

**9000 SERIES
SCHOOL FACILITIES
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Swan Valley School District #92

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Goals

The Board recognizes the importance the physical plant plays in enhancing the instructional program. The Board shall develop a program to maintain and/or upgrade the buildings and grounds of the District. Facilities represent a long-term investment of the District. The functional utility of such facilities can be increased with a regular maintenance program monitored by staff.

The Board further recognizes the importance of planning in order to provide the anticipated facility needs of the future. The District will review demographic factors as changes make such reviews necessary.

Policy History:

Adopted on: June 17, 2004

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Swan Valley School District #92

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Use and Disposal of School Property

Conveyance of Property

Within one year prior to conveyance, all real and personal property with an estimated value of \$1,000 or greater shall be appraised, which appraisal shall be entered in the records of the Board.

\$1,000 or Greater – For property with a value of one thousand dollars (\$1,000) or greater, such property will be appraised. The Board may dispose of such property by sealed bids or by public auction to the highest bidder. Notice of the time and method of sale shall be published twice in accordance with I.C. § 33-402. Such property may be sold for cash or upon such terms and conditions as the Board determines not to exceed ten (10) years with an annual interest rate of not less than seven percent (7%). Title to property sold on contract shall remain in the District until full payment is received. The Board may accept the highest bid, may reject any bid, or reject all bids. During the sealed bid or public auction process, no real property of the District can be sold for less than its appraised value. If, thereafter, no satisfactory bid is made and received, the Board may proceed under its own direction to sell and convey the property for the highest price the market will bear.

Less than \$1,000 - For property that has an estimated value of less than one thousand dollars (\$1,000), the Board may dispose of such property by sealed bid or by public auction without appraisal. However, prior to disposal of the same at least one (1) published advertisement is required. The Board may accept the highest bid, may reject any bid, or reject all bids.

Less than \$500 – For property that has an estimated value of less than five hundred dollars (\$500) and the value is determined to be insufficient in comparison to the costs of arranging a sale, the Board may, by unanimous vote of those present, dispose of such property in a manner deemed appropriate by the Board or the Board's designee.

Donated Property

If property is donated to the District, the Board may sell the property without advertising or bidding within one (1) year of the time the initial appraisal was conducted. Otherwise, the Board must have new appraisals made and again publish notice for bids, as with other property.

Exchange of Property

The Board may exchange real or personal property for other property provided that:

1. One-half (1/2) plus one of the members of the full Board determines such conveyance or exchange is in the best interest of the District; and
2. A resolution is passed authorizing such exchange of real and/or personal property to any of the following:
 - a. U.S. government;
 - b. City;
 - c. County;
 - d. State of Idaho;
 - e. Hospital district;
 - f. School district;
 - g. Public Charter School;
 - h. Idaho Housing and Finance Association;
 - i. Library district;
 - j. Community college district;
 - k. Junior college district; or
 - l. Recreation district.

Prior to any transfer or conveyance of any real or personal property as set forth above, the Board shall have the property appraised by an appraiser certified in the state of Idaho, which appraisal shall be entered in the records of the Board and shall be used to establish the value of the real or personal property. Provided however, if the Board finds it is in the district's best interest to trade personal property to a person or entity for like kind personal property, the Board may vote to elect to do so. The Board may elect to abstain from an appraisal of the personal property if the estimated value of such property is less than \$5,000.

Equipment Acquired Under a Federal Award: When it is determined that original or replacement equipment, as defined in Policy § 7270, acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or Business Manager will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$5,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

If acquiring replacement equipment, the District may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property. The District will use whatever means available to ensure the highest possible return on any items sold.

Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity. Therefore, the District should request prior approval from the State Department of Education for the purchase or the disposition of equipment purchased with federal funds that have a value of \$5,000 or more.

Legal Reference:

2 CFR § 200.313(e)	Equipment. Disposal
2 CFR § 200.439(b)(2)	Equipment and Other Capital Expenditures
I.C. § 33-402	Notice Requirements
I.C. § 33-601	Real and personal property – Acquisition, use or disposal of same.
I.C. § 67-2801, et seq.	Purchasing by Political Subdivisions
I.C. § 74-107(3)	Records Exempt from Disclosure - Appraisals

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Contractor License, Surety Bonds and Insurance

No contract shall be let to any contractor who is not licensed as required by the laws of this state. Before any contract is awarded to any person, such person shall furnish to the District performance and payment bonds that shall become binding upon award of the contract to a contractor as follows:

1. Performance bonds in an amount not less than eighty-five percent (85%) of the contract amount for the sole protection of the District; and
2. Payment bond in an amount less than eighty-five percent (85%) of the contract amount for the protection of persons supplying labor or materials, or renting or otherwise supplying equipment to the contractor and/or his subcontractors in the prosecution of the work performed under the contract.

