

CONTENTS

3000 SERIES—STUDENTS

Enrollment and Attendance

Entrance, Placement and Transfer	3000
Attendance Zones.....	3003
Open Enrollment by Students Who Reside Within and Outside the District	3010
Student Open Enrollment Request Form	3010F
Open Enrollment by Students Who Reside Within and Outside the District	3010P
Enrollment and Attendance Records	3020-3020P
Part-Time Attendance / Dual Enrollment	3030
Extracurricular Activities Eligibility for Students not Enrolled in Academic Activities	3031
School Attendance and Habitual Truancy	3041
Notification to Parents of Student Absences	3045
Education of Homeless Children	3060
Students of Legal Age.....	3070
Attendance by Out of State Students	3080
Sexual Harassment, Discrimination, and Retaliation	3085
Sexual Misconduct Reporting Form for Students.....	3085F
Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions	3085P
Foreign Exchange Students.....	3090

Student Rights and Responsibilities

Programs for At-Risk and Disadvantaged Students	3100
Student Rights and Responsibilities	3200
Student Use of Buildings: Equal Access	3220
Student Groups in School Facilities.....	3226-3226P
Student Government	3230
Student Publications.....	3240
Student Dress	3260
Equal Education, Nondiscrimination and Sex Equity.....	3280
Gender Identity and Sexual Orientation	3281
Relationship Abuse and Sexual Assault Prevention and Response	3285
Sexual Harassment/Intimidation of Students.....	3290
Harassment Report Form for Students.....	3290F
Hazing, Harassment, Intimidation, Bullying, Cyber Bullying.....	3295
Hazing, Harassment, Intimidation, Bullying, Cyber Bullying.....	3295P
Hazing, Harassment, Intimidation, Bullying, Cyber Bullying.....	3295F
Bullying Awareness Week.....	3296
Prohibition of Tobacco Possession and Use	3305
Prohibition of Gang Activity	3311
Student Drug, Alcohol and Tobacco Use	3321-3321P
Academic Honesty.....	3335

Corrective Actions and Discipline.....	3340-3340P
Restraint or Seclusion of a Student.....	3346
Discipline of Students with Disabilities.....	3360
Student Sex Offenders	3365
Searches and Seizure.....	3370-3370P
Extracurricular and Co-Curricular Participation Policy	3381
Extracurricular Activities Drug-Testing Program	3400
Extracurricular Consent Form.....	3400F
School Sponsored Student Activities.....	3410
Student Fund Raising Activities	3420
Distribution of Fund Drive Literature through Students.....	3430
Student Fees, Fines and Charges/Return of Property	3440
Fees	3440P
Student Vehicle Parking	3450 3450F
Student Protection	
Student Health/Physical Screenings/Examinations	3500
Concussion Protocol	3506
Student Activities During Poor Air Quality, Lightning, and Severe Weather.....	3507
Student Medications.....	3510
Administering Medicines to Students – Diabetes.....	3511
Food Allergy Management	3515-3515P
Contagious or Infectious Diseases	3520
Immunization Requirements.....	3525
Suicide.....	3530
Emergency Treatment.....	3540
Student Interviews, Interrogations or Arrests	3545
Removal of Student During School Hours	3550-3550P
Video Surveillance.....	3560
Student Tracking Safety Devices.....	3563
Termination of Student Driving Privileges.....	3565
Student Records	3570
Student Records (Notification to Parents and Students of Rights Concerning a Student’s School Records)	3570F
Student Records (Maintenance of School Student Records)	3570P
Student Data Privacy and Security	3575
Parent (Divorced or Estranged) Involvement in Educational Process.....	3577
Relations with Non-custodial Parents.....	3580
Records of Missing Children	3610
Transfer of Student Records	3620
General	
Student Handbooks	3710
Prohibition of Weapons	3730
Student Expulsion – Denial of Enrollment	3740-3740P
Theft or Destruction of School Property.....	3750
Assault and Battery	3760
Students with a Living Will and Durable Power of Attorney for Health Care.....	3770

Transportation to Out-of-District School-Sponsored Activities	3780
School Sponsored Activities Transportation Agreement and Liability Waiver	3780F

Every student has a basic right to attend school. His or her primary purpose in attending school is to engage in learning; and his or her cooperation and dedication is fundamental to obtaining a quality education.

The Board of Trustees seeks to protect the rights of each student and promote the welfare of the student body. These student policies are intended to facilitate a quality experience for students in all activities related to the educational program. Each student should have the experiences that will enable him or her to become a useful and productive citizen.

Entrance, Date, and Age

No pupil may be enrolled in the kindergarten or first grade whose fifth or sixth birthday respectively does not occur on or before the first day of September of the school year in which the child registers to enter school. Any child of the age of five years who has completed a private or public out-of-state kindergarten for the required 450 hours but has not reached the age and date requirements set above shall be allowed to enter the first grade.

Initial Enrollment

Immunization records or an appropriate waiver and birth certificate are required for admission to all District schools (subject to provisions of McKinney-Vento Homeless Assistance Act, see District Policy 3060). Communication of the requirement for immunization records or exemptions shall comply with District Policy 3525.

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, the District shall notify the person enrolling the student in writing that they must provide within 30 days either a certified copy of the student's birth certificate, or other reliable proof of the student's identity and birth date; which proof shall be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate. Other reliable proof of the student's identity and birth date may include a passport, visa, or other governmental documentation of the child's identity. If the person enrolling a student fails to provide the information within the requested 30 days, the District shall immediately notify the local law enforcement agency of such failure and again notify the person enrolling the student, in writing, that he has an additional ten days to comply. If any documentation or affidavit received pursuant to this section appears inaccurate or suspicious in form or content, the District shall immediately report the same to the local law enforcement agency. Local law enforcement will investigate these reports. Failure of a parent, or person in custody of a child, or a person enrolling a student, to comply with the documentation requirements of this section after a lawful request shall constitute a misdemeanor.

A student transferring schools within the District need not provide proof of identity and birth date if the student's record already contains such verified information.

Initial Placement

The goal of the District shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent and the Board.

Advanced Enrollment For Military Dependents

Any member of the United States Armed forces who has received transfer orders to a location in Idaho and will, upon such transfer, reside in the District's attendance boundary may enroll his or her child in the District regardless of where the child resides at the time of enrollment.

Transfer

District policies regulating pupil enrollment from other accredited elementary and secondary schools are designed to protect the educational welfare of the child and of other children enrolled in the District.

Elementary Grades (K-8): Any student transferring into the District will be admitted and placed on a probationary basis for a period of two weeks.

Should any doubt exist with teacher and/or principal as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement.

During the two-week probationary period, the student will be subject to observation by the teacher and building principal.

Secondary Grades (9-12), Credit Transfer: Requests for transfer of credits from any secondary school shall be subject to a satisfactory examination of the following:

1. Appropriate certificates of accreditation;
2. Length of course, school day, and school year;
3. Content of applicable courses;
4. The school facility as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction);
5. An appropriate evaluation of student performance leading toward credit issuance; and
6. Final approval of transfer credits will be determined by the high school principal, subject to review upon approval by the Superintendent and Board of Trustees.

Transfer from Persistently Dangerous Schools

If any school within the District is found to be persistently dangerous in accordance with federal law, students attending the school shall be permitted to transfer to another traditional or charter school within the District which is not persistently dangerous and which is meeting annual yearly progress requirements. The transfer may be either permanent or temporary and lasting until the school of origin is no longer designated as persistently dangerous. Parents or guardians of students shall be notified that the school has been designated as persistently dangerous within ten days of being so designated. Within 20 days of receiving such notification, students may be transferred to another school within the District.

Any student who is the victim of a violent criminal offense on school grounds shall be permitted to transfer to another school within the District.



Cross Reference: 3060 Education of Homeless Children
3525 Immunization Requirements
4160 Parents Right-to-Know Notices

Legal Reference: Art. IX, § 9, Idaho Constitution- Compulsory Attendance at School
I.C. § 18-4511 School Duties—Records of Missing Child—Identification
Upon Enrollment—Transfer of Student Records
I.C. § 33-201 School Age
I.C. § 33-209 Transfer of Student Records – Duties
I.C. § 39-4801 Immunization Required
I.C. § 39-4802 Exemptions
20 U.S.C. § 7912 Unsafe School Choice
20 USC § 6313 Eligible School Attendance Areas
42 USC § 11432 Education of Homeless Children and Youths

Policy History:

ADOPTED: 10/9/17

ISBA

REVISED: 8/10/20
4/11/22

The School Board has established attendance zones to facilitate the District's educational programs by regulating attendance, as efficiently as possible, at the various school buildings. Such zones are subject to periodic revision as deemed necessary by this Board.

A student will attend school in a building serving his or her attendance zone whenever possible. The student's attendance zone is based on his or her residence at the time of enrollment. The student's residence is the address of the parent or guardian enrolling the student. Proof of residency may be required.

All requests for an intra-district transfer must comply with the district's Open Enrollment policy. Deviation from this policy may occur for the education of exceptional children.



Legal Reference: Idaho Code §33-512

Policy History:

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14

The School Board of Trustees recognizes that some of its patrons may want to enroll their children in a different school than the school that serves the attendance area in which they reside. The Board also recognizes that some out-of-District parents/guardians may want to send their child to a District school. Therefore, this policy is adopted to allow all in-district and out-of-district patrons to request that their children attend certain schools in the District under specified conditions. In making a decision on a student's open enrollment application, the District shall consider the needs of the student requesting the open enrollment transfer as well as the other students affected by the open enrollment transfer. A student currently under suspension or expulsion in this District or another district is not eligible for Open Enrollment under this policy.

Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy.

Transportation

Parents or guardians of a student accepted under this open enrollment policy will be responsible for transporting the accepted student. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within district boundaries.

Sports

Eligibility rules for participating in extracurricular activities shall apply to students who request to attend a different school as described in this policy and any related procedures.

It is recommended that a student who is considering submitting an open enrollment application to this District, and who anticipates participating in a sport governed by the Idaho High School Activities Association (IHSAA) should review IHSAA rules prior to submitting their open enrollment application. Certain school transfers could lead to a student being ineligible to play at the varsity level for one year.

Application/Approval Process

An open enrollment application must be submitted annually for admission to a specific school. Applications will be accepted from January 1 to February 1 of each year for enrollment in the subsequent school year. It is the School Board's intent to allow waiver of the application acceptance period for continuous acceptance of open enrollment applications when classroom space is available. This deadline shall be waived in the case of students who move out of their attendance zone during the school year.

The student's parent or guardian must apply annually for admission to a school outside the zone in which they reside. A student who has previously been accepted for open enrollment will not automatically be reenrolled.

Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.

The Superintendent or designee has established a procedure (see 3010P) for:

- the method of determining which students are chosen when classroom space is limited;
- notifying parents of the action taken on the open enrollment application;
- the factors which may possibly cause an open enrollment application to be denied;
- the process for removing a student from a transfer school, including the grounds for removal, parent notification, and the appeal process.

Student Rights and Responsibilities

All student's rights and responsibilities remain the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy

Revocation of an Open Enrollment Transfer

1. The District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of School District policies, including violations of the attendance policy, or because of false or misleading information on the open enrollment application.
2. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Elementary or Secondary Program Director. The parent/guardian must request the review within five (5) school days of receiving notice that their child's transfer has been revoked.
3. The Director must render a decision to the parent/guardian's request for review within five (5) school days.
4. The parent/guardian may request further administrative review by the Superintendent. The parent/guardian must request the review within five (5) school days of receiving notice that their child's transfer has been revoked.
5. The Superintendent must render a decision to the parent/guardian's request for review within five (5) school days.
6. The decision of the Superintendent may be appealed to the School Board of Trustees.

Preventing or Recruiting Potential Open Enrollment Students

Neither the District nor its employees will take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District, to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.



Cross Reference: 2240 Class Size
 3010P Open Enrollment
 3041 School Attendance and Habitual Truancy
 3080 Nonresident Student Attendance by Out of State Students

Legal Reference: I.C. §33-512 Governance of Schools
I.C. §33-1401 Transfer of Pupils - Definitions
I.C. §33-1402 Enrollment Options
I.C. §33-2001 Education of Exceptional Children - Definitions

Policy History:

ADOPTED: 12/9/13

ISBA

REVISED: 8/11/14
9/12/16
11/11/19
3/09/20
10/12/20
7/12/21
8/08/22

Date Received _____

Time Received _____

3010F

Twin Falls School District 411
Student Open Enrollment Request

This application is to be completed by a parent or guardian requesting that a student be transferred from another school district, or a school in one residential attendance zone within the district to another school within the district. This application must be complete for the transfer to be considered. **No applications for transfer will be accepted before January 1 for the subsequent school year.** NOTE: For out-of-district applicants, a copy of the applicant student's cumulative record must be attached to this application. The cumulative record may be obtained by the parent/guardian from the student's current school.

Type of Request: <input type="checkbox"/> In-District (live in TFSD) <input type="checkbox"/> Out-of-District (live outside TFSD boundaries)				
Student Name: Last First		Current Grade:	Requested Grade:	School year for requested transfer:
Current Address:		Age:	Date of Birth:	
		Home Phone:		
Name of Father/Stepfather/Guardian:		Work Phone:	Cell Phone:	
Name of Mother/Stepmother/Guardian:		Work Phone:	Cell Phone:	
Currently living with: <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Guardian		Is the student's parent or guardian a Twin Falls School District Employee <input type="checkbox"/> Yes <input type="checkbox"/> No		
Currently living in school boundary of:	School currently attending:	Requested school:		
Special services being provided at current school: <input type="checkbox"/> Special Education <input type="checkbox"/> Elem GT <input type="checkbox"/> ELL <input type="checkbox"/> 504 <input type="checkbox"/> Other:				
Has this student ever been suspended or expelled: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the circumstances including dates and duration				
Reason for Request				
<input type="checkbox"/> Parent/guardian is a district employee				
<input type="checkbox"/> Pending acquisition of another home (move to be completed within the semester); necessary documentation is attached (building permit or contractor agreement, proof of occupancy)				
<input type="checkbox"/> Participation in academic program at receiving school – program _____				
<input type="checkbox"/> To allow sibling to attend the same school that another sibling currently attends				
<input type="checkbox"/> Serious medical/mental/psychological health condition documented by appropriate medical personnel creates needs that cannot be met at the home campus				
<input type="checkbox"/> Documented, unresolved student conflicts exist that cannot be addressed at the home campus				
<input type="checkbox"/> Day Care				
<input type="checkbox"/> Other _____				

This request is made with full agreement to the following:

- I certify that the information provided is accurate and complete.
- I understand that approval of this request shall be dependent upon the acceptance and rejection standards stated in the district's policy, and revocation of this transfer may occur in accordance to the conditions listed in the district's policy.
- I understand that students will only be allowed one transfer during the school year.
- I understand that the granted transfer does not guarantee specific classes/courses.
- I understand that initial approval must occur with the receiving school principal; the receiving principal determines a) grade level enrollment, b) the intended education program, and/or c) capacity and class loads in accordance with district policy.
- I understand that state and district athletic eligibility rules and regulations govern participation in athletic and activity programs.
- I understand that my student must continue to attend the resident school until the effective start date of the transfer and that nonattendance is subject to truancy procedures.
- I understand that I am responsible for providing transportation to and from school for my student.
- I understand that requests are approved for one school year only, and it is my responsibility to complete an Open Enrollment Application Form each year until my student moves to the next school level.
- I understand that the transfer can be revoked at any time if there are attendance or discipline issues.

