applicable** Title IX Coordinator shall determine whether all parties and the District are able to agree on responsibility, sanctions, and/or remedies. If so, the **applicable** Title IX Coordinator shall implement the accepted finding that the respondent is in violation of Policy 3085 and implement agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written agreement to the terms of resolution. If the parties cannot agree on all terms of resolution, the formal grievance process shall resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanctions shall be promptly implemented in order to effectively stop the Title IX sexual harassment, prevent its recurrence, and remedy its effects.

Negotiated Resolution

The **applicable** Title IX Coordinator may, with the consent of the parties, negotiate and implement an agreement to resolve the allegations that satisfies all parties and the District. Negotiated resolutions are not appealable.

Formal Grievance Process

The formal grievance process described below is the method of formal resolution used to determine whether a qualifying allegation of Title IX sexual harassment violates Policy 3085, as determined by an investigation and determination of responsibility made by a decision-maker. The formal grievance process shall be used in a manner that complies with the requirements of 34 CFR §106.45.

Grievance Process Pool

The formal grievance process relies on a pool of personnel (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of Policy 3085 to all students, parents/guardians of students, employees, prospective students, and prospective employees.

Pool Member Roles

Members of the Pool are trained, and can serve in any of the following roles, at the direction of the **applicable** Title IX Coordinator:

1. To provide appropriate intake of and initial guidance pertaining to formal complaints;
2. To serve in a facilitation role in alternate resolution if appropriately trained in appropriate resolution modalities;
3. To perform or assist with initial assessment;

4. To investigate complaints;
5. To serve as a meeting and/or hearing facilitator as a process administrator with no decision-making role;
6. To serve as a decision-maker regarding the formal complaint; and
7. To serve as an appeal decision-maker.

Pool Member Training

The Pool members receive training. This training includes, but is not limited to:

1. The scope of the District's Title IX sexual harassment policies and procedures;
2. How to conduct investigations, meetings, and hearings in a manner that protects the safety of complainants and respondents and promotes accountability;
3. Reporting, confidentiality, and privacy requirements;
4. How to implement appropriate and situation-specific remedies;
5. How to investigate in a thorough, reliable, and impartial manner;
6. How to uphold fairness, equity, and due process;
7. How to weigh evidence;
8. How to conduct questioning;
9. How to assess credibility;
10. Impartiality and objectivity;
11. How to render findings and generate clear, concise, evidence-based rationales;
12. The definitions of all offenses;
13. How to apply definitions used by the District with respect to consent or the absence of consent consistently, impartially, and in accordance with District policies and procedures;
14. How to conduct an investigation and grievance process including meetings, hearings, appeals, and informal resolution processes;
15. How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
16. Any technology to be used during an interview, meeting, or hearing;
17. Issues of relevance of questions and evidence;
18. Issues of relevance to create an investigation report that fairly summarizes relevant evidence; and
19. How to determine appropriate sanctions in reference to Title IX sexual harassment.

The materials used to train all members of the Pool are publicly posted at www.lposd.org.

Notice of Investigation and Allegations

The **applicable** Title IX Coordinator will provide written Notice of the Investigation and Allegations (NOIA) to the respondent upon commencement of the formal grievance process. This facilitates the respondent's ability to prepare for the interview and to identify and choose an advisor to accompany them. A copy of the NOIA shall also be provided to the complainant, who shall be given advance notice of when the NOIA will be delivered to the respondent.

The NOIA will include:

1. A meaningful summary of all of allegations;
2. The identity of the involved parties, if known;
3. The precise misconduct being alleged;
4. The date and location of the alleged incident(s), if known;
5. The specific policies implicated;
6. A description of the applicable procedures;
7. A statement of the potential sanctions that could result;
8. A statement that the District presumes the respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination;
9. A statement that determinations of responsibility are made at the conclusion of the formal grievance process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period;
10. A statement about the District's policy on retaliation;
11. Information about the privacy of the process;
12. Information on the ability for each party to have an advisor of their choosing;
13. A statement informing the parties that the District's policies and procedures prohibit knowingly making false statements, including knowingly submitting false information during the resolution process;
14. Detail on how the party may request disability accommodations during the resolution process;
15. The name(s) of the investigator(s), along with a process to identify, in advance of the interview process, to the **applicable** Title IX Coordinator any conflict of interest that the investigator(s) may have, and
16. Instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of any allegations.