Legal Reference:

I.C. § 54-1902	Unlawful to engage in public works contracting without license
I.C. § 54-1925 et seq.	Public Contracts Bond Act

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Swan Valley School District #92

SCHOOL FACILITIES

9300

Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The facilities manager, in cooperation with the principals, fire chief, and county sanitarian, shall periodically inspect plant and facilities. He or she shall provide for a program to maintain the District physical plant by way of a continuous program of repair, maintenance and reconditioning. Budget recommendations shall be made each year to meet these needs and any such needs arising from an emergency.

The facilities manager shall formulate and implement energy conservation measures. Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve the resources of the District in their buildings.

Cross Reference:

8520	Inspection of School Facilities
9400	Safety Program
9500	Security

Legal Reference:

I.C. § 33-701	Fiscal year – Payment and accounting of funds
I.C. § 33-1613	Safe public school facilities required

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Swan Valley School District #92

SCHOOL FACILITIES

9400

Safety Program

The Board acknowledges the importance of safety for students, staff and others having business with the District. Safety education, accident prevention and proper supervision are important as protective measures and also OSHA means to promote a culture of safety awareness. The Board directs the Superintendent to research and assess available programs and make recommendations to the Board for the implementation of these programs.

The Board directs the development of an Exposure Control Plan for employees to eliminate or minimize work-related exposure to bloodborne pathogens, particularly Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV).

The District will participate in the prosecution of any individual(s) who may disturb any school or school meetings, insult or abuse any school employee or student during the course of the school/work day, or otherwise violate the laws of the State of Idaho regarding school disturbance or individual protection for school employees or students.

Cross Reference:

8520	Inspection of School Facilities
9300	Operation and Maintenance of District Facilities

Legal Reference:

I.C. § 33-512	Governance of schools
29 CFR 1910.1030	The Bloodborne Pathogens Standard

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Swan Valley School District #92

SCHOOL FACILITIES

9500

Security

Security means not only maintenance of buildings, but also protection from fire hazards and faulty equipment and safe practices in the use of electrical, plumbing, and heating equipment. The Board requires close cooperation with local police, fire, and sheriff departments and with insurance company inspectors to do safety programs and training to ensure employees are using safe practices.

Access to school buildings and grounds outside of regular school hours shall be limited to staff whose work requires access. An adequate key control system shall be established which shall limit access to buildings to authorized staff and shall safeguard against the potential entry of unauthorized persons.

District employees are responsible for the secure maintenance of all school keys issued to them. District employees are specifically prohibited from loaning school keys to any person who is not employed with the school district. Any exceptions to this prohibition must be approved in advanced by the building administrator.

Records and funds shall be kept in a safe place and under lock and key when required. Locks and other protective devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. Employment of watchmen may be approved in situations where special risks are involved. All incidents of vandalism and burglary shall be reported to the Superintendent immediately and to law enforcement agencies as appropriate.

School Facilities Used by the Public

The Swan Valley School District No. 92 Board of Trustees acknowledges that while school facilities are public, the Board of Trustees has ultimate control and supervision over those facilities. District school buildings may be made available to responsible individuals or organizations for education, civic, cultural, and other non-commercial uses consistent with the public interest, when such use does not interfere with the educational program or other school-sponsored activities. The Board directs the Superintendent/designee to develop procedures to manage rental of the District's facilities.

Guidelines

Use of District Facilities

1. Use of the District's facilities by non-school groups should be at times when school is not in session and should not negatively impact curricular or extra - curricular

- programs.
2. Use of school facilities for the educational program or other school-sponsored activities has precedence over all other requests for use.
 3. Persons on school premises must abide by the District's policies and rules of conduct at all times.
 4. The school shall approve and schedule the school facilities.
 - a. A master calendar shall be kept in the office for scheduling dates to avoid conflicts.
 - b. Requests for use of the school facilities must be submitted in advance to the office.
 5. Prior to using any of the District's facilities, individuals or groups are required to complete the Waiver and Release of Liability and Assumption of Risk Form #9320 F.

Cross Reference:

9300 Operation and Maintenance of District Facilities

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Swan Valley School District #92

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WAIVER AND RELEASE OF LIABILITY AND ASSUMPTION OF RISK

To be completed and signed by the individual responsible for those using any District No. 92 Facility for a non-school related activity.

Disclaimer: DISTRICT #92 IS NOT RESPONSIBLE FOR ANY INJURY, INCLUDING DEATH, OR LOSS OF PROPERTY TO ANY PERSON SUFFERED WHILE ON THE PREMISES OR PARTICIPATING IN THE USE OF ANY OF ITS FACILITIES FOR ANY REASON INCLUDING BUT NOT LIMITED TO THE UTILIZATION OF ANY EQUIPMENT OR THE PLAYING, PRACTICING OR SPECTATING OF ANY ACTIVITY OCCURRING IN OR ABOUT ANY DISTRICT PREMISES.