Parent/Guardian

In signing this form, the parent/guardian confirms that he/she has read and understands the information listed on this form and that the information is accurate.

Parent/Guardian Signature

Date

Steps:

1. **Submit this form to the requested school.**
2. **The principal will contact the student's home school to verify information. Expelled students will be referred to the Superintendent.**
3. **Parents will be notified no later than 60 days after the close of the application period or 60 days after the application is made, if outside of the normal application period. If the request is made after the start of school for the current school year, parents will be notified of a decision within five (5) school days. Approved forms will be sent to the student's home school for a signature.**
4. **The form will be returned to the requested school and kept on file.**

Receiving Principal's Comments:

Transfer Request (Receiving Principal): ☐ **Approved** ☐ **Denied**

If denied due to space, this request will be kept on file for the requested year should space become available.

Receiving Principal's Signature:

Date:

Home Principal's Signature:

Date:

ADOPTED: 8/11/08

TFSD

REVISED: 11/11/19
10/12/20
7/12/21

Open Enrollment Application forms are available at any Twin Falls District school. Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.

The application, together with the student's cumulative record, special education file, IEP, or other applicable documents, if any, should be submitted to the District no later than February 1 for enrollment during the following school year. The School Board may waive this deadline so that the District may continually accept open enrollment applications when classroom space is available. The Board or designee will not admit any student prior to viewing that student's records from the student's previous school districts.

The District has the option of accepting a student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.

No tuition shall be charged when a student attends a non-resident school under the State's Enrollment Options Program.

Application for District Students

1. For students who reside in the Twin Falls School District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school). The receiving school principal will notify the home school principal.

Application for Out-of-District Students

2. For students who reside outside the Twin Falls School District boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school) and the parent/guardian must give notice to the home school.

Decision Regarding Application

Once the receiving school principal receives the application from an in-District or out-of-District parent/guardian, the principal makes a determination to approve or not approve the transfer by completing the appropriate section of the Open Enrollment Application. Approval or denial will happen on a case-by-case basis, utilizing and applying the factors noted below. The receiving school principal, if possible, should be knowledgeable and/or review the applicable records concerning:

1. The student;
2. The student's academic history;
3. The student's disability evaluation data, if any; and/or
4. The placement options

Applications will normally be considered on a “first-come first-served” basis. However, in situations where openings are limited, the Principal may give priority if a student:

- has a parent employed by the District (excluding temporary employees and contractors);
- was previously enrolled at the requested school in a prior year;
- has a brother or sister enrolled at the requested school;
- resides in the attendance area of another District school; or
- has a unique situation or extraordinary circumstances.

Any non-resident student placed by court order under the Idaho Youth Rehabilitation Act or the Child Protection Act and residing in a licensed home, agency, or institution located within the District shall be enrolled and shall not be charged tuition.

Homeless children as defined by the Steward B. McKinney Homeless Assistance Act (P.L. 100-77), may attend any school district or school within a district without payment of tuition when it is determined to be in the best interest of such homeless child.

The Superintendent or designee will notify the parent/guardian of his or her decision within 60 days of the close of the application period or of the application, if submitted outside of the application period.

If the request for open enrollment is denied, the denial will include a written explanation. If the application is denied because classroom capacity has been reached at the school of choice, the denial may include information about other schools in the District that are below capacity.

If the request for open enrollment is approved, the notification will inform the parents of the following:

1. Parents must provide transportation or get student to the nearest District bus stop, if space is available;
2. State law requires reapplication on an annual basis;
3. Inappropriate behavior in violation of District policies may be grounds for removing the student during the school year; and
4. Special education, English Language Learners (ELL), or alternative school students must meet the requirements and the procedures established for those programs.

Grounds for Denial of Application

Factors which may cause an Open Enrollment Application to be denied include:

1. A school, grade, or program(s) has lack of available classroom space and/or staff, such as when the current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-5	27
6-12	161 students per teacher per day
Special Education Resource	17
Developmental Preschool	15
Spec. Ed. Self-Contained	An average of 7 students per classroom
English Language Learners (ELL)	21 per full-time ELL teacher
Alternative Schools	13 students per classroom

Exceeding such levels shall constitute a hardship to the District. The enrollment of a student from another District or attendance zone shall also be deemed to constitute a hardship if it would

- a. Require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes;
 - b. Cause an excessive number of students in a particular building.
2. The student has been suspended or expelled, or has committed a disciplinary violation for which he/she could be suspended or expelled,
 3. The student has a history of other documented disciplinary infractions or would cause a disruption of the education process. Factors to be included in making this determination may include:
 - a. Whether the student is in good standing with the most recently attended school in terms of conduct and attendance;
 - b. Whether the student demonstrates a record free of truancy;
 - c. Whether the student demonstrates a clean behavior record in the school last attended for a period of at least one year;
 - d. Whether the student's presence poses a detriment to the health and safety of other students and/or staff; or
 - e. It is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

Revocation of an Open Enrollment Transfer

The District reserves the right to remove an open enrollment transfer student at any time because of unacceptable behavior in violation of District policies or because of false or misleading information on the open enrollment application.

If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five school days of receiving notice that their child's open enrollment transfer has been revoked.

The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five school days. The decision of the Superintendent may be appealed to the Board.

If a student who is a resident of another district applies to this District and is accepted under the terms of this policy and fails to attend, he or she shall be ineligible to apply again for open enrollment in this District.

Students with Disabilities

In-District and out-of-district students with disabilities are not treated differently from non-disabled students with respect to consideration for placement in the school of their choice, unless the District has made an individual determination that disability-related needs of a particular student with a disability cannot be reasonably met at the school of their choice due to appropriate consideration of teacher and staff resources, program availability, hardship to the District, Declaration of Hardship, and/or other factors.



Legal Reference: I.C. §33-1402 Enrollment Options

Policy History

Adopted:	12/9/13
ISBA	3/03
Revised:	8/11/14
	9/12/16
	7/9/18
	11/11/19
	10/12/20
	7/12/21

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.



Policy History

ADOPTED: 8/11/14

REVISED:

Average Daily Attendance

A day of attendance is one in which a pupil is physically present for a full day (at least four (4) hours for grades 1 through 12 (1-12) and at least two and one-half (2 ½) hours for kindergarten under the guidance and direction of a teacher or other authorized school personnel while school is in session or when a pupil is a homebound student under the instruction of a teacher employed by the District.

Aggregate Daily Attendance (ADA) is the aggregate number of days enrolled students are present divided by the number of days of school in the reporting period. Student attending school in another state bordering the student's resident district shall be counted for purposes of ADA. Students for whom no Idaho school district is a home district shall not be counted for purposes of ADA. Funding for districts is based on ADA and must be accurate.

Attendance Accounting

Days present and absent for every student are to be recorded in each building for the purpose of informing parents of a student's attendance record.



Legal Reference: I.C. § 33-1001 Definitions
I.C. § 33-1002E Pupils attending school in another state
IDAPA 08.02.01.250.05 Average Day of Attendance (ADA) – Grades
One through 12 (1-12)
IDAPA 08.02.01.250.03 Day in Session When Counting Pupils in
Attendance
IDAPA 08.02.01.250.04 Day of Attendance – Kindergarten

Procedure History

Adopted: 8/11/14

ISBA

Revised:

For purposes of this policy, the term “non-public school student” is any student who is enrolled in a non-public school (including a home school or private school), enrolled in a public charter school, or enrolled in a post-secondary institution.

Dual enrolled students may also include students attending another Idaho public school outside the Twin Falls School District who also enroll in TFSD classes or programs that are not offered in their home district. For these students, the District may charge tuition, only in instances where the student is not being claimed as part of average daily attendance.

Any non-public school student will be allowed to enroll in the District and be entitled to participate in any program (curricular or extracurricular), subject to the same requirements as other students who are enrolled full-time in the District and subject to the requirements set forth below in this Policy.

Additionally, the District shall have an option for joint enrollment in a regular public school and in an alternative school.

Non-public school students admitted to the District shall only be on school property during the hours of enrollment or as otherwise indicated by the Superintendent or Principal. The District will not be responsible for the student during non-enrollment hours or times. Any transportation needs for such students not provided for otherwise under this policy during the school day shall be the sole responsibility of the student and his/her parents or guardian.

Admittance

The parent/legal guardian of any non-public school student wishing to admit their son/daughter in the District for any academic or non-academic program must register the student and provide the following prior to acceptance of any such student:

1. Birth certificate;
2. Evidence of residency within the District;
3. Immunization records (or an appropriate waiver); and
4. Student records from the previously attended public school, if any, and any other records providing academic background information.

Extracurricular Activities

Participation in extracurricular activities shall be subject to Policy 3031.

Priority

Priority for enrollment, when school programs reach maximum capacities, will be given to students enrolled on a regular full-time basis. If a number of non-public school students request admission into the same class, they will be accepted on a first-come basis. In the event the class enrollment position of a non-public school student is needed for a regular full-time student during

the course of the year, the full-time student will have priority for the position beginning with the semester after the need is identified.

Average Daily Attendance

Students who are dual enrolled (i.e., enrolled on a part-time basis) shall be used in calculating the District's state fund, but only to the extent of the student's participation in District programs.

Transportation

All non-public school students will be eligible for District transportation services. A public charter school student or non-public student, upon admission to a school in this District, may ride a school bus on regularly scheduled routes (including activity bus routes) and use regularly established bus stops or stops which would require no deviation from the regularly established bus route. No alteration of routes will be made to specially accommodate a dual enrollment student. If a dual enrollment student attends only part time, the District may furnish transportation at the regularly scheduled time closest to the time period for which a student is enrolled (i.e., morning busing for a.m. classes or afternoon busing for p.m. classes). The District will not provide such transportation if there is no available space, if the furnishing of such transportation would cause a deviation or alteration of the regularly established bus routes or stops or if the furnishing of such transportation would require the purchase of additional or substitute equipment.

Graduation

In order to graduate from this District, all non-public school students must meet the standard graduation requirements as outlined in Policy 2720, unless exceptions are made as described in 2710 High School Graduation Requirements—Specialty Diplomas.

Mixed Curriculum

If a public charter school student or nonpublic student wishes to attend activities or programs in a particular discipline, in a class or grade where the curriculum is merged or integrated, such request shall be made in writing particularizing the subject matter presentation which the student desires to attend (i.e., art instruction in a third grade class). The teacher and principal of that school shall, upon request, provide scheduling information to the dual enrollment student. It shall be the dual enrollment student's responsibility to contact the District and ascertain when such subject matter will be presented. Where certain subject matter is integrated into a mixed curriculum, no change in the presentation of that curriculum needs to be made because of a nonpublic student's request for attendance. It is also the intent of this policy to ensure that the teacher's right to integrate disciplines and be flexible in planning and modifying the daily classroom presentations shall not be hindered or restricted in any way.

IDEA/ADA/Section 504 Students

Parents who wish dual enrollment students to be enrolled in special programs must comply with the requirements of the Individuals with Disability Act (IDEA) and the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act of 1973 (Section 504). Parents may request an evaluation. Such requests will be taken to the multidisciplinary team, which shall determine if special services are appropriate for the student. If special services are needed by the student, then programs will be provided when possible. Until such determination is made, such special educational services or accommodations will not be provided.



Legal Reference: I.C. § 33-203 Dual enrollment
I.C. § 33-1001, et. seq. Average Daily Attendance
IDAPA 08.02.03.111.13 Dual Enrollment

Policy History:

ADOPTED: 8/14

ISBA

REVISED: 10/12/15
11/12/18
12/13/21

The following rules apply for non-public school students who wish to participate in nonacademic school activities, such as extracurricular activities, for which public school students must demonstrate academic proficiency or eligibility. For the purposes of this policy, “non-public school student” means a student who attends a public charter school, home school, or private school or is dually enrolled under Policy 3030:

1. Non-public school students must meet the same eligibility standards as full-time District students;
2. The non-public school student must, on any State Board of Education recognized achievement test, portfolio, or other mechanism, demonstrate composite grade-level academic proficiency;
3. The non-public school student must achieve a minimum composite, core, or survey test score within the average or higher than average range as established by the test service utilized on any nationally-normed test. The minimum score on each assessment is the fifth stanine for the battery total score. The parents/guardian of a dual enrollment student are responsible for obtaining third party testing for their child at their expense in accordance with I.C. 33-203 and State Board of Education rules. Demonstrated proficiency shall be used to determine eligibility for the current and next school year, not to exceed a period of 12 months from the date the test results are released;
4. Non-public school students must be provided the opportunity to take State tests or other standardized tests given to all regularly enrolled public school students when pre-arranged with the principal of the building where the student is registered; and
5. A non-public school student will be subject to the same requirements as public school students regarding school attendance on the date of an activity. If the non-public school student is not scheduled to attend academic courses in the District on activity days, the non-public school student’s primary education provider shall provide assurance to the District that such student has met the attendance requirements in the non-public school academic setting. The primary education provider shall also be responsible for the oversight of any other academic standards relating to participation in nonacademic activities.



Legal Reference: I.C. § 33-203
I.C. § 33-512

Attendance at Schools - Dual Enrollment
Governance of Schools

Other Reference: IHSAA Rules and Regulations on Eligibility

Policy History:

Adopted on: 12/13/21

ISBA

Revised on:

The Board of Trustees of this District recognizes that, because time on task is very important to the education of students, it is necessary to establish and enforce attendance requirements. Students are required to be in attendance at school at least ninety percent (90%) of the time that school is in session during each school term. In enforcing the attendance requirements, the Board may deny a promotion to the next grade or deny credit to any student who is not in school at least ninety percent (90%) of the days that school is in session. If a student is determined to be a habitual truant, the Board may expel or unenroll the student.

CALCULATING ATTENDANCE

Absence from class for any reason, including family convenience, will be counted when the percentage of attendance and consequent eligibility for promotion or credit is being considered. Except in extraordinary circumstances, students are expected to be present at school and in their assigned grade or subject.

Extraordinary circumstances may include, but are not limited to, verified illness or medical treatment, death in the family or death of close friends, and medical or dental professional appointments.

The school will provide written notice of absences to the student's parent/guardian not less than quarterly, and more frequently if the student's attendance drops below ninety-five percent 95% and/or the student is at risk of losing credit or promotion, or of being expelled due to habitual truancy.