Notice shall be made in writing and may be delivered by one or more of the following methods:

1. In person;
2. Mailed to the local or permanent address(es) of the parties as indicated in official District records; or
3. Emailed to the parties' District-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

Formal Grievance Process Timeline

The District will make a good faith effort to complete the formal grievance process within 30 to 60 school days, including appeal. This time frame can be extended as necessary by the **applicable** Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

Appointment of Investigators

Once the **applicable** Title IX Coordinator decides to begin an investigation as part of the formal grievance process, the **applicable** Title IX Coordinator shall appoint Pool members to conduct the investigation, usually within two school days of determining that an investigation should proceed.

Ensuring Impartiality

Any individual materially involved in the administration of the formal grievance process including the **applicable** Title IX Coordinator, investigator(s), decision-maker(s) and appeal decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific complainant or respondent.

The **applicable** Title IX Coordinator shall vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the formal grievance process, raise a concern regarding bias or conflict of interest, and the **applicable** Title IX Coordinator shall determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, shall be remedied. If the source of the conflict of interest or bias is the **applicable** Title IX Coordinator, concerns should be raised with the Sr. Human Resource Specialist.

The formal grievance process involves an objective evaluation of all relevant evidence obtained, including evidence that supports the conclusion the respondent engaged in a policy violation and evidence that supports the conclusion the respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a complainant, respondent, or witness.

The District presumes that the respondent is not responsible for the reported misconduct unless and until a final determination is made, in accordance with this policy, that Policy 3085 has been violated.

Investigation Timeline

Investigations are completed promptly, normally within 30 school days, though some investigations may take longer, depending on the nature, extent, and complexity of the allegations; availability of witnesses; police involvement; and other factors.

The District shall make a good faith effort to complete investigations as promptly as possible and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Delays in the Investigation Process and Interactions with Law Enforcement

The District may undertake a delay in its investigation, lasting from several days to a few weeks, if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or a need for accommodations for disabilities or health conditions.

The District shall communicate in writing the anticipated duration of the delay and the reason for it to the parties and provide the parties with status updates if necessary. The District will promptly

resume its investigation and formal grievance process as soon as feasible. During such a delay, the District will implement supportive measures as deemed appropriate.

District action(s) or processes may be delayed, but are not stopped by, civil or criminal charges involving the underlying incident(s). Dismissal or reduction of those criminal charges may or may not impact on the District's action(s) or processes.

Steps in the Investigation Process

All investigations shall be thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

The **applicable** Title IX Coordinator may act as the investigator.

All parties shall have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The investigator(s) will typically take(s) the following steps, if not already completed. The steps will not necessarily be completed in this order:

1. Determine the identity and contact information of the complainant;
2. In coordination with school partners, initiate or assist with any necessary supportive measures;
3. Identify all policies implicated by the alleged misconduct and notify the complainant and respondent of all of the specific policies implicated;
4. Assist the **applicable** Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation;
5. Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties;
6. Meet with the complainant to finalize their interview or statement, if necessary;
7. Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations;
8. Provide each interviewed party and witness an opportunity to review and verify the investigator's summary notes or transcript of the relevant evidence/testimony from their respective interviews and meetings;

9. Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible;
10. When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose;
11. Interview all available, relevant witnesses and conduct follow-up interviews as necessary;
12. Allow each party the opportunity to suggest witnesses and questions they wish the investigator(s) to ask of the other party and witnesses, and document in the investigation report which questions were asked and the rationale for any changes or omissions;
13. Complete the investigation promptly and without unreasonable deviation from the intended timeline;
14. Provide regular status updates to the parties throughout the investigation;
15. Prior to the conclusion of the investigation, provide the parties and their respective advisors, if so desired by the parties, with a list of witnesses whose information will be used to render a finding;
16. Write a comprehensive investigation report fully summarizing the investigation and all witness interviews and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included;
17. The investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report;
18. Prior to the conclusion of the investigation, provide the parties and their respective advisors, when advisors are identified, a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the District does not intend to rely in reaching a determination, for a ten school day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days.
19. The investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses;
20. The investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report;

21. The Investigator(s) shares the report with the **applicable** Title IX Coordinator and/or legal counsel for their review and feedback;
22. The Investigator will incorporate any relevant feedback, and the final investigation report is then shared with all parties and their advisors through secure electronic transmission or hard copy at least ten school days prior to a meeting with the decision-maker. The parties are also provided with a file of any directly related evidence that was not included in the report

Role and Participation of Witnesses in the Investigation

Witnesses, as distinguished from the parties, who are employees of the District are expected to cooperate with and participate in the District's investigation and formal grievance process. Failure of such witnesses to cooperate with and/or participate in the formal grievance process constitutes a violation of policy and may warrant discipline. Student witnesses and witnesses from outside the District community are encouraged to share what they know about the complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (such as summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The District will take appropriate steps to reasonably ensure the security and privacy of remote interviews.

