It is the policy of the board of trustees to assure the safety of students, staff, and visitors who use the school buildings of this district, and to provide a safe environment conducive to learning. The board will ensure compliance with the provisions of the Idaho Uniform School Building Safety Act, which applies to all existing district public school facilities, or those constructed in the future and which are owned, leased, or used for the district's educational purposes.

Personnel, students, and visitors who believe that a building, facility, or grounds, or use thereof, is unsafe are encouraged to report such concerns to the building principal's office. Such reports will be investigated within a reasonable time and corrected as determined to be necessary to protect students, personnel, and visitors from unsafe conditions.

DEFINITIONS

"Administrator" means the administrator of the State of Idaho Division of Building Safety.

"Imminent safety hazard" means a condition that presents an unreasonable risk of death or serious bodily injury to occupants of a building.

"School facilities" include school buildings, administration buildings, playgrounds, athletic fields, and improved or unimproved real property, owned or operated by the district, which are used by students or personnel in the normal course of providing an educational program. School facilities do not include those areas, buildings, or parts of buildings closed from or not used in the normal course of the educational program.

"Serious safety hazard" means a condition that presents an unreasonable health risk or risk of injury to occupants of a building.

INSPECTION

The board will require an annual inspection of the district's school facilities, conducted by an independent inspector professionally qualified to conduct inspections under the applicable codes, or pursuant to the Idaho Uniform Public School Building Safety Act, Idaho Code §39-8001 et seq. Such inspection will address whether the school facilities comply with safety and health standards, including applicable electrical, plumbing, mechanical, elevator, fire safety, boiler safety, life safety, structural, snow loading, and sanitary codes, as adopted by or pursuant to the Idaho Building Code Act, local ordinances or rule of the Idaho State Board of Education and applicable to school facilities.

Additionally, the board will cooperate with Idaho State Board of Education staff, including the executive director and school safety and security program staff, to allow entry to the school facilities at reasonable times, for the inspection of such facilities for consistency with the school safety and security guidelines developed by the Idaho School Safety and Security Advisory Board.

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ABATEMENT

The board will identify any unsafe or unhealthy conditions in the school facilities, and direct personnel to take the necessary steps to abate any identified unsafe or unhealthy conditions. The board will issue a report, as required by the State Board of Education, in the same year that the inspection(s) is made declaring any identified unsafe or unhealthy conditions which were not abated.

The district will use available funds to abate all identified unsafe or unhealthy conditions. The district need not separately account for the costs of abatement, and is not obligated to segregate funds used for abatement.

PLAN OF ABATEMENT

If adequate funds are not available to abate all unsafe and unhealthy conditions, the board will direct that a plan for abatement be developed and implemented immediately. The plan must include a timetable for commencement of the abatement beginning no later than the following school year and specify the funds from which the district will finance the abatement, in accordance with Idaho Code Section §33-1613. The board may finance the abatement plan through any of the following sources: unencumbered lottery money, levies, a loan or grant from the School Safety and Health Revolving Loan and Grant Fund, or declaration of a financial emergency.

The board will separately account for and document all costs of implementing the plan of abatement with regard to each unsafe or unhealthy condition identified.

VIOLATIONS NOT CONSTITUTING A SERIOUS OR IMMINENT SAFETY HAZARD

Upon receipt of written notice from the administrator or designee that the violation of the Idaho Uniform School Building Safety Act does not constitute a serious or imminent safety hazard, the superintendent will take appropriate remedial action within the time frame set forth in the notice and notify the board of the notice and action taken at the next regularly scheduled board meeting, or earlier, if appropriate.

VIOLATIONS CONSTITUTING A SERIOUS SAFETY HAZARD

Upon receipt of written notice that, relative to any district building, the administrator found a violation of the Idaho Uniform School Building Safety Act, which constitutes a serious safety hazard, the superintendent will eliminate the condition within the time frame specified in the written notice. In the event the superintendent believes that it is in the district's best interest to contest the administrator's findings, the superintendent is authorized to file a request for a hearing on the matter within fourteen (14) days of the date the administrator's written order or notice was issued, which hearing will be processed as a contested case under Idaho Code §§67-5201 et seq.

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VIOLATIONS CONSTITUTING AN IMMINENT SAFETY HAZARD

Upon receipt of written notice from the administrator or designee that an imminent safety hazard exists in a school facility, the superintendent will immediately schedule a board meeting to review the matter and require all changes necessary to eliminate the imminent safety hazard. Such changes will be made without delay, and within the time specified in the administrator's written notice or order.

If the imminent safety hazard is not corrected, or cannot be corrected in the specified time, or if the administrator determines that the imminent safety hazard could reasonably be expected to cause serious physical harm or death before the hazard can be eliminated and orders that all persons no longer occupy the building, the superintendent or designee will assist the administrator as necessary to post notice on such areas to prevent unauthorized people from entering the area where the imminent safety hazard exists.

CORRECTIVE ACTION

All buildings owned by the district will be inspected annually by the local fire department.

The maintenance staff will survey the school buildings, facilities, and grounds at reasonable intervals to determine whether or not a safety concern exists. A log will be kept of the inspections. All minor safety concerns will be prioritized and corrected, as determined necessary to protect students, personnel, and visitors from unsafe conditions. Any corrective action taken on minor safety concerns, or any determination to delay corrective action will be documented by the maintenance staff. Major safety concerns will be reported to the building principal's office. The corrective action taken, or determination to delay corrective action, will be documented by the school principal or superintendent.

BEST PRACTICES MAINTENANCE PLAN

Based on the best practices maintenance plan for school buildings developed by the administrator of the Idaho Division of Building Safety (DBS) and the State Department of Education, the district will develop a ten (10) year school maintenance plan and submit it to DBS for approval. The plan will be submitted to DBS in all years ending in zero (0) or five (5), and will include information detailing the work completed pursuant to the previous maintenance plan and any revisions to that plan.

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LEGAL REFERENCE:

Idaho Code Sections

33-1017 – School Safety and Health Revolving Loan and Grant Fund
33-1612 – Thorough System of Public Schools
33-1613 – Safe Public School Facilities Required
33-5904 – School Safety and Security Program

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39-8001 et seq. – Uniform Public School Building Safety
67-5201 et seq. – Idaho Administrative Procedure Act
IDAPA 08.02.02.130 – School Facilities
IDAPA 08.02.03.160 – Safe Environment and Discipline
IDAPA 24.39.60 – Rules Governing Uniform School Building Safety

ADOPTED: June 1, 2007

AMENDED: November 16, 2022

*Language in text set forth in italics is optional.

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