DENIAL OF PROMOTION OR CREDIT

Students not meeting the ninety percent (90%) attendance requirements will not receive credit or be promoted even though they may have passing grades. The parent/guardian who has valid reasons to believe that all or part of the absences are the result of extraordinary circumstances may file a written request for review by the building attendance committee. Such request must be made within five (5) days of receiving notice of the denial. The building attendance committee will review the records and the circumstances and determine whether or not the student will receive credit or be promoted. The attendance committee will consist of the building principal, school counselor, and three (3) teachers designated by the principal.

The decision of the attendance committee may be appealed to the Superintendent. This appeal must be submitted to the Superintendent within ten (10) days after the attendance committee submits its decision. The Superintendent will render a decision on the appeal within ten (10) days after receiving the appeal.

The decision of the Superintendent may be appealed to the Board for a final decision. The appeal must be filed with the Superintendent's office within ten (10) days after the Superintendent notifies the parent/guardian of his or her decision. The Board will address the appeal in executive session. The parent/guardian will have an opportunity to appear before the Board for an informal hearing.

The parent/guardian will be given an opportunity to present written or oral information as to why the student should not be denied credit or promotion. The parent/guardian does not have the right to be represented by an attorney, present evidence, or cross-examine witnesses.

Upon reviewing the decision of the attendance committee and Superintendent, and the basis for the appeal by the parent/guardian, the Board will uphold or overturn the Superintendent's decision, issuing a written decision within ten (10) days. The Board's decision will be final.

The student will be allowed to continue to attend classes pending the Board's determination in this matter.

HABITUAL TRUANT DEFINED

A habitual truant means any student who, in the judgment of the Board, or the Board's designee, repeatedly has violated this attendance policy, or any child whose parent or guardian has failed or refused to cause the pupil to be instructed as provided by Idaho Code Section 33-202.

If the student does not meet the ninety percent (90%) attendance requirements of this policy and one-half (1/2) or more of all such absences are unexcused, he or she is a habitual truant. Students are truant if their absence from school is unexcused. Unexcused absences are those absences from school without the knowledge and approval of a student's parent/guardian, and/or school-approved activity absences. In order for an absence to be excused, oral or written communication from the student's parent/guardian must be received within forty-eight (48) hours of the last day of the absence, except for school-approved activity absences.

EXPULSION FOR HABITUAL TRUANCY

Pursuant to Idaho Code Section 33-205, the Board may expel a student because he or she is a habitual truant, as defined in this policy. The procedure for expulsion is set forth in Policy 3740. The student will be allowed to continue to attend classes pending the Board's determination in this matter.



See also: 3041F High School Attendance Contract

Legal Reference: I.C. § 33-202
 I.C. §33-206
 I.C. §33-207
 I.C. §33-506(1)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 01/10/11
 10/12/15

REPORTING OF ABSENCE

It is the responsibility of the parent to communicate with the school to inform the school of a child's absence. Parents can contact the school by either 1) sending a note to the school prior to the student's being absent or 2) calling the school prior to the start of the school day to inform the school of the absence.

When an excuse or authorization of absence from the parent or person having custody of the student has not been provided to the school office, the school shall make a reasonable effort to promptly telephone and notify parents or persons having custody of a student upon the student's absence.

PHONE CALL HOME (ELEMENTARY)

Attendance will be taken at the schools within the first 30 minutes of the school day. If a parent has not previously contacted the school or called the school prior to the start of the school day, the principal or his designee will use the schools automated phone system to call the parent or guardian reminding them to call the school to verify the absence. A representative of the District will make an effort to contact parent or guardian in the event the automated call has reached a number that has been disconnected or not successfully delivered.

PHONE CALL HOME (SECONDARY)

Attendance will be taken at the schools within the first 15 minutes of each period. If a parent has not previously contacted the school or called the school before 10:00 a.m., the principal or his designee, will use the school automated phone system to call the parents or guardian, reminding them to call the school to verify the absence. A representative of the District will make an effort to contact parent or guardian in the event the automated call has reached a number that has been disconnected or not successfully delivered. At the end of each day, another automated voice call will be sent home to inform the parent if a child missed any time throughout the day.

NO PARENT REACHED

If a child's absence cannot be verified, the principal may notify the school resource officer and turn over the child as missing from school with no parental verification.

The District and its Board, employees, or agents are not liable for failure to notify.

Further, on or before the enrollment of a student in grades kindergarten (K) through eight (8), the District shall notify parents or other persons who have custody of a student of their responsibility to authorize any absence of the student from school and to notify the school in advance or at the time of any absence. The District also requires that at least one (1) telephone number, if available, be given to the school office so that a "reasonable effort to notify by telephone" may be accomplished. This telephone number, if available, shall be provided at the time of enrollment of the student in the school. The parents or persons having custody of a student shall promptly notify the school of any change in this telephone number.



Policy History

ADOPTED: 6/13/16

TFSD

REVISED:

It is the policy of the District to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;
2. Homelessness does not in any way separate homeless students from the mainstream school environment; and
3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Board of Trustees directs all District schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board shall not enter into an out-of-district attendance and tuition agreement with another district for a homeless child.

All schools and employees of the District shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The District will also strive to prevent stigma against students who are homeless.

Definitions

For the purposes of this policy, the following definitions shall apply.

The terms “enroll” and “enrollment” includes attending classes and participating fully in all school activities.

The terms “homeless,” “homeless individual,” and “homeless person” is defined as Children and youths who lacks fixed, regular, and adequate nighttime residence including:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
2. Children and youths who are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. Children and youths who are living in emergency or transitional shelters;
4. Children and youths who are abandoned in hospitals;
5. Children and youths who have a primary nighttime residence that is a not designed for or ordinarily used as a regular sleeping accommodation for human beings, including cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;

6. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described above; and
7. An unaccompanied student living in any of the circumstances described above.

The term “Children and youth in transition” is defined as children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence.

The term “Unaccompanied youth” is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

The term “school of origin” is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the students “school of origin,” the “school of origin” shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school in the District.

In General

The District shall ensure the following is provided according to the homeless student's best interest:

1. That the homeless student's education continues in the school of origin for the duration of homelessness:
 - A. In any case in which a family becomes homeless between academic years or during an academic year; and
 - B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or
2. That the homeless student is eligible to enroll in the same schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

School Placement

School placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

When addressing school placement, the student may attend a school different from the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible

When addressing school placement, the District's Liaison shall work with the family to address the student's transportation needs.

Factors to Determine School Placement

In determining the best interest of the homeless student, each school within the District shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the student;
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the Superintendent determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, the Superintendent shall provide the student's parent or guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such parent, guardian, or unaccompanied student, including information regarding the right to appeal under "Enrollment Disputes", below; and
4. In the case of an unaccompanied student, ensure that the District's Liaison assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Enrollment Disputes," below.

Immediate Enrollment:

1. **In General:** The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student
 - A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;
 - B. Has missed application or enrollment deadlines during any period of homelessness; or
 - C. Has outstanding fees or fines, including fees associated with extracurricular activities.
2. **Relevant Academic Records:** The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.
3. **Relevant Health Records:** If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to the District's Liaison, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with "Records," below.

Records

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and
2. In a manner consistent with FERPA, applicable Idaho law, and District policy.

Disputes

If a dispute arises over eligibility, school selection or enrollment in a particular school, or any other issue addressed in this policy:

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities.
2. The parent or guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any

decisions related to school selection or enrollment made by the District, or other entity, including the rights of the parent, guardian, or unaccompanied student to appeal such decisions.

3. The parent, guardian, or unaccompanied student shall be referred to the local educational agency Liaison designated under “District Liaison” below, and upon being informed of the dispute, the Liaison shall, within 10 days, initiate an appeal with the District. At the district level, disputes and appeals will be presented to a committee of the District Directors of Human Resources, Federal Programs, and the appropriate Director of Curriculum, either elementary or secondary programs. If unsuccessful at the district level, ~~to~~ the Liaison shall, within 10 days, initiate an appeal with the state coordinator
4. In the case of an unaccompanied student, the Liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student’s dispute.
5. If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then the District shall seek further assistance from the State Coordinator of Homeless Education to review and determine within ten (10) business days how the student’s best interests will be served. The decision of the State Department of Education shall constitute final resolution.

Privacy

Information about a homeless student’s living situation shall be treated as a student education record, and shall not be deemed to be disclosable “directory information” under the Family Education Records Privacy Act (“FERPA”).

Contact Information

Nothing in this policy shall prohibit the District and/or the enrolling school from requiring the parent or guardian of a homeless student to submit contact information.

Comparable Services

Each homeless student in the District shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including but not limited to the following:

1. Transportation services. Note: Additional transportation services may be provided to ensure the student’s full participation in the District’s education program;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or District sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;

3. Programs in career and technical education;
4. Programs for gifted and talented students; and
5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the District's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

District Liaison

For purposes of this policy, the Superintendent shall designate a District employee to serve as its Liaison to serve homeless students in accordance with the following provisions. The Liaison for homeless students designated by the Superintendent shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. The District tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of the District;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an "independent student" for purposes of the student's Free Application for Federal Student Aid ("FAFSA"). The Liaison shall also provide the required "verification" of the student's status in connection with his or her application for Federal Student Aid.

8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;
9. Eligibility, school selection or enrollment disputes are mediated in accordance with “Disputes,” above;
10. The parent or guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student’s school of origin, and is assisted in accessing transportation to the student’s assigned school;
11. School personnel receive annual professional development and other support; and
12. Unaccompanied homeless students:
 - A. Are enrolled in school;
 - B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
 - C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from the District Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

Local and State Coordination

The District’s Liaison(s) for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

Homeless Status

The District’s Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the District, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 *et. seq.*), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

Title 1, Part A

Any student who is homeless and attends school within the District is eligible for Title 1, Part A services. The District shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.



Cross Reference: 4120 Uniform Grievance Procedure
4160 Parents Right-to-Know Notices

Legal Reference: 42 USC § 11301, et seq McKinney-Vento Homeless Assistance Act of 1987
20 USC § 6311, et seq Title 1, Part A of the Elementary and Secondary Act, as amended by ESSA of 2015
20 USC § 1400 Individuals with Disabilities Education Act (IDEA)
42 USC § 1758 Child Nutrition and WIC Act of 2004
42 USC § 9831, et seq Head Start Programs
IC § 33-1404 Districts to Receive Pupils

Policy History:

ADOPTED: 8/11/14
ISBA

REVISED: 10/9/17
1/8/18
7/9/18
4/12/21

Every student eighteen (18) years of age or older will be deemed to be an adult and will have legal capacity to act as such. Such students, like all other students, will comply with the rules established by the District, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and state law.

Admission to School: The residence of an adult student who is not residing with a parent or guardian will be considered the residence for school purposes.

Field Trips/Athletic Programs: Approved forms for participation will be required of all students. The form should indicate that the signature is that of the parent or the adult student. Sponsors or coaches will be required to confirm the ages of those students signing their own forms.

Absence-Lateness-Truancy: Absence notes, normally signed by parents or guardians, may be signed by adult students if not living at home. Excessive absences will result in consequences according to policy 3122P and will be reported on the report card.

Suspension/Expulsion: All suspension and/or expulsion proceedings will conform to the requirements of state statutes. Notification of all such proceedings will be sent to parents or guardians. Adult students, however, are permitted to represent themselves if they so choose.

Withdrawal from School: Adult students may withdraw from school under their own cognizance. Counselors will guide and counsel potential dropouts and encourage their continued attendance. Parents will be notified of impending dropouts by the school.

Permission to Inspect Student Records: Adult students may request permission to inspect their school records if they are eligible students according to FERPA.

Report Cards: Unless directed otherwise, progress reports will be sent to the parent or legal guardian.

Excuses from School: The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, etc., with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility: Students of legal age can be held financially responsible for damage to school property.



Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

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

District Students Attending School in Another State

The Board of Trustees may agree in writing, on annual basis, that a resident student attend school in the nearest appropriate school district in a neighboring state. Such agreement shall state the rate of tuition and cost of transportation, if any, to be paid by the District. The agreement will be entered into the records of the Board of Trustees. A copy must be filed with the State Board of Education.

Out of State Students Attending School in the District

The Board of Trustees may, upon approval of the State Board of Education, enter into an agreement with the governing body of a school district in another state for education and/or transportation of an out-of-state student. The rate of tuition, cost of transportation as well as other appropriate costs shall be specifically addressed in the agreement. The agreement will be entered into the records of the Board of Trustees with a copy to be filed with the State Board of Education.

An open enrollment out-of-district student who becomes eligible for special education during the school year will be allowed to complete the school year as an open enrollment student, however, the student may be re-evaluated and/or his or her enrollment status may be reviewed prior to enrollment for the following year, and depending upon circumstances, such enrollment may be denied in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.



Cross Reference: 3010

Open Enrollment

Legal References: I.C. § 33-1400, *et seq.*
I.C. § 33-205

Transfer of Pupils
Denial of School Attendance

Policy History:

ADOPTED: 10/12/2020

ISBA

REVISED:

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 The Twin Falls 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 Twin Falls School District's community, including students, employees, and other members of the public including guests, visitors, volunteers, and invitees.

Policy Statement

The Twin Falls 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 Coordinators, 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 Coordinators

The Associate Superintendent and Human Resources Director serve as the Twin Falls School District's Title IX Coordinators and oversee implementation of this policy. The Title IX Coordinators have 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 act with independence and authority and are 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 Superintendent.

If the District's Title IX Coordinators are the subject of any complaint regarding sex or gender-based harassment or have 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;
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 Title IX Coordinators.

Mandatory Reporters

Twin Falls 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 Title IX Coordinators. District employees must share with the Title IX Coordinators 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 Title IX Coordinators 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 as described in Policy 5260.

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 Twin Falls School District Title IX Coordinators (or deputies, if applicable) using the contact information below:

Shannon Swafford

Bill Brulotte

Office of Human Resources

Office of the Associate Superintendent

201 Main Ave. W.

201 Main Ave. W.

Twin Falls, ID 83301

Twin Falls, ID 83301

208-733-6900

208-733-6900

swaffordsh@tfdsd.org

brulottewi@tfdsd.org

www.tfsd.org

www.tfsd.org

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
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 Title IX Coordinators (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 Coordinators (or any other official as listed above).
2. Report online, using the reporting form posted at <https://www.tfsd.org/school-board-2/policy-manual/>.
3. Report by phone at 208-733-6900.

When notice is received regarding conduct that may constitute Title IX sexual harassment, Twin Falls School District shall provide information about supportive measures and how to file a formal complaint, as described in 3085P.

A formal complaint means a document filed/signed by the alleged victim or signed by the Title IX Coordinators 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 Title IX Coordinators, 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 Title IX Coordinators 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 Twin Falls School District's grievance processes noted below, as determined by the Title IX Coordinators. 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 the Relationship Abuse and Sexual Assault Prevention and Response 3285, Sexual Harassment/Intimidation of Students 3290, Hazing, Harassment, Intimidation, Bullying, Cyber Bullying 3295, and Corrective Action and Punishment 3340 policies.
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 Uniform Grievance Procedure 4120, Sexual Harassment/Sexual Intimidation in the Workplace Policy 5240, Adult Sexual Misconduct 5275, and Classified Employment, Assignment, and Grievance 5800.