Though not preferred, witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the investigator(s).

Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If investigator(s) elect to make an audio and/or video record of interviews, all involved parties will be made aware of audio and/or video recording.

Evidentiary Considerations in the Investigation

The investigation shall not consider:

1. Incidents not directly related to the possible violation, unless they evidence a pattern;
2. The character of the parties; or
3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Referral to a Decision-maker

If the complaint is not resolved through informal resolution as described above, and after the final investigation report is shared with the parties, the **applicable** Title IX Coordinator will refer the matter to a Decision-maker to make a determination regarding responsibility.

The Decision-maker cannot make a determination regarding responsibility prior to ten school days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the decision-maker–unless all parties and the decision-maker agree to an expedited timeline.

The **applicable** Title IX Coordinator will select an appropriate decision-maker or Decision-makers from the Pool depending on whether the respondent is an employee or a student.

Decision-Maker Designation

The District shall designate a single Decision-maker or a three-member panel from the Pool, at the discretion of the **applicable** Title IX Coordinator, and inform the parties and advisors.

The Decision-maker(s) shall not have had any previous involvement with the investigation. Those who have served as investigators in this investigation may not serve as decision-makers. Those who are serving as advisors for any party may not serve as decision-makers in that matter. The **applicable** Title IX Coordinator may not serve as a decision-maker in the matter.

All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the **applicable** Title IX Coordinator no later than two school days after being notified of the identity of the Decision-maker. Decision-makers will only be removed if the **applicable** Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial consideration of the evidence.

The **applicable** Title IX Coordinator shall give the decision-maker(s) a list of the names of all parties, witnesses, and advisors. Any decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and advisors. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they shall raise the concern with the **applicable** Title IX Coordinator as soon as possible.

Evidentiary Consideration by the Decision-Maker

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The Decision-maker will not consider:

1. Incidents not directly related to the possible violation, unless they evidence a pattern;
2. The character of the parties; or
3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged,

or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the respondent may be considered in determining an appropriate sanction upon a determination of a policy violation. This information is only considered at the sanction stage of the process and is not shared with the Decision-maker until then.

The parties may each submit a written impact statement for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

Exchange of Questions

The Decision -maker shall facilitate the exchange of written questions between the parties and direct any written questions to any witnesses before a final determination is made.

The Decision -maker shall invite each party to submit proposed written questions for other parties and witnesses. Upon receipt of the proposed questions, the Decision -maker will review the proposed questions and determine which questions will be permitted, disallowed, or rephrased. The Decision-maker shall limit or disallow questions on the basis that they are irrelevant, repetitive (and thus irrelevant), or abusive. The Decision -maker shall have full authority to decide all issues related to questioning and determinations of relevance. The Decision -maker may ask a party to explain why a question is or is not relevant from their perspective. The Decision -maker shall explain any decision to exclude a question as not relevant or to reframe it for relevance.

The Decision -maker, after any necessary consultation with the parties, investigator(s) and/or **applicable** Title IX Coordinator, shall provide the parties and witnesses with the relevant written questions to be answered and a deadline for the parties and witnesses to submit written responses to the questions and any appropriate follow-up questions or comments by the parties. The exchange of questions and responses by the parties and witnesses shall be concluded within a three to ten school day period.

Deliberation, Decision-Making, and Standard of Proof

The decision-maker(s) will then deliberate to determine whether the respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. When determining whether respondent violated Policy 3085, the Decision-maker(s) use the preponderance of the evidence standard; whether it is more likely than not that the respondent violated Policy 3085 as alleged.

When there is a finding of responsibility on one or more of the allegations, the decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Decision -maker will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision -maker(s) may, at their discretion, consider the statements; but they are not binding.