In consideration of the group participating in and the use of District No.92 facilities, I hereby release and covenant not to sue District No. 92, its Board members, superintendents, directors, officers, employees, representatives, agents and lessees from any and all present and future claims resulting from ordinary negligence and inherent risk of use of the facilities and equipment of District No. 92, including but not limited to any loss, injury, damage, or liability sustained while on or about any premises of District No. 92.

I am fully aware and understand that District No. 92 does not have on or about the premises, or employ, or contract with any medical services, provisions for ordinary or emergency medical service, including but not limited to emergency cardiovascular assistance. Furthermore, I am aware that District No. 92 does not provide instruction or supervision of the facilities or equipment while I am using the same without an expressed arrangement to do so in writing.

I agree that immediately prior to participating in any activity occurring in or about District No. 92 facilities, I will inspect the facilities and equipment to be used and if any defect is apparent, I will not use the facility or equipment and I will notify the management of District No. 92 of the defect.

I further agree that if I am not knowledgeable in the proper use of any District No. 92 facilities or equipment, I will obtain proper instruction for the correct use of such facility or equipment from a qualified individual before I will use the facility or equipment or I will insure that a qualified District No. 92 employee is on site while using the facility or equipment.

I further agree to indemnify and hold harmless District No. 92, its Board members, superintendents, officers, employees, representatives, agents, and lessees for any and all claims arising from my involvement in activities incidental thereto wherever, whenever, and however, the claims may arise including but not limited to travel to and from District No. 92 or related activity site and participation at remote sites. I assume all of the foregoing risk and accept personal responsibility for any damages following any loss of property, injury, permanent disability or death resulting there from.

I further agree that all children under the age of 18 will be properly supervised and will not be left alone in the building.

I further agree that I am responsible for the school key that has been checked out to me. I am required to check out the key from the office and return it to the school the following day. Abuse of the key check out system will result in denial of facility use. Should I lose the key I am responsible for the cost of re-keying the school to ensure adequate protection of the facilities.

SIGNATURE PAGE

I have read and fully understand the above waiver and release of liability and assumption of risk. I fully understand that I have given up substantial rights by signing this waiver of release of liability and assumption of risk and sign it voluntarily.

Signature

Date

Policy History:

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Swan Valley School District #92

SCHOOL FACILITIES

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Facilities Operations

The operation of the District's facilities shall be the responsibility of the Superintendent through the facilities manager. The facilities manager shall manage the operation of the facilities through the head custodians of the District's school facilities.

An adequate staff of custodial personnel will be employed by the District to operate the District's facilities. This responsibility shall include, but not necessarily be limited to, the following:

1. Adequate and timely operation of each facility's heating system.
2. Proper care of the District's physical properties, including walls, floors, roofs, ceilings and equipment in those facilities.
3. Adequate care of and timely lamp replacement in each facility's lighting system.
4. Proper care of each facility's grounds and playgrounds.

Because of the nature of facility operations, this service shall be provided not only during the normal scheduled working day and working year, but shall also occur during those times when the building is occupied outside of regular hours.

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Swan Valley School District #92

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District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments, alterations and changes be complied with by all District employees, vendors and contractors.

The District shall develop and continually update an asbestos management plan for each school, including all buildings that they lease, own, or otherwise use as school buildings, and submit the plan to the Idaho Department of Environmental Quality for approval. A copy of each school's plan shall also be kept at the school and made available to the public for review. The District shall notify parents, teachers, employees, and employee organizations (in writing) of the availability of management plans. The management plan shall include a description of the steps taken to notify such groups and a dated copy of the notification.

After an initial inspection of the schools to identify possible asbestos-containing building materials, the District shall conduct an inspection every three years to determine whether the condition of known or assumed asbestos-containing building materials has changed and will make recommendations on managing or removing the materials. These inspections and any response actions must be performed by trained, licensed professionals. Every six months, the District will survey the condition of these materials to assure that they remain in good condition. Forms for noting the condition of these materials shall be included in the management plan.

The District will train all maintenance and custodial staff on asbestos and how to deal with it, and notify short-term or temporary workers on the locations of the asbestos-containing building materials. Such training will be conducted within 60 days of hire. Warning labels will be posted in routine maintenance areas where asbestos was previously identified or assumed. The District will ensure that plans and procedures to minimize the disturbance of asbestos-containing building materials are set and followed.

The Superintendent or his or her designee shall be trained and designated as the person responsible for ensuring that these requirements are implemented.

Legal References:

15 U.S.C. § 2650 Asbestos Hazard Emergency Response Act,
40 C.F.R. § 763.93 Asbestos Management Plans,

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