Cross References:	3570	Student Records
	3570P	Student Records
	3285	Relationship Abuse and Sexual Assault Prevention and Response
	3290	Sexual Harassment/Intimidation of Students
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3295P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3340	Corrective Action and Punishment
	3085P	Title IX Sexual Harassment Grievance Process
	4120	Uniform Grievance Procedure
	4600	Volunteer Assistance
	4600P	Volunteer Confidentiality
	5240	Sexual Harassment/Sexual Intimidation in the Workplace
	5260	Abused and Neglected Child Reporting

5275	Adult Sexual Misconduct
5500	Personnel Files
5500P	Releasing Personnel Records
5800	Classified Employment, Assignment, and Grievance
5800P	Classified Employee Grievance Procedure

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: 9/14/20

ISBA

REVISED:

Sexual Misconduct Reporting Form

School _____ Date _____

Name _____

(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.)

Who was responsible for the harassment or incident(s)? _____

Describe the incident(s): _____

Date(s), time(s), and place(s) the incident(s) occurred: _____

Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles: _____

Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses: _____

Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take? _____

Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents: _____

Signature of complainant _____

Signatures of parents/legal guardian _____

Scope of Procedure

This Title IX Grievance Process applies to all members of Twin Falls School District's community, including students, employees, and Board members as well as District patrons, guests, visitors, volunteers, and invitees.

Purpose of This Policy and Procedure

Twin Falls School District is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which 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(s), who will provide information about supportive measures and the applicable grievance procedure. Violations of this District procedure or its related policy may result in discipline to either students or employees.

Guiding Principles

Title IX requires school districts to put into place policies and procedures that promote the goal of Title IX, specifically, to prohibit discrimination based on sex, and to respond appropriately if and when sex discrimination occurs or may occur. Title IX explains that when an appropriate official at the District has "actual knowledge" of "sexual harassment" of a student or employee that occurs in one of its educational programs or activities, the District must respond promptly and in a manner that is not "deliberately indifferent." This standard does not require a perfect response; rather, it requires a response that is not "clearly unreasonable" in light of the known circumstances over which the District exercises control.

Grievance Procedure

1. Receipt of a Complaint, Report, or Information Alleging Sexual Harassment

Upon receipt of a complaint or report (whether verbal or written) of possible sexual harassment, the District shall first determine whether to initiate a formal or informal response. Thus, any and all complaints, reports, or information received by any District employee that sexual harassment is occurring or has occurred shall be immediately forwarded to the District's Title IX coordinator(s) or other designated employee for review and action as appropriate.

The Title IX coordinator/(s) (coordinator/(s)) shall promptly contact the complainant or reporting party and discuss with them the availability of supportive measures, and will consider the complainant's wishes with respect to the provision of supportive measures. The coordinator/(s) shall explain the availability of these measures to the complainant with or without the filing of a "formal complaint." During this initial meeting, the coordinator/(s) or designee shall explain to the complainant the process for filing a written formal complaint, and shall provide assistance to the complainant to ensure the written formal complaint is properly prepared and submitted.

Emergency Removal (of students): Nothing in this procedure prevents the District from removing a respondent from a District education program or activity on an emergency basis, provided that an individualized safety and risk analysis is performed by the coordinator/(s) and Superintendent who determine that an immediate threat to the physical health or safety of any student or other individual arise from the allegations of sexual harassment that justify removal. The coordinator/(s) and Superintendent shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights and requirements under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Administrative Leave (of employees): Nothing in this procedure precludes the District from placing a non-student employee respondent on administrative leave during the pendency of a grievance investigation under this procedure. Notwithstanding the above, prior to placing an employee respondent on administrative leave, the coordinator/(s) or designee shall ensure any rights provided by Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act are not impaired or violated.

2. Providing Supportive Measures

If an informal complaint is filed, (for instance, because the complainant does not wish to file a written formal complaint,) as well as during the pendency of the investigation and the decision concluding a formal complaint, the following supportive measures may be implemented to restore or preserve the complainant's access to the District's educational programs without unreasonably burdening the other party (also referred to herein as respondent).

Supportive measures may include actions taken to protect the safety of all parties or the District's educational environment, or which otherwise deter sexual harassment from occurring in the future. Additional supportive measures may include, but are not limited to: counseling, the availability of a safe place or person in the event complainant feels threatened or uncomfortable, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services at school, mutual restriction of contact between the parties, changes in work locations, leaves of absence, increased security and/or monitoring of locations where prohibited conduct has occurred or may occur in the future, as

well as additional measures to protect the complainant, provided the supportive measures initiated are not punitive to the respondent.

3. Filing a Written Formal Complaint

Upon receipt of a written formal complaint, the coordinator/(s) or designee is required to provide written notice to all known complainants and respondents of the allegations and the resulting investigation.

- A. General Notice Requirements: The notice will include the District's Title IX grievance process as well as information regarding the District's informal resolution process.
- B. Specific Notice Requirements: The written notice shall include the following information:
 - i. Information describing the alleged conduct potentially constituting sexual harassment, including sufficient details known at the time the notice is prepared to allow the parties to prepare a response prior to the investigator's initial interview, and shall be delivered to the parties in five school days to allow their preparation for the initial interview;
 - ii. Sufficient details include but are not limited to the identities of the parties involved, the conduct allegedly constituting sexual harassment, the date(s), and location(s) of the incident(s);
 - iii. A statement that the respondent is presumed to not be responsible for the alleged conduct, and that a determination of responsibility will not be made until the conclusion of the grievance process;
 - iv. A statement informing the parties that they are entitled to have an advisor or representative of their choosing who may be, though is not required to be, an attorney, and that the advisor is authorized to review all evidence submitted in the matter;
 - v. The notice must inform the parties that District policy and procedure prohibit knowingly making false statements or knowingly submitting false information to the investigator or at any other time during the grievance process; and
 - vi. The notice must warn the parties that retaliation is prohibited. Accordingly, the parties must be informed that no District employee or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this procedure. Retaliation

includes circumstances where intimidation, threats, coercion, or discrimination are made for the purpose of interfering with any right or privilege secured by Title IX or this procedure. This includes threatening charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment. The District shall keep confidential the identity of:

- a. Any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment;
- b. Any complainant;
- c. Any individual who has been reported to be the perpetrator of sex discrimination;
- d. Any respondent; and
- e. Any witness

except:

- a. As may be permitted by FERPA (20 U.S.C. § 1232g) or a FERPA regulation (34 CFR Part 99);
- b. As required by law; or
- c. To carry out the purposes of this procedure, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed as an additional charge or counter-charge under these procedures.

- C. Additional Charges: If, during the course of the investigation, it is determined based on the information gathered that additional allegations or charges are warranted, an amended notice shall be prepared and submitted to the parties including the new allegations and charges as appropriate.
- D. Consolidation: The coordinator/(s) may consolidate two or more formal complaints into a single action provided that the allegations of sexual harassment and retaliation arise out of a common set of facts or circumstances and if in the course of an investigation, it is determined that:
 - i. There is more than one respondent and/or more than one complainant; or
 - ii. There are cross-complaints, or additional complaints raised by the original complainant against the original respondent (such as retaliation), or by the respondent against any other party.

4. Conduct of the Investigation, Informal Resolution

In the course of their investigation, the District's coordinator/(s) and designees shall comply with the following requirements.

Investigation

- A. **Burden of Investigation:** The burden of gathering evidence sufficient to make a determination of responsibility is the responsibility of the District's investigator(s) and not the parties. However, the District's investigator is not authorized to access a party's records that are made or maintained by a health care provider such as a physician, psychiatrist, psychologist, or other recognized health care provider, if the record was made in the course of providing treatment to the party, unless and until written consent from an authorized person is provided to obtain such privileged records for purposes of investigating and resolving the allegations of the formal complaint.
- B. **Evidence Offered by Parties:** The parties shall be provided an equal opportunity to call witnesses, including fact and expert witnesses, as well as other inculpatory and exculpatory evidence.
- C. **No Restrictions:** The ability of the parties to discuss the allegations under investigation or to gather and present evidence shall not be restricted.
- D. **Equal Representation Rights:** All parties shall have the same opportunity to have others present, or to be represented by the advisor of their choice throughout the grievance process, including attendance at related meetings or proceedings. If the District limits access to representation in any way at any time during the proceedings, such limitation shall be equally applied to all parties in the same manner. Access to representation may be limited only where a party is already represented as authorized by this procedure, and the additional representation will unduly increase the cost to the parties, and/or will not otherwise serve to significantly promote a legitimate purpose under this procedure.
- E. **Notice of Interviews and Hearings:** Adequate notice (typically five school days) of the purpose, date, time, place, and the identities of all participants involved shall be provided to any party whose participation at a hearing, interview, or meeting is invited or expected, and allowing sufficient time for the party to prepare and fairly participate.
- F. **Evidentiary Considerations:** The investigation shall not consider:
 - i. Incidents not directly related to the possible violation, unless they evidence a pattern;
 - ii. The character of the parties; or

- iii. 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.
- G. Right to Inspect Evidence: All parties shall be provided equal access to inspect and review any or all evidence gathered during the investigation related to the allegations of the formal complaint, whether or not relied upon or referred to in the investigator's report. This will ensure that the parties can respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigation report, the investigator shall provide the parties and their respective advisors, when advisors are identified, a secured electronic or hard copy of the evidence subject to inspection. The parties must have at least ten school days to submit a written response which the investigator shall consider prior to completion of the investigative report. All such evidence shall be made available to all parties at any hearing to give the parties equal opportunity to refer to such evidence during the hearing, including cross-examination of adult parties.
- H. Investigative Report: At least ten school days prior to a hearing, or other time of determination regarding responsibility, the investigator shall send to all parties and their advisors, if any, by electronic format or hard copy, a copy of the investigative report for the parties' review and written response. The parties' responses shall be made part of the record.

Informal Resolution: The informal resolution process may include mediation, or other meeting of the parties that does not involve a full investigation and adjudication of the complaint. The District may not require the parties to participate in an informal resolution process. Informal resolution is available only if a written formal complaint was submitted to the coordinator/(s). If these conditions are satisfied, then at any time during the course of an investigation, but prior to the time of the Decision-Maker's final determination of responsibility, the parties may request the coordinator/(s) to initiate the informal resolution process. In so doing, the coordinator/(s) is required to comply with the following:

- A. Provide the parties with written notice informing them of the allegations at issue and the requirements of the resolution process. These requirements include the fact that a written agreement signed by the parties that resolves the allegations at issue will preclude the parties from resuming the formal complaint process that arose from the same allegations. The parties will also be informed that at any time prior to reaching a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and will be notified that the records submitted or discussed during the informal process will be maintained by the District as part of the record, and may be used by the Decision-Maker to determine responsibility.

- B. Require the parties submit voluntary, written consent to participate in the informal resolution process.
- C. Ensure that the informal resolution process is not made available to resolve allegations that an employee sexually harassed a student.
- D. An informal resolution, signed and agreed to by the parties thereto, is not appealable.

Dismissal of a Formal Complaint: A written formal complaint may be dismissed by the coordinator/(s) under any of the following circumstances, and prior to a finding of responsibility:

- A. After investigating the allegations of the written formal complaint, dismissal is required if:
 - i. The coordinator/(s) or designee determines that the conduct alleged in the complaint, even if proven, would not constitute sexual harassment as defined herein; or
 - ii. The alleged conduct did not occur in a District education program or activity; or
 - iii. The alleged conduct did not occur against a person in the United States.

Dismissal of the Title IX formal complaint, however, does not preclude action under another provision of the District's Code of Conduct or other District Policy.

- B. If the Complainant notifies the coordinator/(s) in writing that he or she would like to withdraw the formal complaint or any allegations contained therein.
- C. If the respondent is no longer enrolled or employed by the District.
- D. If specific circumstances exist which prevent the investigator from gathering evidence sufficient to reach a determination regarding the merits of the formal complaint or allegations therein.

Upon dismissing a formal complaint, the coordinator/(s) shall simultaneously inform the parties in writing that the complaint has been dismissed, and shall identify the reason(s) for the dismissal. This decision may be appealed in accordance with the Appeals portion of this procedure, below.

5. Decision-Maker's Participation

If the matter is not dismissed for one of the reasons set forth above and is not resolved by the parties through the informal resolution process then, (following completion of the investigation, including issuance of the investigator's final investigation report,) the matter shall be submitted to the Decision-Maker for review and issuance of a determination of responsibility. The Decision-Maker cannot make a determination regarding responsibility until ten school days after the date 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 coordinator/(s) shall designate a single Decision-Maker or a three-member panel, and inform the parties and their advisors.

The Decision-Maker(s) may not have had any previous involvement with the investigation. Those who have served as investigators in the investigation cannot serve as Decision-Makers. Those who are serving as advisors for any party cannot serve as Decision-Makers in that matter. The coordinator/(s) is also prohibited from serving as a Decision-Maker in the matter.

All objections to any Decision-Maker must be raised in writing. Any written objection must detail the rationale for the objection and must be submitted to the coordinator/(s) no later than two school days after being notified of the Decision-Maker's identity. Decision-Makers shall not be removed unless the coordinator/(s) concludes that the Decision-Maker's bias or conflict of interest precludes a fair and impartial consideration of the evidence.

The coordinator/(s) shall give the Decision-Maker(s) a list of the names of all parties, witnesses, and advisors. Upon review thereof, if any Decision-Maker believes they cannot make an objective determination, they must recuse themselves from the proceedings. If a Decision-Maker is unsure whether a bias or conflict of interest exists, they shall immediately disclose their concern(s) to the coordinator/(s) and simultaneously inform the parties and their advisors.

No less than ten school days prior to any meeting or the decision-making phase of the process, the coordinator/(s) or the Decision-Maker shall send notice to all parties. Once mailed, emailed, or received in-person, Notice will be presumptively delivered.

The Notice shall contain the following:

- A. A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions that could result;
- B. The time, date, and location of any meeting;
- C. Any technology that will be used to facilitate the meeting;
- D. The name and contact information of the Decision-Maker, along with an invitation to object to any Decision-Maker on the basis of demonstrated bias. Any written objection must detail the rationale for the objection and must be submitted to the coordinator/(s) no later than two school days after being notified of the Decision-Maker's identity;
- E. Information on whether the meeting will be recorded and, if so, information on access to the recording for the parties after the meeting;
- F. A statement that if any party does not appear at the scheduled meeting, the meeting will only be rescheduled for compelling reasons;

- G. Notification that the parties may have the assistance of an advisor of their choosing at the meeting;
- H. A copy of all the materials provided to the Decision-Maker(s) about the matter;
- I. An invitation for the parties to review and submit a written response to the final investigation report within ten school days of the date of the notice;
- J. An invitation to each party to submit to the Decision-Maker any written, relevant questions they want the Decision-Maker to ask of any other party or witness within five school days of the date of the notice;
- K. An invitation to each party to submit to the Decision-Maker an impact statement, pre-meeting, that the Decision-Maker will review during any sanction determination;
- L. An invitation to contact the coordinator/(s) to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at any meeting or in the decision-making process, at least five school days prior to the meeting/final determination; and
- M. Whether parties can or cannot bring mobile phones or devices into the meeting.