The Decision -maker(s) shall review the statements and any pertinent conduct history provided by the appropriate administrator, such as the **applicable** Title IX Coordinator and shall recommend the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision -maker will then prepare a written deliberation statement and deliver it to the **applicable** Title IX Coordinator.

This statement must be submitted to the **applicable** Title IX Coordinator within two school days after the Decision -maker held their final meeting with the parties and witnesses or concluded the paper evidence exchange and questioning process, unless the **applicable** Title IX Coordinator grants an extension. If an extension is granted, the **applicable** Title IX Coordinator will notify the parties.

Notice of Outcome

Using the deliberation statement, the Decision-maker shall work in conjunction with the **applicable** Title IX Coordinator as needed to prepare a notice of outcome. The notice of outcome may then be reviewed by legal counsel. The **applicable** Title IX Coordinator shall then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their advisors within three to seven school days of receiving the decision-maker(s)' deliberation statement. The notice of outcome shall be shared with the parties simultaneously. Notification shall be made in writing and may be delivered by one or more of the following methods:

1. In person;
2. Mailed to the local or permanent address of the parties as indicated in official District records; or
3. Emailed to the parties' District-issued email or otherwise approved account.

Once mailed, emailed, or received in-person, notice will be presumptively delivered.

The notice of outcome shall identify the allegations potentially constituting Title IX sexual harassment, shall articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and shall contain a description of the procedural steps taken by the District from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The notice of outcome shall specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the District is permitted to share such information under state or federal law; any sanctions issued which the District is permitted to share such information according to state or federal law; and any remedies provided to the complainant designed to ensure access to the District's educational or employment program or activity, to the extent the District is permitted to share such information under state or federal law. Detail regarding the final item listed is not typically shared with the respondent unless the remedy directly relates to the respondent.

The notice of outcome shall also include the relevant procedures and bases for any available appeal options.

Sanctions

Factors considered when determining sanctions may include, but are not limited to:

1. The nature, severity of, and circumstances surrounding the violation(s);
2. The respondent's disciplinary history;
3. Previous allegations or allegations involving similar conduct;
4. The need for sanctions to bring an end to the Title IX sexual harassment;
5. The need for sanctions to prevent the future recurrence of Title IX Sexual harassment;
6. The need to remedy the effects of the Title IX sexual harassment;
7. The impact on the parties; and
8. Any other information deemed relevant by the Decision-maker(s)

The sanctions shall be implemented as soon as is feasible, either upon the outcome of any appeal or upon the expiration of the window to appeal if no appeal is requested. The sanctions described in this process are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

Student Sanctions

The following are the usual sanctions that may be imposed upon students singly or in combination:

1. A warning;
2. Required counseling;
3. A required substance abuse treatment program;
4. Exclusion from participating in extracurricular activities or other District programs/activities;
5. Alternative placement;
6. Suspension, which may be in-school, out-of-school, long-term, short-term, extended, or other suspensions;
7. Expulsion; and
8. Other actions: In addition to or in place of the above sanctions, the District may assign any other sanctions deemed appropriate.

Employee Sanctions

Sanctions for an employee may include:

1. A verbal or written warning;
2. A performance improvement plan or management process;
3. Enhanced supervision, observation, or review;
4. Required counseling;
5. Required training or education;
6. Probation;

7. Denial of pay increase or pay grade;
8. Loss of oversight or supervisory responsibility;
9. Demotion;
10. Transfer;
11. Reassignment;
12. Assignment to a new supervisor;
13. Restriction of professional development resources;
14. Suspension with pay;
15. Suspension without pay;
16. Termination;
17. Other actions: In addition to or in place of the above sanctions, the District may assign any other sanctions as deemed appropriate.

Withdrawal or Resignation While Charges Pending

Should a student decide to not participate in the formal grievance process, the process proceeds absent their participation to a reasonable resolution. Should a student respondent permanently withdraw from the District, the formal grievance process shall end, as the District no longer has disciplinary jurisdiction over the withdrawn student.

Should an employee respondent resign with unresolved allegations pending, the formal grievance process shall end, as the District no longer has disciplinary jurisdiction over the resigned employee.

Even if a respondent withdraws from the District or resigns, the District shall continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged Title IX sexual harassment.