Meetings for possible violations that occur near or after the end of a school year, assuming the respondent is still subject to Policy 3085 and Procedure 3085P, and are unable to be resolved prior to the end of the school year will typically be held as soon as possible given the availability of the parties, but no later than immediately upon the start of the following school year. The District will implement appropriate supportive measures intended to correct and remediate any hostile environment while the resolution is delayed.

- A. **Evidentiary Consideration by the Decision-Maker:** Whether at a hearing or through an exchange of questions, only relevant, credible evidence will be admitted into evidence and considered 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:
 - i. Incidents not directly related to the possible violation, unless they evidence a pattern;
 - ii. The character of the parties; or
 - iii. 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 responsibility. This information may only be considered at the sanction stage of the process and cannot be shared with the Decision-Maker until that time.

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.

- B. **Hearing Procedure and Exchange of Questions Procedure:** At the time the matter is referred to the Decision-Maker(s), the coordinator/(s) shall determine, based on the parties involved and the circumstances of the alleged sexual harassment, whether to hold a hearing or to initiate an exchange of questions procedure, and shall so inform all parties and their advisors. Both of these decision-making procedures are discussed below. Upon their selection, the Decision-Maker(s) shall review the evidence and issue a determination of responsibility based on the following circumstances and procedures.
- C. **Exchange of Questions Procedure:** Where a party involved is an elementary student, or where the coordinator/(s) otherwise determines that a hearing is not appropriate under the circumstances, the coordinator/(s) will initiate the Exchange of Questions Procedure, which provides as follows.

After the coordinator/(s) or designee has submitted the investigative report to the parties pursuant to this procedure and before reaching a determination regarding responsibility, the Decision-Maker(s) shall provide each party an opportunity to submit written, relevant questions that party desires to ask of any party or witness, and shall subsequently provide each party with the answers. The Decision-Maker will also allow for additional, limited follow-up questions from each party to the other, and provide both with complete copies of the answers. 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 any questions that 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. Whether a hearing is held or not, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant:

- i. 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 by the complainant; or
- ii. 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. This basis for asking questions or presenting evidence shall not be allowed if the respondent is an adult, non-student employee, because consent is not a recognized defense in cases where the complainant is a student and the respondent is an employee.

The Decision-Maker, after any necessary consultation with the parties, investigator(s), and/or coordinator/(s), shall provide the parties and witnesses with:

- i. The relevant written questions to be answered; and
- ii. 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 ten school day period.

6. Decision Making Process and Determination Requirements

Following its review of the evidence submitted by the investigator and the parties, the Decision-Maker, (who cannot be the coordinator/(s)) shall issue a written determination of responsibility. To reach this determination, the District's burden of proof — clear and convincing evidence — must be described, and the burden satisfied, before the respondent can be found responsible for sexual harassment in violation of Title IX.

The written determination of responsibility shall include the following information:

- A. Identification of the allegations potentially constituting sexual harassment in violation of Title IX.
- B. A description of the procedural steps taken from receipt of the written formal complaint through the determination, including notifications to the parties, interviews of the parties and witnesses, site visits, methods used to obtain other evidence, and hearings used.
- C. Findings of fact supporting the determination.
- D. Conclusions regarding application of the District's code of conduct to the facts.
- E. A statement of and rationale for the determination as to each allegation, including any determination regarding responsibility, any disciplinary action to be imposed on the respondent, and identification of remedies and measures, if any, that will be provided to restore or preserve equal access to the District's educational programs and activities to be provided to the complainant.
- F. Considerations for disciplinary action. Factors considered when determining discipline may include, but are not limited to:
 - i. The nature, severity of, and circumstances surrounding the violation(s);
 - ii. The respondent's disciplinary history;
 - iii. Previous allegations or allegations involving similar conduct;

- iv. The need for discipline to bring an end to the Title IX sexual harassment;
 - v. The need for discipline to prevent the future recurrence of Title IX Sexual harassment;
 - vi. The need to remedy the effects of the Title IX sexual harassment;
 - vii. The impact on the parties; and
 - viii. Any other information deemed relevant by the decision-maker(s).
- G. The discipline imposed 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.
- H. Identification of the procedures for filing an appeal and the permissible grounds for complainant or respondent to base their appeal.

The Decision-Maker shall simultaneously provide their written determination to all parties. The determination becomes final either, (where an appeal is filed,) on the date the parties are provided copies of the written determination of the result of the appeal; or, (if no appeal is filed,) the date on which an appeal would no longer be considered timely.

The coordinator/(s) is responsible for the effective implementation of any and all remedies set forth in the written determination of responsibility. In the event a student expulsion is recommended, pursuant to and in accordance with the requirements of Idaho Code § 33-205, the coordinator/(s) shall ensure that an expulsion hearing is scheduled and heard by the Board of Trustees.

7. Appeals

Any party may file a request for appeal in writing with the coordinator/(s) within five school days of the delivery of the notice of a final decision.

A single appeal decision-maker shall chair the appeal. No appeal decision-maker 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 a timely manner.

Appeals shall be limited to the following grounds:

- A. Procedural irregularity that affected the outcome of the matter;

- B. 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;
- C. The coordinator/(s), 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.

Appeal procedure: Upon receipt of a valid appeal, the coordinator/(s) shall:

- A. Notify the other party in writing that an appeal has been filed, and implement the appeal procedure fairly and equally for both parties.
- B. Ensure the appeal decision-maker(s) is not:
 - i. The same person(s) as the Decision-Maker(s) that issued the written determination of responsibility;
 - ii. The person who issued the dismissal;
 - iii. The investigator; or
 - iv. The coordinator/(s).
- C. Ensure the appeal decision-maker has been trained in accordance with the requirements of this grievance procedure.
- D. The appealing party shall have ten school days following the delivery of the notice of the appeal to submit a written statement in support of the appeal and challenging the outcome. The responding party shall have ten school days following the delivery of the appealing party's statement in support of appeal to submit the responding party's written statement in opposition to the appeal (and supporting the outcome that is the subject of the appeal). In the event the parties and the appeal decision-maker agree to a different briefing schedule (whether allowing more or less time), the time allowed to prepare a written statement shall be the same for all parties.
- E. Issue a written decision describing the result of the appeal and identifying the bases and rationale for the decision.
- F. Provide the written decision simultaneously to all parties.

Requirements of the Title IX Grievance Procedure

The following requirements apply to the conduct of the Title IX Grievance procedure set forth above.

1. **Equitable treatment of the parties:** At all times, both complainants and respondents shall be equitably treated by providing remedies to a complainant until a determination of responsibility for sexual harassment has been made against the respondent. No sanction or discipline may be imposed against the respondent unless and until the process required by this procedure has been completed. Until a final determination of responsibility has been issued only “supportive measures” may be initiated that are non-disciplinary or non-punitive and avoid burdening the respondent. Any and all final remedies, however, must be designed to restore or preserve equal access to the District’s education program or activity. Such remedies may include the same individualized services described as “supportive measures;” however, following the decision, such remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent
2. **Objective evaluation of the evidence:** The formal grievance process involves an objective evaluation of all relevant evidence obtained, including evidence that supports the conclusion the respondent engaged in a violation of policy or procedure and evidence that supports the conclusion the respondent did not. Credibility determinations may not be based solely on an individual’s status or participation as a complainant, respondent, or witness.
3. **Lack of bias:** Any individual materially involved in the administration of the formal grievance process including the coordinator/(s), 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.
4. **Title IX training of District participating staff:** Any individual designated by the District as a coordinator/(s), investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, cannot have a conflict of interest or bias for or against complainants or respondents generally, or against any individual complainant or respondent. The District shall ensure that coordinator/(s)s, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of “sexual harassment” set forth in this procedure, the scope of the District’s education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District shall ensure that Decision-Makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, as required by this procedure. The District shall also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in this procedure. All materials used to train coordinator/(s)s, investigators, decision-makers, and any persons facilitating an informal resolution process, shall not rely on stereotypes based on gender, and must promote impartial investigations and adjudications of formal complaints of sexual harassment, and provide guidance therefor.

5. **Presumption of innocence:** 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 procedure, that Policy 3085 or procedure 3085P prohibiting sex discrimination and sexual harassment has been violated.
6. **Promptness:** 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 the investigation as promptly as possible and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Notwithstanding the above, 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.

7. **Description of sanctions.** The following describes the range of sanctions that may be implemented following a finding of responsibility.

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

- A. A warning;
- B. Required counseling;
- C. A required substance abuse treatment program;
- D. Exclusion from participating in extracurricular activities or other District programs/activities;
- E. Alternative placement;
- F. Suspension, which may be in-school, out-of-school, long-term, short-term, extended, or other suspensions;
- G. Expulsion (in compliance with I.C. § 33-205); and

- H. 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:

- A. A verbal or written warning;
 - B. A performance improvement plan or management process;
 - C. Enhanced supervision, observation, or review;
 - D. Required counseling;
 - E. Required training or education;
 - F. Probation;
 - G. Denial of pay increase or pay grade;
 - H. Loss of oversight or supervisory responsibility;
 - I. Demotion;
 - J. Transfer;
 - K. Reassignment;
 - L. Assignment to a new supervisor;
 - M. Restriction of professional development resources;
 - N. Suspension with pay;
 - O. Suspension without pay;
 - P. Termination (in compliance with I.C. § 33-513(5), in the case of certificated employees); or
 - Q. Other actions: In addition to or in place of the above sanctions, the District may assign any other sanctions as deemed appropriate.
8. **Burden of proof.** When determining whether the respondent is responsible for violating Policy 3085 or Procedure 3085P by discriminating based on sex and/or for sexual harassment as defined herein, the decision-maker shall apply the clear and convincing evidence standard; which requires that the evidence proves there is a high probability that the respondent violated the policy or procedure.
9. **Appeals.** Any party may file a request for appeal in writing to the coordinator/(s) within five school days of the delivery of the notice of a final outcome.
10. **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. Examples of supportive measures may include, but are not limited to:
- A. Referral to counseling, medical, and/or other healthcare services;
 - B. Referral to the Employee Assistance Program;
 - C. Referral to community-based service providers;
 - D. Visa and immigration assistance;
 - E. Education of the school community or community subgroup(s);

- F. Altering work arrangements for employees;
- G. Safety planning;
- H. Providing school safety escorts;
- I. Providing transportation accommodations;
- J. Implementing contact limitations, such as no contact orders, between the parties (note: allegations of violations of a no contact order will be investigated as collateral misconduct under this process);
- K. Academic support, extensions of deadlines, or other course or program-related adjustments;
- L. Emergency warnings;
- M. Class schedule modifications, withdrawals, or leaves of absence;
- N. Increased security and monitoring of certain areas of the school; and
- O. Any other actions deemed appropriate by the coordinator/(s).

11. **Recognition of privileges:** At no time during this grievance procedure may any evidence (whether through testimony or documents) be required, admitted, relied upon, or otherwise obtained by asking questions or admitting evidence that constitutes, or seeks disclosure of, information protected by a legally recognized privilege, unless the person holding the privilege has knowingly and freely waived the privilege.

12. **Recordkeeping;**

- A. The District shall maintain for a period of seven years records of:
 - i. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required where a hearing is held, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
 - ii. Any appeal and the result therefrom;
 - iii. Any informal resolution and the result therefrom; and
 - iv. All materials used to train coordinator/(s), investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website.
- B. For each response to a report of harassment or discrimination based on sex, the District shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it took measures designed to restore or preserve equal access to the District's education program or activity. If the District does

not provide a complainant with supportive measures, then the coordinator/(s) must document the reasons why such a response was not clearly unreasonable in light of the known circumstances (i.e., was not a result of sex discrimination). The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken or to be taken.

Title IX Grievance Procedure Definitions

The following definitions apply to the identified terms used in this procedure:

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to:

1. The District’s coordinator/(s); or
2. Any District official possessing the authority to institute corrective measures on behalf of the District; or
3. Any employee of the District.

Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the District with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District. “Notice” as used in this paragraph includes, but is not limited to, a report of sexual harassment to the coordinator/(s) as set forth in this procedure.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Consent” Under circumstances where a sexual assault is alleged by a student against an adult, non-student employee, the District does not recognize the defense of “consent,” however it is defined. Where the parties are both adults, however, the following definition of “consent” will apply: Consent occurs where there is a knowing, voluntary, and clear grant of 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. Consent may be withdrawn. 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, or is otherwise incapacitated.

“Incapacitation” occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing, informed consent. For example, they cannot understand the “who, what, when, where, why, or how” of their sexual interaction.

“Formal Complaint” means a document filed by a complainant, or signed by the coordinator/(s), alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the educational programs or activities of the District. A formal complaint may be filed with the coordinator/(s) in person, by mail, or by electronic mail, or by using the contact information listed on the District’s website. As used in this paragraph, the phrase “document filed by a complainant” means a document or electronic submission, (such as by electronic mail or through an online portal provided for this purpose by the District,) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the coordinator/(s) signs a formal complaint, the coordinator/(s) is not a complainant or otherwise a party to this grievance procedure, and must comply otherwise comply with the requirements of this procedure.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. “Quid pro quo” harassment, which occurs when a District employee conditions the provision of a District benefit, service, or assistance on an individual’s participation in unwelcome sexual conduct;
2. “Hostile Environment,” which is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to District education program or activity; or
3. Physical threats and attacks, including “sexual assault,” defined as forcible and non-forcible sex offenses as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent in cases where either no formal complaint has been filed, or both before and/or after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, provided that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures. The coordinator/(s) is responsible for coordinating the effective implementation of all supportive measures.

“Elementary school” and “secondary school” as used in this procedure refer to a local educational agency, as defined in the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, a preschool, or a private elementary or secondary school, and include this District.

Revision of These Procedures

The District reserves the right to make changes to these procedures as necessary, Once those changes are posted online, they shall be in effect. 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.

References: 34 CFR Part 106 Nondiscrimination on the Basis of Sex in Educational Programs or Activities Receiving Federal Financial Aid

Procedure History:

Adopted on: 9/14/20

ISBA

Revised on: 1/11/21

Philosophy

The District believes that foreign exchange students add to the richness of the high school setting for both District and foreign students. Thus, the District is willing to enroll a manageable number of foreign exchange students.

To protect the interests of the District and students, the District has adopted the following policies. It should be realized that foreign exchange students are educated at the expense of the taxpayers of the District and the State of Idaho.

“Foreign student” or “F-1 visa holder” means an alien having a residence in a foreign country which he or she has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study at an established academic high school particularly designated by him or her and approved by the Attorney General after consultation with the Secretary of Education.