An employee who resigns with unresolved allegations pending shall not be eligible for rehire with the District or any school with the District, and the records retained by the **applicable** Title IX Coordinator shall reflect that status. Any state mandates for reporting of this resignation with respect to licensure or certification shall be met.

All District responses to future inquiries regarding employment references for that individual shall note that the former employee resigned during a pending disciplinary matter.

Appeals

Any party may file a request for appeal in writing with the **applicable** Title IX Coordinator within seven calendar days of the delivery of the notice of outcome.

A three-member appeal panel chosen from the Pool shall be designated by the **applicable** Title IX Coordinator. No appeal panelists — will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The request for appeal shall be forwarded to the appeal chair for consideration to determine whether the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is filed in the timeframe specified.

Grounds for Appeal

Appeals shall be limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The **applicable** Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter.

If any of the grounds in the request for appeal do not meet the grounds in this procedure, that request will be denied by the appeal chair, and the parties and their advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the request for appeal meet the grounds in this procedure, then the appeal chair will notify the other party(ies) and their advisors, the **applicable** Title IX Coordinator, and, when appropriate, the investigators and/or the original decision-maker(s).

The other party(ies) and their advisors, the **applicable** Title IX Coordinator, and, when appropriate, the investigators and/or the original decision-maker(s) shall be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given seven calendar days to submit a response to the portion of the appeal that was approved and involves them. All responses shall be forwarded by the appeal chair to all parties for review and comment.

The party who did not bring the appeal, if there is such a party, may also choose to raise a new ground for appeal at this time. If so, the new ground will be reviewed by the appeal chair to determine if it meets the grounds in this procedure and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the investigator(s) and/or original decision-maker(s), as necessary, who will submit their responses in to seven calendar days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The appeal chair shall collect any additional information needed and the appeal panel will render a decision in no more than seven calendar days, barring unusual circumstances. All decisions apply the preponderance of the evidence standard.

A notice of appeal outcome shall be sent to all parties simultaneously including the decision on each approved ground and the rationale for each decision. The notice of appeal outcome shall specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the District is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the District is permitted to share these under state or federal law.

Notification shall be made in writing and may be delivered by one or more of the following methods:

1. In person;
2. Mailed to the local or permanent address of the parties as indicated in official institutional records; or
3. Emailed to the parties' District-issued email or otherwise approved account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

Sanctions Status During the Appeal

Any sanctions imposed by the decision-maker shall take effect following the appeal process. Supportive measures may remain in effect during an appeal process, subject to the same supportive measure procedures above.

Appeal Considerations

1. Appeal decisions shall defer to the original decision, making changes to the determination only when there is clear error and to the sanction(s) only if there is a compelling justification to do so.
2. Appeals shall not provide for a full reconsideration of the allegation(s) and evidence. In most cases, appeals will be confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
3. An appeal is not an opportunity for appeal decision-makers to substitute their judgment for that of the original decision-maker'(s') merely because they disagree with the determination and/or sanction(s).
4. The appeal chair or decision-maker(s) may consult with the **applicable** Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation shall be maintained.
5. Appeals granted based on new evidence should normally be returned to the original investigator(s) and/or decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the **applicable** Title IX Coordinator or, in limited circumstances, decided on appeal.
 6. Once an appeal is decided, the outcome is final. Further appeals are not permitted, even if a decision or sanction is changed on remand, except in the case of a new hearing.
7. In rare cases where a procedural error cannot be cured by the original decision-maker(s), as in cases of bias, the appeal may order a new hearing with a new Decision-maker(s).
8. The results of a new hearing can be appealed once on any of the available appeal grounds.

9. In cases in which the appeal results in reinstatement to the District or resumption of privileges, all reasonable attempts shall be made to restore the respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the **applicable** Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the school or the Lake Pend Oreille School District No. 84 community that are intended to stop the Title IX sexual harassment, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

1. Referral to counseling and health services;
2. Referral to the Employee Assistance Program;
3. Education of the individual and/or the community;
4. Permanent alteration of work arrangements for employees
5. Provision of school safety escorts;
6. Climate surveys;
7. Policy or procedure modification and/or training;
8. Provision of transportation accommodations;
9. Implementation of long-term contact limitations between the parties;
10. Implementation of adjustments to academic deadlines, course schedules, or other, similar factors.

At the discretion of the **applicable** Title IX Coordinator, certain long-term supports or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the **applicable** Title IX Coordinator shall address any remedies owed by the District to the respondent to ensure no effective denial of educational access.

The District shall maintain the privacy of any long-term remedies, actions, and measures, provided privacy does not impair the District's ability to provide these services.

Failure to Comply with Sanctions and/or Interim and Long-Term Remedies and/or Responsive Actions

All respondents are expected to comply with the assigned sanctions and corrective actions within the timeframe specified by the final decision-maker(s).

Failure to abide by the sanction(s) or action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) or action(s), including suspension, expulsion, and/or termination from the District.

Recordkeeping

The District will maintain for a period of at least seven years records of:

1. Each Title IX sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the respondent;
3. Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
4. Any appeal and the result therefrom;
5. Any informal resolution and the result therefrom;
6. All materials used to train **applicable** Title IX Coordinators, investigators, decision-makers, appeal decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on the District's website.
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of Title IX sexual harassment, including:
 - A. The basis for all conclusions that the response was not deliberately indifferent;
 - B. Any measures designed to restore or preserve equal access to the District's education program or activity; and
 - C. If no supportive measures were provided to the complainant, the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The District will also maintain any and all records in accordance with state and federal laws.

Disabilities Accommodations in the Resolution Process

The District is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the District's resolution process.

Anyone needing such accommodations or support should contact the Human Resources office, who will review the request and, in consultation with the person requesting the accommodation and the **applicable** Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

Revision of These Procedures

The District reserves the right to make changes to these procedures as necessary. If laws or regulations change – or court decisions alter – the requirements in a way that impacts these procedures, this document shall be construed to comply with the most recent government regulations or holdings.

Procedure History:

Promulgated on: September 8, 2020

Title IX Sexual Harassment, Discrimination and/or Retaliation Formal Complaint Form

PURPOSE: The purpose of the Title IX grievance procedures is to secure prompt and equitable resolutions of complaints based on sexual harassment, sexual violence, and sex discrimination. These procedures apply ONLY to complaints alleging discrimination prohibited by Title IX (including sexual harassment and sexual violence).

INSTRUCTIONS: Individuals alleging Title IX discrimination and requestions review are required to complete this form and submit it to the School Leader or **applicable** Title IX Coordinator as soon as possible after the occurrence of the alleged discrimination:

1. Name of Complainant: _____

Home Address	City/State/Zip	Home Phone
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School: _____ Grade: _____

(Anonymous: If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

2. Nature of Grievance: Please describe the action you believe may be sex discrimination, including complaints of sexual harassment or sexual violence, in violation of Title IX and identify with reasonable particularity any person(s) you believe may be responsible. Please attached additional sheets, if necessary: _____

3. When did the actions described above occur? _____

4. Are there any witnesses to this matter? (Please circle) Yes No

5. Did you discuss this matter with any of the witnesses identified in Item 4? (Please circle) Yes No

If yes, please identify:

Person to whom you have spoken: _____ Date: _____

Method of communication: _____

6. Have you spoken to any administrator(s) or staff member(s) about this matter? (Please circle) Yes No

If yes, please identify:

Person to whom you have spoken: _____ Date: _____

Method of communication: _____

7. Please describe the result of the discussion(s) identified in Item 6: _____

Please attach any statements, names of witnesses, reports, or other documents which you feel are relevant to your complaint.

I certify that the foregoing information is true and correct.

Print Name

Signature

Date

Use of Restraint, Seclusion, and Aversive Techniques for Students

Conduct of Employees Directed Toward Students

The use by appropriately trained District personnel towards or directed at any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a District employee, that the conduct of the student has placed the student, the employee, or any other individual in imminent danger of serious bodily harm.

The employee or any employee who is a witness to this event shall immediately seek out the assistance of the school's administration or, if such administrator is not available, a certified or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior trained individual on seclusion or restraint shall take control over the situation.

Seclusion or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him or herself or to any other third person or if it is determined that the student is exhibiting extreme distress or at such time that appropriate administrative personnel have taken custody of the child or upon such time that the parent/legal guardian of the child has retaken custody of the child.

Regardless of employee training status, NO District personnel shall use any form of aversive technique against any school student.