I. The foreign exchange student must be eighteen (18) years of age or younger at the time of enrollment.

II. The foreign exchange student must reside with a legal resident of the District. Exceptions may be granted.

III. The foreign exchange student must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.

A. An English proficiency test of the District’s own choosing may be administered and will supersede all other tests;

B. If an organization places a student who, upon arrival, is deemed by the District to be deficient in English language proficiency, the organization will do one of the following:

- Terminate the student’s placement
- Provide, and pay for, tutorial help until the student reaches proficiency, as determined by the District.

Academic Standards and Graduation

I. The foreign exchange student will be expected to meet all appropriate standards required of any student enrolled in the District.

II. Foreign exchange students **may not** graduate and receive a diploma from any Twin Falls School District high school. (They may participate in the ceremonies and receive a

certificate of attendance.)

Orientation by the Exchange Organization

- I. Orientation, both pre-departure and upon arrival in the United States, must be provided to the exchange student.
- II. Orientation must also be provided to the host family in advance of the exchange student's arrival. The family should be advised of potential problems in hosting an exchange student and provided with suggestions for coping with these problems.
- III. The student's host family and the District must be provided written information which includes at least:
 - A. Name, address, and phone number of both local and area coordinators for the exchange organization.
 - B. A twenty-four-(24)-hour emergency telephone number for immediate assistance by the exchange organization.

Supervision

- I. The sponsoring foreign student exchange organization must assume the final responsibility of resolving problems, including, if necessary, the changing of host families or the early return home of the exchange student because of personal, family, or school difficulties.
- II. The sponsoring foreign student exchange organization must contact the exchange student and host family periodically throughout the exchange visit to ensure that problems are dealt with promptly and effectively.
- III. The host family must be available and willing to meet with school personnel when functions or conditions require it.

District Expectations

Student Opportunities/Responsibilities

- I. Required Courses. Foreign exchange students will be expected to enroll in the following academic classes while attending a TFSD high school:
 - A. One (1) English class;
 - B. One (1) United States history class or one (1) government class;
 - C. Maintain enrollment in at least six (6) classes.
- II. Athletic Program. Foreign exchange students are eligible to participate in high school activities programs. Guidelines for participation are set by District policy and by the Idaho High School Activities Association (IHSAA), as follows:
 - A. RECOGNITION. The student must be a participant of an "official Foreign Exchange Program" as defined in the publication from the National Association of Secondary School Principals, entitled, "Advisory List of International Educational

Travel and Exchange Programs”.

B. GRADUATION. The student cannot have graduated or received a diploma in his/her own country.

III. Student Fees. Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, yearbook costs, athletic fees, cap and gown fees, lunch prices, and all other school incurred expenses that are expected of other students enrolled in any TFSD high school.

IV. Achievement and Discipline. Foreign exchange students must maintain passing grades in all classes, follow rules and regulations of District student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations shall result in dismissal of the student from the District’s Foreign Exchange Program.

V. Scholarship(s). The District will not include names of foreign exchange students in its formal class-rank listing based on cumulative grade point average, nor will foreign exchange students be eligible to apply for any local scholarship.

VI. The foreign student must reimburse the District for the full unsubsidized cost of his or her enrollment at a District high school. Enrollment may not exceed one (1) year. Reimbursement must be made prior to the student’s enrollment. If requested, the Business Manager for the District will calculate the fully unsubsidized cost of attending a District high school for a given period.

Placement Quotas for Foreign Student Exchange Organizations

I. TFSD high schools will accept a maximum of one (1) individually sponsored exchange student per 200 enrolled high school students per school.

II. The fact that a foreign exchange organization has located a host family within the District does not imply the District will automatically enroll the student. While the organization may develop such an agreement with a host family, the family should be advised it is contingent upon admission to the appropriate high school.

III. Each organization (*with the permission of the Superintendent*) will submit a letter of intent to place students for the following *school* year to the building principal no later than April 30.

IV. The District has the right to deny admittance to any foreign student or foreign student program.



Legal Reference: 20 U.S.C. 221, et seq.
IDAPA 08.02.03.105.03 Foreign Exchange Students

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

Alternative high school programs conducted during the regular school year will be located on a separate site from the regular high school facility or be scheduled at a time different from the regular school hours.



Policy History:

ADOPTED: 10/12/14

ISBA

REVISED: 10/12/15

All students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

Responsibilities of the Professional Staff, Students, and Parents/Guardians

The Board is responsible for providing as many learning opportunities for pupils as possible within the financial and legal limitations under which it operates.

The administrators are responsible for effectively and cooperatively enacting school rules and regulations as they apply to the educational and social needs of the students so that a learning environment suitable for instruction is maintained within the school.

The teachers are responsible for effectively and cooperatively enacting classroom rules and regulations as they apply to the educational and social needs of the student so that a learning environment suitable for instruction is maintained within the classroom and school.

The counselors are responsible for acting upon referrals from teachers and administrators in a corrective and preventative manner, and assisting students toward better self-understanding and decision making in educational and social planning.

The students are responsible for their behavior, for complying with written rules of the school District, and submitting to reasonable corrective action imposed by the school District.

The parents/guardians are responsible for sharing the responsibility of their children's conduct while in school and school-related activities. Parents/guardians are expected to cooperate with and support the school system in helping to provide conditions within the school setting conducive to learning.

All students have a basic right to attend school. This right is inherent; it is not a privilege granted to the students. It is recognized that a student's primary and fundamental purpose in attending school is to engage in learning and that his/her cooperation and dedication is fundamental to quality education. Freedom of speech is guaranteed to all citizens, and students must be allowed to exercise their constitutionally protected rights of free speech, petition and assembly, as long as they do not disrupt the educational process or interfere with the property or constitutional rights of others.

Students are entitled to due process rights. This is a right which is fundamental to all human freedoms; to deny due process is to act on a presumption of guilt.

Students must be free to establish, and should be encouraged to participate in student government that provides all students through a representative system a voice in school affairs. Registered students should be eligible to hold office if they meet the academic and citizenship qualifications

of the individual schools' constitutions.

The activities of students, other than those at school functions, carried on entirely outside of normal hours and off school premises, will not be the responsibility of the school and no student will be penalized by the school administration because of such outside activities unless these activities violate school policies.

Students will dress appropriately for the school setting in such a manner that it does not jeopardize the health and safety of themselves or others, or disrupt the educational process. Specific procedural guidelines relating to student dress will be formulated according to District protocols and implemented by building.

Students have a right to the equality of educational opportunity regardless of race, religion, creed or gender.



Cross References:	3330	Student Discipline
	3340 and 3340P	Corrective Acts and Punishments
	3370	Searches and Seizure

Legal References:	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	District Trustees – Governance of Schools
	USC § 503	<i>Tinker v. Des Moines Ind. Sch. Dist.</i> , (1969)
	USC § 675	<i>Bethel School District v. Fraser</i> , 478 (1986)
	USC § 393	<i>Morse v. Frederick</i> , 551 (2007)

Policy History

ADOPTED: 8/11/14

REVISED: 3/14/16

Non-curriculum related secondary school student organizations may conduct meetings on school premises without intervention on the basis of the religious, political, philosophical or other content of the meeting.

The following criteria must be met:

1. The meeting is voluntary and student-initiated.
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees.
3. The meeting must occur during non-instructional time on regular school days.
4. Employees or agents of the school or government are present only in a non-participatory capacity.
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.
6. Non-school persons may not direct, conduct, control, or regularly attend activities.

Although the school assumes no sponsorship of these kinds of meetings, all meetings held on school premises must be scheduled and approved by the principal.

This policy pertains to student meetings. The school has the authority, through its agent or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.



Legal Reference: 20 U.S.C. 4071 Equal Access Act
Board of Education v. Mergens, 110 S.Ct. 2356 (1990)

Policy History

ADOPTED: 8/11/14

REVISED:

LIMITED OPEN FORUM

The Board of Trustees of this District has established a limited open forum. A limited open forum is defined as a public secondary school that grants an offering to or opportunity for one (1) or more non-curriculum related student groups to meet on school premises during non-instructional time.

School officials will not deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

The school officials shall uniformly enforce the following parameters for such student meetings:

1. The meeting must be voluntary and student-initiated;
2. The school, government, or its agents or employees will not sponsor the meeting;
3. Employees or agents of the school or government will be present at meetings only in a nonparticipatory capacity;
4. The meeting must not materially and substantially interfere with the orderly conduct of educational activities within the school; and
5. Non-school individuals may not direct, conduct, control, or regularly attend activities of student groups.



Legal Reference: Elementary and Secondary Education Act (2001)
Equal Access Act 20 U.S.C. 4071

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14

STUDENT CLUBS: EQUAL ACCESS

The Twin Falls School Board regards student clubs and organizations as an important part of the education and development of students. This procedure is adopted pursuant to the Equal Access Act, 20 U.S.C. Sec. 4071-4074. As used in this procedure:

1. "School" will mean any school in the Twin Falls School District.
2. "Club" will mean a sponsored club or a non-sponsored club of students of the school who wish to organize and meet for common goals, objectives, or purposes, but does not include school activities.
3. "Sponsored Club" will mean a club which is directly under the sponsorship, direction, and control of the school.
4. "Non-sponsored Club" will mean a student-initiated club which is not under the sponsorship, direction or control of the school as provided in this policy.

The school will provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Sponsored clubs will be sponsored by a member of the faculty, staff, or administration of the school. The school will not sponsor clubs that advocate particular religious or political beliefs or ideas. Any such clubs will be non-sponsored, and must engage a school employee to monitor their activities while on the premises. The school and the school District will not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored clubs or its members. Any club whose activities are deemed by the principal to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

EQUAL ACCESS REGULATIONS

The following general guidelines will be observed in approving, establishing, and operating student clubs in the Twin Falls School District:

1. Each new club must complete and submit a request form to the principal or designee stating the name, specific purpose of the club, the membership requirements, the activities of the club and meeting dates and times. The principal, designee and/or student council, if applicable, will respond to the request, accept or reject the application, and designate the club as either a sponsored club or non-sponsored club. All such decisions will be reviewed by the Superintendent or his or her designee to ensure uniformity of compliance within the District.
2. Student participation in club activities and attendance at club meetings will be voluntary and will be limited to those students who are currently enrolled in the School District.
3. Clubs will be allowed to meet on school premises from 7:00 a.m. to 8:00 a.m., during

the noon hour, and from 3:30 p.m. to 5:00 p.m. on days when school is in session. The time and place of all club meetings will be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the principal or designee.

4. All clubs may publish their meetings in the school's daily announcements.
5. All clubs must comply with provisions of the school's student constitution, if applicable.
6. No hazing of students will be permitted.
7. The principal or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.
8. Non-school persons are not permitted to regularly participate in or attend the activities of any political or religious club.
9. The principal, designee, or student council (if appropriate) may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially and substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy. All such decisions will be reviewed by the Superintendent or his or her designee to ensure uniformity of compliance within the District.
10. For sponsored clubs, the following guidelines will apply:
 - a. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship will be approved by the principal or designee.
 - b. All activities of the club must have prior approval of the sponsor.
 - c. Club funds will be subject to deposit, audit and disbursement in accordance with the regulations of the School District.
 - d. The content and placement of club posters or advertisements will be approved by the club sponsor.
11. For non-sponsored clubs, the following guidelines will apply:
 - a. The formation of non-sponsored clubs will be student initiated.
 - b. Every club must have a District employee volunteer as a monitor to the club. Monitors will attend, in a non-participatory capacity, and will be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to

- assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained.
- c. No school employee will be compelled to be a monitor of a non-sponsored club.
 - d. Club posters need to have a disclaimer stating that the club is non-sponsored. The poster content and placement will be approved by the principal or designee.
 - e. The Twin Falls School District will not be identified or associated with the goals, objectives, activities, or opinions of any non-sponsored clubs or its members. School facilities may not be used by non-sponsored clubs to raise money.



Procedure History

ADOPTED: 12/08/08

REVISED: 12/10/12
10/12/15

The Board encourages the function of student councils in the District's elementary and secondary schools. Student councils shall assist in improving the general welfare of all students and give students the opportunity to participate in the orderly workings of the democratic process.

Student councils shall not have authority to make policies or procedures for the District or the school. However, they may make recommendations to the administration on any topic of student concern.

Eligibility rules for candidates and rules for conducting campaigns and elections should be published, widely announced and uniformly enforced.



Legal Reference: I.C. § 33-506(1)

Policy History:

ADOPTED: 8/11/14

REVISED:

Journalistic experience in a school setting should be calculated to develop the background of skills and understanding which will equip a student for the responsibilities of the free press in our society. Students must recognize, however, that a school-sponsored newspaper is unique and different from other newspapers in at least four ways.

1. It is an instructive tool in addition to a means of student self-expression.
2. It is read not just by the intended audience of fellow students, but by parents and many citizens outside the school.
3. It is partially supported by tax funds.
4. It is an influence on the public relations of the entire District since content is read by many not simply as expressions of individual students, but as expressions representative of the entire student body and approved by the administration.

The concept of “freedom of the press” under the First Amendment has application with regard to school-sponsored publications. However, the United States Supreme Court has established that school Districts may exercise editorial control over the style and content of school-sponsored newspapers without violating the First Amendment. All school-sponsored publications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The District recognizes that there are valid and necessary reasons to exercise such prepublication editorial control and to impose reasonable restrictions on student speech in school-sponsored publications. Thus, the following guidelines apply to all school-sponsored student publications.

1. School-sponsored publications are those publications, including, but not limited to, school newspapers, yearbooks, and athletic programs, which may fairly be characterized as part of the District’s curriculum, whether or not they occur in a traditional classroom setting. Generally they include student publications which are supervised by a faculty member and are designed to impart particular knowledge or skills to student participants and audiences. However, they also may include publications which students, parents, and members of the public reasonably perceive to be sponsored or approved by the District. The author’s name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.
2. The District will not restrict student freedom of expression when such expression is within the rules of responsible journalism and is consistent with the four factors outlined below. The principal of each school shall meet with the publication advisor, student

editors, and student writers to establish guidelines for achieving a maximum of student freedom of expression subject to the limitations set forth in this policy.

3. All publications must be reviewed and approved by the building principal prior to distribution. The building principal shall have the authority to determine the appropriateness of any particular item for publication. In exercising such authority, material will not be considered suitable for publication that is ungrammatical, inadequately researched, obscene, defamatory, advocates racial or religious prejudice, invades the privacy rights of others, is unsuitable for the audiences for which the publication is intended, contributes to the disruption or interruption of the educational process or the operation of the school, or otherwise is contrary to District policy or applicable federal or state law. The school principal may also exclude material that may serve to associate the District with any position other than neutrality on matters of political controversy.
4. The principal of each secondary school shall have the authority to determine whether advertising will be accepted for inclusion in school-sponsored student publications. The District has an important interest in avoiding the impression that it has endorsed a viewpoint at variance with its educational mission. Consequently, if advertising is accepted, each school principal shall have authority to exclude certain categories of advertising. For example, drug, drug paraphernalia, or alcoholic beverage advertisements or any other advertisements that may be viewed as encouraging action that might endanger the health and welfare of students may be excluded. Similarly, advertisements which are factually inaccurate, defamatory, obscene, advocate racial or religious prejudice, contain either explicit or implicit sexual content or overtones, or are of poor production quality may be excluded. The school principal may also exclude advertising that may serve to associate the District with any position other than neutrality on matters of political controversy.
5. In the event that the building principal determines that material is not suitable for publication, students may appeal such decision to the Superintendent or his/her designee. The decision of the Superintendent or his/her designee will be final.
6. Copies of each issue of the student publication shall be sent to the Superintendent and each member of the Board of Trustees.



Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Policy History

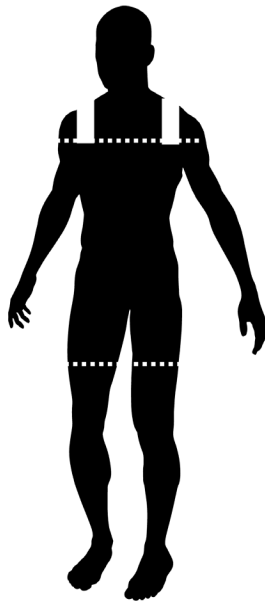
ADOPTED: 8/11/14

REVISED:

It is the desire and intent of the Twin Falls School District to adopt a dress code to create an environment in our schools that is conducive to learning. The student dress code supports the idea that students should learn to follow guidelines related to their apparel and appropriate attire, as they would in a workplace. This means students are to dress in such a manner that their clothing or grooming does not jeopardize the health and/or safety of themselves or others and does not interfere with the educational mission of the District. It is our belief that schools are professional learning environments that necessitate appropriate attire.

Students are to observe the following guidelines regarding their attire:

1. In general, clothing should cover the torso from armpit to armpit and extend down to mid-thigh. Tops must have shoulder straps that are at least two inches in width. Undergarments must be covered. See the illustration below for reference:



2. See-through, torn, or mesh garments must have appropriate coverage underneath that meets the minimum requirements described above.
3. Pants must be worn at hip-level or higher. Clothing should not drag on the floor.
4. Appropriate footwear depending on the educational setting is required. Classes and activities that may have more stringent requirements include but are not limited to PE, Science, and CTE classes.
5. Students are prohibited from wearing or displaying any clothing, accessories, jewelry, piercings or tattoos, that depict allude to, or promote any of the following:

- Drug usage, including alcohol and tobacco;
 - Controlled substances of any kind;
 - Drug paraphernalia;
 - Gangs;
 - Violence, hate groups, racial separation;
 - A hate group is defined as a group whose primary purpose is to promote animosity, hostility, and malice against persons belonging to a race, religion, disability, sexual orientation, or ethnicity/national origin which differs from that of the members of the organization.
 - Sexually explicit, lewd, indecent, profane or offensive material; or
 - Illegal acts.
6. Excessive or extreme make-up, jewelry, accessories, or piercings that become a distraction or are prohibitive to the learning environment are not allowed.
 7. Gloves mittens or other garments that cover the hands are not allowed to be worn in the school building.
 8. No pajamas or sleepwear are allowed.
 9. Hats, head coverings of any kind (including wearing the hood of a garment on one's head) and sunglasses are not allowed to be worn within the school building.
 10. Spikes, chains, wallet chains, studs, bolts, dog collars, needles, pins, sharp objects, or other jewelry deemed unsafe are not allowed at school.

Building principals and/or IEP/504 teams may grant accommodations to the dress code policy for religious or health reasons.

The Board of Trustees recognizes that it may be necessary for alternative placement schools, i.e., Bridge Academy or Magic Valley High School to have a different dress code. This is allowed; however, the building-specific dress codes must be approved by the Board of Trustees.

Interpretation and Implementation of Policy

The building principal/designee(s) shall use reasonable discretion in implementing the provisions of this policy. If a conflict arises in the interpretation of this policy, the interpretation of the building principal/designee shall be final.

Enforcement

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. All time missed from classes for failure to adhere to this policy will be deemed unexcused absences. Parents or guardians will be notified each time a student is asked to leave school because of inappropriate attire. Students who are insubordinate or refuse to change the improper attire, or who repeat dress code violations shall be subject to disciplinary action up to and including suspension or expulsion, depending on all the facts and circumstances, for violating the standards of student conduct.

Temporary Exceptions

In order to allow appropriate attire for a particular educational or school activity, the building principal/designee has the authority to grant temporary exceptions to specific provisions of this policy and related regulations. An example of such an exception might be where a scheduled school event requires a group of students to dress unusually on a particular day.



Cross Reference: 3311 Prohibition of Gang Activity

Legal Reference: I.C. 33-506
I.C. 33-512(6)

Policy History

ADOPTED: 8/11/14

TFSD

REVISED: 9/14/15
6/11/18
6/13/22

Equal educational opportunities shall be available for all students without regard to race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical and mental handicap or disability, economic or social conditions, or actual or potential marital or parental status or status as a homeless child. Any student may file a discrimination grievance using the procedure that follows this policy.

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Inquiries regarding discrimination should be directed to the District Title IX or Nondiscrimination Coordinator. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, the District will notify annually all students, parents, staff, community members, and unions or professional organizations the District holds a collective bargaining agreement with of this policy and the Designated Coordinator to receive inquiries. Notification should include the name and location of the Coordinator, as well as a statement that the District will provide equal access to the Boy Scouts and other designated youth groups. The notification will be provided in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. The District considers this behavior to constitute discrimination on the basis of disability in violation of state and federal law.



Legal Reference: I.C. § 67-5909 Acts Prohibited

29 U.S.C. § 794 Non Discrimination Under Federal Grants and Programs Act

42 U.S.C. § 6103 Age Discrimination Act

42 U.S.C. § 12134 Americans with Disabilities Act

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 10/12/15

The Board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of sexual orientation, gender identity, or gender expression. This policy is designed to create a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities. Failure of any school student or school employee to abide by the terms and provisions of this policy will subject such individual to disciplinary action.

Definitions

“Sexual orientation” shall mean an individual's physical or emotional attraction to the same and/or the opposite gender. "Gay," "lesbian," "bisexual" and "straight" are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.

“Gender identity” shall refer to a person’s deeply felt internal sense of his or her own gender.

“Gender expression” shall refer to how a person expresses their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerism.

“Transgender,” an adjective, shall refer to a person whose gender identity or expression is different from that traditionally associated with the person's sex assigned at birth.

School Facilities

In the case of middle/junior high school students and high school students, the principal or building administrator is encouraged to request a meeting with a transgender student and, if the student grants permission, with their parent/guardian, upon the student's enrollment in the District or in response to a currently enrolled student’s change of gender expression or identity. The goal of the meeting is to develop understanding of that student's needs with respect to their gender identity.

In the case of elementary school students, it will generally be the parent/guardian that informs the school of the impending transition. However, if the school’s staff believe that a gender identity or expression issue is presenting itself and creating difficulty for the child at school, the school’s administrative staff and/or counselor approaching the student’s parent/guardian about the issue is appropriate. An individual teacher shall not approach a student’s parent/legal guardian to address such a student situation without first conferring with the school’s administration about the subject matter and obtaining permission to enter into such a discussion. A meeting may be held at the request of the student’s parent/guardian or at the request of the principal or building administrator. Together, the family and school can identify appropriate steps, if any, to support the student.

Students will be allowed to use the restroom and locker room that corresponds to the gender identity they consistently assert at school. No student will be required to use facilities that conflict with his or her gender identity consistently asserted at school. A transgender student or any other student who has a need or desire for increased privacy may be given the option of using a separate or private restroom or changing area, such as a single stall restroom, if such is available. No student shall, on account of their transgender status, be required to use such separate facilities.

School Activities

The District will provide all students the opportunity to participate in any activities segregated by gender in a manner that is consistent with their gender identity consistently asserted at school. However, activities under the direction of the Idaho High School Activities Association (IHSAA) shall be subject to IHSAA rules and regulations).

School Trips

In the case of overnight trips sponsored by the District, students will be assigned sleeping rooms that correspond to the gender identity they consistently assert at school or to a private sleeping room. No student shall be required to sleep in a private room or in an assigned room conflicting with his or her consistently asserted school gender identity.

In no case will a transgender student be denied the right to participate in an overnight trip because of that student's transgender status.

In no case will a student be denied the right to participate in an overnight trip because of that student's sexual orientation. Likewise, a student will not be required to use a private sleeping room or denied participation on the basis of that student's sexual orientation.

Student Records and Privacy

The District's official records required by law shall utilize a student's legal name. In situations where State or federal law or administrative rules require school employees to use or report a student's legal name or gender, such legal name or gender shall be utilized. However, school staff shall utilize practices to avoid the inadvertent disclosure of the student's transgender status.

Information regarding a student's sexual orientation, gender identity, gender expression, legal name, or gender assigned at birth may constitute confidential information. Disclosure of such information shall be in accordance with District policies pertaining to student privacy. The student's educational record shall not include mention of the student's sexual orientation.

However, in the course of ordinary school interactions and communication, District staff shall use the name and pronouns consistently asserted by the student at school, regardless of the student's legal name and sex. A student is not required to legally change their name/gender or their official school records as a prerequisite to the use of a name and the pronouns consistent

with the student's identity. Intentional and persistent refusal to use the name and gender by which the student identifies is a violation of this policy and may subject an employee to discipline, up to and including possible termination.

Change of Official School Records

District records required by law to include the student's legal name and/or gender will be changed by the District upon the student's/former student's presentation of appropriate documentation to the District Office. Any current or former student may present to the Superintendent or designee responsible for student records a copy of a court order or birth certificate identifying a change to the student's legal name and/or gender. The student's records will be changed accordingly.

Confidentiality

School employees should not disclose a student's transgender status or sexual orientation to other individuals, regardless of setting, including the other school personnel or (in the case of middle school, junior high school, and high school students) the student's parents/guardians, unless they have a legitimate need to know or unless the student has authorized such disclosure. Action in violation of such student confidentiality may subject an employee to discipline, up to and including possible termination and for certificated personnel, a report to the Professional Standards Commission.

When contacting the parent/guardian of a transgender student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student or parent/guardian has specified otherwise.

Training

The District may conduct staff development or awareness activities for students or parents on transgender issues or gender diversity. However, in regard to such activities the District and its personnel shall not disclose the transgender status of any student without permission of that student and their parents/guardians.

Dress Codes

School dress codes shall be gender neutral in all situations including attire during the traditional school day, school activities including dances/prom, and graduation. The District will allow students to dress in a manner that is consistent with their gender identity within the constraints of the dress codes and any other rules regarding student attire.

Students may wear clothing or accessories that voice their views on lesbian, gay, bisexual, and transgender (LGBT) issues, regardless of viewpoint, provided these conform to the dress code; are not a disruption to the educational environment; and are not obscene, threatening, lewd, or vulgar.

School Dances

The District shall not impose different or unique practices or rules for same sex couples who attend and/or participate in school activities, including dances. This includes such matters as prohibition of attendance of same sex student couples, limitations of public displays of affection only applicable to same sex couples, discounted couples tickets, gender identity for dance court titles that correspond to birth sex and other such distinctions.

Safe Environment

It is the responsibility of the District to ensure all students, including LGBT students, have a safe school environment. Discrimination, harassment, bullying, or sexual harassment complaints involving LGBT students shall be handled in the same manner as other discrimination, harassment, bullying, and sexual harassment complaints.



- Cross Reference:** 2140 Student and Family Privacy Rights
3255 Student Dress
3280 Equal Education, Nondiscrimination, and Sex Equity
3290 Sexual Harassment/Intimidation of Students
3295 Hazing, Harassment, Intimidation, Bullying, Cyber Bullying, Menacing
3575 Student Data Privacy and Security
- Legal Reference:** 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
I.C. § 33-133(1)(j)(ii) Definitions—Student Data—Use and Limitations—Penalties
- Other Reference:** Idaho High School Activities Association Rules & Regulations, Rule 11-3 Transgender Student Participation

Policy History

ADOPTED: 10/12/15

REVISED:

The Board endeavors to take steps to prevent and respond to known instances of relationship abuse and sexual assault. Such conduct is strictly prohibited and shall not be tolerated on District premises, including, but not be limited to buildings, facilities, and grounds on the District campuses, school buses, and District parking areas. Moreover such conduct will not be tolerated at any District sponsored activities, regardless of location.

Relationship abuse includes the intentional use of physical, sexual, verbal, or emotional abuse or violence to harm, threaten, intimidate, or control another person in a current or past dating relationship. Sexual assault includes sexual violence, sexual abuse, sexual stalking, and rape. The majority of these instances are dealt with utilizing Procedure 3085P Title IX Sexual Harassment Grievance Procedure as described below. If the Title IX Coordinator determines that an alleged infraction does not fall within the scope of Procedure 3085P to address, it may be addressed through this policy.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Students, staff members, or third parties may also be referred to law enforcement officials.

Any of the District's employees who have reason to believe that a child under the age of 18 years of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, the school shall follow appropriate reporting requirements pursuant to the Child Protective Act. Employees shall also report the incident to the District's Title IX coordinator or deputies, as described in Policy 3085.

The Superintendent is hereby directed to develop administrative procedures to implement this policy while recognizing that some violations of this policy may fall within the scope of Procedure 3085P Title IX Sexual Harassment Grievance Procedure. Procedures shall include descriptions of prohibited conduct, the definition of abuse pursuant to the Child Protective Act, reporting and investigative procedures, prevention and response procedures, and provisions to ensure notice of this policy is provided to students.

The Board shall review this policy annually.

Addressing Sexual Harassment/Assault

Any person wishing to report an instance of sexual harassment/assault may do so in accordance with Policy 3085.

If the Title IX Coordinator determines that an alleged infraction does not fall within the scope of Procedure 3085P to address, it may be addressed through this policy by following the Uniform Grievance Procedure. The District shall maintain the confidentiality of all parties involved, as far

as possible, and may notify individuals of what information may need to be disclosed in the course of the investigation, to whom, and why. The District shall take steps to prevent retaliation toward individuals who file a complaint. The District shall immediately act to provide supportive measure, without waiting for the completion of the investigation, and shall notify the individual of any services available to assist him or her.

Such supportive measures during or following an investigation may include:

1. Providing an effective escort to ensure the complainant can move safely between classes and activities;
2. Ensuring that the complainant and the perpetrator or alleged perpetrator do not share classes, extracurricular activities, or a school;
3. Provision of victim services such as medical, counseling, and academic support services;
4. Arranging for the complainant to have extra time to complete or retake a class without academic penalty;
5. Disciplinary action against the perpetrator;
6. Counseling for the perpetrator;
7. Conducting training with a group of students if, for example, the sexual violence created a hostile environment within a particular grade level or on a sports team;
8. Ensuring the school has access to a counselor trained to assist victims of sexual violence;
9. Training employees on how to handle reports of sexual violence;
10. Informing students about the problem of sexual violence and how to seek assistance;
11. Conducting bystander intervention and sexual assault prevention programs with students;
12. Issuing official statements that the District will not tolerate and will respond to any incidents of sexual violence; and
13. Assessing the school climate to determine whether the campus is free of sexual violence and determining what steps should be taken to address any problems.