If a situation occurs where a properly trained District employee must use acts of restraint or seclusion against a school student, the following shall occur:

1. The employee shall immediately report to their building principal, in writing, the following information:
 - A. The date the event occurred;
 - B. The circumstances leading to the event;
 - C. The student involved; and
 - D. Other witnesses or participants to the event.
2. The building principal shall notify the Superintendent's office or Designee of the event, providing the Superintendent's office with a copy of the report of events.
3. The building principal shall ascertain if any of the school's video equipment captured the event on a recording. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Superintendent's Office for the Superintendent's official records of the event.
4. The Superintendent or Designee shall ascertain the needs of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not

such events were consistent with or contraindicated due to the student's psychiatric, medical, or physical condition(s).

5. The Superintendent or Designee of the Superintendent shall notify the parent or legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.
6. The Superintendent's office shall maintain documents as to events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to State and federal regulations.

Training of School Personnel

As part of the training and preparation of each certificated administrator, certificated teacher, and in-building classified employee of the district **working directly with students**, the following shall occur:

1. Training to personnel as to proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and restraint, safe physical escort, de-escalation of student crisis situations, and positive behavioral intervention techniques and supports;
2. Training of personnel in crisis/conflict management and emergency situations which may occur in the school setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting;
3. Techniques to utilize to limit the possibility of injury to the student, the employees and any other third party in the area;
4. Information as to the school's student seclusion areas in each respective school building to which the employee is assigned;
5. **Training in CPR and basic first aid; and**
6. Provision of the employee with a copy of this policy.

It is a goal that all new employees are trained in the area of student restraint and seclusion during their first quarter of employment. However, this may not be possible due to realities of the operation of a school district. If an employee has not yet undergone training and a situation necessitating student restraint or seclusion occurs, and another properly trained employee of the district is present at the event, the properly trained employee shall take the lead in addressing the student crisis.

Designated Locations

Each school building for which students are present must have a building designated location for student seclusion.

It is the responsibility of the building's principal, or designee of the principal, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.

Appropriate supervision shall include an adult in the seclusion location which has continuous visual observation of the secluded student.

Definitions

For the purpose of this policy, the following definitions shall apply:

Restraint: The immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through chemical, manual method, physical, or mechanical device, material, or equipment.

Seclusion: Involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believes that he or she can leave or be prevented from leaving through manually, mechanically, or electronically locked doors that, when closed, cannot be opened from the inside; blocking or other physical interferences by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.

Aversive Technique: Physical, emotional, or mental distress as a method of redirecting or controlling behavior.

Annual Review

On an annual basis, the Superintendent or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and should be proposed to the District's Board.

In conducting this annual review, such individual shall also review the reports of all events of seclusion or restraint that occurred with the district's students in the past school year. This review will include an analysis as to whether or not the district's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Policy History:

Adopted on:



Lake Pend Oreille School District #84

Guidelines for Physical Restraint and Seclusion

Purpose

The purpose of this document is to provide guidance for the use of physical restraint and seclusion in order to ensure uniformity across the Lake Pend Oreille School District and to preserve the rights and dignities of the students and staff. This document will present and describe the 15 essential principles for the district, school staff, parents, and other stakeholders to reference. At any time, staff, parents and/or stakeholders can request a meeting or documentation related to LPOSD guidelines to physical restraint and seclusion.

Background

A study completed in 2009 found no Federal regulations governing the use of physical restraint and seclusion in public and private schools, and there was a wide variety of divergent State regulations. It was also determined that there were no reliable national data on when and how often restraint and seclusion were being used in schools, or on the extent of abuse resulting from the use of these practices in educational settings. As a result, in 2012 the Department of Education identified 15 principles that local school districts should consider as a framework in developing and implementing policies and procedures regarding the use of restraint and seclusion. From these 15 principles, LPOSD created district guidelines related to the use of physical restraint and seclusion.

Physical restraint and seclusion should not occur in schools except when there is a threat of imminent danger of serious physical harm to the student or others, and occurs in a manner that protects the safety of all children and adults at school.

Federal Definitions

Physical Restraint:

A personal restriction that immobilizes or reduces the ability of a student to move his or her own torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. **Physical escort** is defined as a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk on their own with assistance to a safe location.

Mechanical Restraint:

A mechanical restraint is the use of any device or equipment to restrict a student's freedom of movement. This term does not include devices implemented by trained school personnel, or



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utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved purposes for which such devices were designed, such as:

- Adaptive devices or mechanical supports for positioning, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- Restraints for medical immobilization; or
- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Seclusion:

Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a *timeout*, which is a behavior management technique that involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming and reducing disruptive behaviors.

LPOSD Guiding Principles

- 1. Every effort will be made to prevent the need for the use of physical restraint or seclusion.**
 - Teach replacement behaviors.
 - In cases where a student has a history of dangerous behavior for which restraint or seclusion was considered or used, a school should have a plan for:
 - Teaching and supporting more appropriate behavior; and
 - Determining positive methods to prevent behavioral escalations that have previously resulted in the use of restraint or seclusion.
 - General Education Student: MTSS building teams should:
 - Develop a Behavior Contract template for general education use;
 - Identify interventions
 - Take data (focused/defined/measurable) for an appropriate period of time (at least 4-6 weeks) before saying 'it doesn't work'.
 - A referral for SPED evaluation may be considered once adequate interventions and data have been collected.
 - Student receiving Special Education: The IEP Team will:
 - Complete a Functional Behavior Assessment (FBA).
 - Create a Behavior Intervention Plan based on the findings of the FBA.
 - Maintain progress monitoring regarding interventions and student progress.



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2. **Mechanical or chemical restraints will *never* be used to restrict a student's freedom of movement or to control behavior.**

3. **Physical restraint or seclusion will only be used in the following situations:**
 - a. **The student's behavior poses imminent danger of serious physical harm to self or others, and**
 - b. **Other interventions are ineffective**
 - **Imminent danger** is defined by statute as "any conditions which are such that a danger exists which could reasonably be expected to cause death or serious physical harm.
 - **Serious physical harm** is defined by statute as "physical injury that creates a substantial risk of death; extreme physical pain; or that causes protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, mental faculty or organ."
 - Physical restraint or seclusions should not be used as a response to inappropriate behaviors such as:
 - Disrespect;
 - Noncompliance;
 - Swearing;
 - Insubordination;
 - Out of seat; or
 - Defiance.

4. **Policies restricting the use of restraint and seclusion will apply to all students, not just those with disabilities.**

5. **Any behavioral intervention must be consistent with the student's rights to be treated with dignity and to be free from abuse.**

6. **Physical restraint or seclusion will never be used:**
 - as a form of punishment or discipline (e.g., for out-of-seat behavior);
 - as a means of coercion or retaliation, or as a convenience for staff;
 - as a planned behavioral intervention in response to behavior that does not pose an imminent danger of serious physical harm to self or others; or
 - in a manner that endangers the child



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- 7. Physical restraint or seclusion will never restrict a student's breathing or harm the student.**
- 8. Behavioral strategies will be reviewed and revised to reduce/eliminate the need for the use of restraint and seclusion. If positive behavioral strategies are not in place, staff should develop them.**
 - Teach and support more appropriate behavior, and
 - Determine positive methods to prevent behavioral escalations.
- 9. Behavioral strategies to address patterns of dangerous behavior that results in the use of physical restraint or seclusion should address the underlying cause or purpose of the dangerous behavior through a Functional Behavioral Assessment and a Behavior Intervention Plan.**
 - Contact Director of Special Education to consider the process for an FBA/BIP for a student
- 10. Teachers and other personnel should be regularly trained:**
 - Staff who have direct interaction with students should be regularly trained on the use of positive behavioral interventions and supports.
 - Designated district staff will be trained on the safe use of physical restraint and seclusion in cases involving imminent danger of serious physical harm. Designated staff are trained in Crisis Prevention Intervention (CPI). District holds quarterly trainings for those who need to be initially trained or require recertification.
- 11. Students requiring the use of physical restraint or seclusion will be carefully and continuously visually monitored to ensure the appropriateness of its use and safety of the student and others.**
 - Only school personnel who have received the required training on the use of district- approved method of physical restraint and seclusion will be engaged in this process.
- 12. Staff will document that parent/guardian are notified on the same day following each instance in which physical restraint or seclusion is used with their student.**
- 13. Each physical restraint or seclusion incident will be documented through the completion of the "LPOSD Incident Report of Physical Restraint or Seclusion" Google form.**



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- 14. If an incident of physical restraint or seclusion occur, a debriefing with the school team should take place as soon as possible to consider the event, particularly if there was a possibility to avoid the physical restraint or seclusion.**

- 15. Policies regarding the use of physical restraint and seclusion will be reviewed and revised as necessary by the district administrators using appropriate data.**