Following the investigation, to the extent possible and not in violation of any applicable law, the complainant shall be notified of the outcome of the complaint, including whether the investigation determined that the alleged conduct occurred, remedies being offered to the complainant, any sanctions imposed on the perpetrator that directly relate to the complainant, and any other steps taken to eliminate the hostile environment or prevent recurrence.



Cross References: 4120 Grievance Procedure
3085 Sexual Harassment, Discrimination and Retaliation Policy
3085P Title IX Sexual Harassment Grievance Procedure, Requirements
and Definitions

Legal References: I.C. § 16-1601 et seq. Child Protective Act
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History

ADOPTED: 10/13/14

ISBA

REVISED: 1/11/21

Sexual harassment is a form of sex discrimination and is prohibited in the District. An employee, District agent, or student engages in sexual harassment whenever he/she makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. has the purpose or effect of:
 - a. substantially interfering with the student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, opportunities or treatment; or
 - d. making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating", "hostile" and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching, crude jokes or pictures, discussions of sexual experiences, pressure for sexual activity, intimidation by words, actions, insults or name calling, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator or administrator who will assist them in the complaint process, per Policy 3085 and Procedure 3085P. Supervisors or teachers who knowingly condone, ~~or~~ fail to report, or fail to assist a student to take action to remediate such behavior of sexual harassment or intimidation, may themselves be subject to discipline.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

The District will make every effort to insure that employees or students accused of sexual harassment or intimidation is given the appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against

persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

Any individual seeking further information should contact the Superintendent for the name of the current Title IX Coordinator for the District. The Superintendent shall insure that the name, address, and telephone number of the individual responsible for coordinating the District's compliance efforts is posted on the district website and distributed to students and staff members on an annual basis.

An individual with a complaint alleging a violation of this policy which does not fall within the scope of allegations addressed by Procedure 3085P shall follow the Uniform Grievance Procedure.



Cross Reference: 4120 Uniform Grievance Procedure
3085 Sexual Harassment, Discrimination and Retaliation Policy
3085P Title IX Sexual Harassment Grievance Procedure, Requirements
and Definitions

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106
I.C. § 67-5909 Acts Prohibited

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 1/11/21
4/12/21

Harassment Reporting Form for Students

School _____ Date _____

Student's Name _____

(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.)

Who was responsible for the harassment or incident(s)? _____

Describe the incident(s). _____

Date(s), time(s), and place(s) the incident(s) occurred. _____

Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles. _____

Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses. _____

Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take _____

Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents _____

Signature of complainant _____

Signatures of parents/legal guardian _____

The Board of Trustees is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyber bullying, or bullying by students or third parties is strictly prohibited and shall not be tolerated in the District. This includes actions on school grounds, school property, school buses, at school bus stops, at school-sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists and actions at locations outside of those listed above that can be reasonably expected to materially and substantially interfere with or disrupt the educational environment of the school or impinge on the rights of other students at school.

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is harmful to another student or the property of another student. The Board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, and for the educational purpose underlying all school activities.

Discipline

Students whose behavior is found to be in violation of this policy will be subject to discipline and graduated consequences, up to and including expulsion consistent with the Board's policy on student discipline. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Students or third parties may also be referred to law enforcement officials.

Notification

Information on the District's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to school personnel, parents, and students in the District and included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

Procedures

The Superintendent is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, rules for disciplining students who violate this policy, and provisions to ensure notice of this policy is provided to students, teachers, and third parties.

Reporting

The District shall annually report bullying incidents to, and in the manner and on the form provided by, the State Department of Education.

The Board shall review this policy annually.



Cross Reference: 3330 Student Discipline
5265 Employee Responsibilities Regarding Student Harassment,
Intimidation, and Bullying

Legal References: I.C. § 18-917 Hazing
I.C. § 18-917A Student Harassment – Intimidation – Bullying
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 Governance of Schools
I.C. § 33-1631 Requirements for Harassment, Intimidation, and Bullying
Information and Professional Development
I.C. § 67-5909 Acts Prohibited
20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education
Programs or Activities Receiving Federal Financial Assistance
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 10/12/15

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying, Menacing

HARASSMENT COMPLAINT FORM

School _____ Date _____

Student's/Complainant's Name _____

(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.)

Who was responsible for the harassment or incident(s)? _____

Describe the incident(s). _____

Date(s), time(s), and place(s) the incident(s) occurred. _____

Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles. _____

Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses. _____

Is there any evidence of the harassment (i.e. letters, photos) ☐ yes ☐ no

If so, please describe. _____

Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take _____

Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of complainant _____

Signatures of parents/legal guardian _____



Cross Reference: 4210 Uniform Grievance Procedure

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106
I.C. § 67-5909 Acts Prohibited

Form History

ADOPTED: 8/11/14

ISBA

REVISED:

Hazing harassment, intimidation, bullying, and cyber bullying includes any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at school, a student's opportunities or performance, and that has the effect of:

- A. Harming a student or damaging a student's property;
- B. Knowingly placing a student in reasonable fear of harm to the student or damage to the student's property; or
- C. Is sufficiently severe or persistent so that it creates an intimidating, threatening, abusive, or hostile educational environment.

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, and cyberbullying that take place:

- on or immediately adjacent to school grounds;
- on school property;
- at any school-sponsored activity;
- on school-provided transportation;
- at any official school bus stop; or
- through the District's computer network and the internet, whether accessed on campus or off campus, during or after school hours, or through any private electronic device conducted when the student is present at school.

Definitions

1. Third parties include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District and others not directly subject to District control at inter-district and intra-district athletic competitions or other school events.
2. District includes District facilities, District property, buses, electronic technology or electronic communication equipment on District computers, networks, or forums and non-District property if the student or employee is at any District-sponsored, District-approved or District-related activity or function, such as field trips or athletic events where students are under the control of the District or where the employee is engaged in District business.
3. Hazing includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade level attainment, such as forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student, requires, encourages, authorizes or permits another to be subject to wearing or carrying any

obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.

4. Harassment includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight.
5. Intimidation includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, gender identity and expression, or sexual orientation.
6. Bullying means the severe, persistent, pervasive, and deliberate misuse of real or perceived power in relationships through repeated verbal, physical, or social behavior that intends to cause physical, social, or psychological harm. Bullying creates an intimidating, threatening or abusive educational environment for a student.
7. Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures, images or videos, or website postings, including blogs and social media platforms. In the situation that cyber bullying originated from a non-school computer, but has been brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonably expected to materially and substantially interfere with or disrupt the educational environment of the school or impinge on the rights of other students at school and/or in violation of District policy or state law. The Administration shall, at their discretion, contact local law enforcement.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, filed a complaint, or otherwise participated in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyber bullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with allowing for as much confidentiality as can be provided while at the

same time allowing for a thorough and appropriate investigation and reporting, where appropriate.

Policy Distribution

Information about this policy must be distributed to the school community annually, including parents, students, and all school personnel. Information about the District's policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

Building administrators, program directors, and the Superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, or cyber-bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he or she has been a victim of hazing, harassment, intimidation, or cyber-bullying in violation of this policy shall immediately report his or her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

- Step I: Any hazing, harassment, intimidation, bullying, or cyber-bullying, information (complaints, rumors, etc.) shall be presented to the building principal. Complaints against the building principal shall be filed with the Program Director. Complaints against the Program Directors shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board Chair. Complaints must be written and should include the specific nature of the offense, corresponding dates, individuals involved, and potential witnesses.
- Step II: The District official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. The District investigator shall compile all findings related to the complaint in a written report. The District official(s) conducting the investigation shall notify the complainant, and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including

disciplinary action taken or recommended, shall be forwarded to the Superintendent or their designee.

Step III: If the complainant is not satisfied with the decision at Step II, he or she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant's appeal within ten working days.

Step IV If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within ten working days after receipt of the Step III decision. The Board shall, within twenty working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the District's administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within ten working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, or cyber-bullying complaints and documentation will be maintained as a confidential file in the District office and reported as required by the State Department of Education.



Procedure History

ADOPTED: 8/11/14

ISBA

REVISED: 10/12/15
8/08/22

The Twin Falls School District is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing or bullying by students, staff or third parties is strictly prohibited and will not be tolerated in the district. It is important that the students and parents have awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause, which may include the increased risk of teenage suicide.

Therefore, the District hereby designates one week each school year for Bullying Awareness Week.

The Superintendent or designee shall designate certain activities for Bullying Awareness Week. The objectives for the activities for Bullying Awareness Week should include, but are not limited to:

1. Recognize that bullying is a serious issue that has damaging effects for our society.
2. Recognize that bullying is not an acceptable part of how we should treat each other.
3. Teach students and staff the District's policy on bullying and the consequences.
4. Help students and staff recognize that bullying behaviors have different forms.
5. Recognize the tremendous leadership potential of our youth.
6. Celebrate/recognize those who are making a difference in addressing bullying.
7. Prepare for further work that needs to be done in the future.



Cross Reference: 3295 Hazing, Harassment, Intimidation, Bullying, Cyberbullying
 4120 Uniform Grievance Procedure

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
 34 CFR Part 106
 I.C. § 18-917A Student Harassment – Intimidation – Bullying
 I.C. § 67-5909 Acts Prohibited

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the school environment.

The Board prohibits tobacco use and possession by students at any time in a school building or on any school property, bus, van, or vehicle that is owned, leased, or controlled by the District. Tobacco use and possession by students is also prohibited at school-sponsored activities that are held off school property.

The District may initiate discipline according to the District's Student Discipline policy and/or prosecution of a student who possesses or uses tobacco in violation of this policy.

Definition

For the purposes of this policy, tobacco use shall be defined as the use and/or possession of a lighted or unlighted cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.



Cross Reference: 3321 Student Drug, Alcohol, and Tobacco Use
3330 Student Discipline

Legal Reference: I.C. §39-5703 Possession, Distribution, or Use by a Minor

Policy History

ADOPTED: 12/9/13

ISBA

REVISED: 8/11/14
9/14/15

This School District has a legitimate educational objective of curtailing gangs and gang activities. In furtherance of this educational objective, all gangs and gang activities, including, but not limited to, wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, gestures, codes, or other things which evidence membership in or affiliation with any gang are prohibited in any of the public schools in this District and at all school functions.

It will be unlawful for any person, group, or organization to establish a fraternity, sorority, or other secret society whose membership is comprised in whole or in part of students enrolled in this District's public schools, or to solicit a student in any of this District's schools to become a member of such organization; and no student enrolled in this school District will be or become a member, or pledge him/herself to become a member of any such organization.

Disciplinary action for violation of this policy may include suspension and/or expulsion.



Legal Reference: Idaho Code §33-1901
§33-1902

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14

PHILOSOPHY

It is the Idaho Legislature's intent that parental involvement in all aspects of a child's education in Idaho public schools be part of each District's policy. Drug prevention programs and counseling for students, including those over the age of eighteen (18) who continue to be enrolled, under the custody and care of the schools are included in this intent.

The Board of Trustees recognizes that student use of chemical substances, including alcohol, is a serious problem of utmost concern in our society. Drug, alcohol, and tobacco use is detrimental to a state of well-being and undermines the aim of education, which is to enable individuals to develop to their full potential. The District seeks to ensure the highest standards of learning in the classroom and recognizes that use of chemical substances—including alcohol, tobacco, and controlled substances—creates educational, economic, and legal problems.

DEFINITIONS

“Controlled substances” include, but are not limited to, opiates, opium derivatives, hallucinogenic substances, including cocaine and cannabis and synthetic equivalents of the substances contained in the plant, any material, compound, mixture or preparation with substances having a depressant effect on the central nervous system, and stimulants.

“Course of conduct” involves a pattern or series of acts over a period of time, however short, evidencing a continuity of purpose. Course of conduct does not include constitutionally and statutorily protected activity.

“Drug” includes any alcohol or malt beverage, any tobacco product, any controlled substance, any illegal substance, any abused substance, any substance which is intended to alter mood, and any medication not prescribed by a physician for the student in possession of the medication.

“Intentionally harass” means a knowing and willful course of conduct directed at a specific student which seriously alarms, annoys, threatens, or intimidates the student and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress.

“Reasonable suspicion” means an act of judgment by a District employee or independent contractor that leads to a reasonable and prudent belief that a student is in violation of this policy or the “use” or “under the influence” provisions of Idaho Code Section 37-2732C, which defines controlled substances. Such act of judgment is based on the employee's or independent contractor's training in recognizing the signs and symptoms of alcohol and controlled substance use. The fact that a student has previously disclosed use of a controlled substance will not be deemed a factor in determining reasonable suspicion at a later date.

“School premises” includes all buildings, facilities, and property owned or leased by the District, school buses and other school vehicles, and the location of any school-sponsored activity or function.

POLICY

Students attending school in this District will not use, possess, sell, buy, or distribute drugs, including alcohol, tobacco, controlled substances, or related paraphernalia, on school premises.

Any student will violate the District’s drug, alcohol, and tobacco use policy when:

1. He or she is on school premises, evidencing behavior that creates a reasonable suspicion that he or she may be illegally under the influence of drugs;
2. He or she admits to using, possessing, selling, buying, or distributing drugs on school premises;
3. He or she is found to use, possess, sell, buy, or distribute drugs, or related paraphernalia, on school premises;
4. He or she is found to possess drugs, or related paraphernalia, or to have such substances on his or her person, or in his or her locker, vehicle, or other property on school premises;
5. He or she is found to knowingly attempt to use, sell, buy, or distribute drugs or related paraphernalia on school premises;
6. He or she is found to knowingly be present when drugs or related paraphernalia are being used, sold, bought, or distributed on school premises.

ALCOHOL OR CONTROLLED SUBSTANCES: VOLUNTARY DISCLOSURE

Any student who voluntarily discloses using or being under the influence of alcohol or any controlled substances before he or she is reasonably suspected to be in violation of the law and this policy will be provided anonymity to the extent that:

1. Disclosure is held confidential on a faculty need-to-know basis; and
2. Notification of the disclosure and availability of counseling is provided to the student’s parent/guardian.

ALCOHOL OR CONTROLLED SUBSTANCES: REFERRAL TO LAW ENFORCEMENT

Once a student is reasonably suspected of being in violation of the law and this policy regarding alcohol or controlled substances, regardless of any previous voluntary disclosure, the building principal or designee will immediately notify the student’s parent or guardian and report the incident to the local law enforcement agency.

Any student exhibiting inappropriate behavior that suggests “using” or “being under the influence” of alcohol or controlled substances will be immediately escorted by a District employee to an administrative office for interviewing and observation by the principal or designee. Except in the case of an emergency, the student will not be left unattended and will not be allowed to leave the school premises.

The principal or designee will refer the student to the law enforcement agency if, upon observing and/or interviewing the student, he or she reasonably suspects that the student is using, selling, in possession or under the influence of alcohol or a controlled substance. District employees will cooperate fully with any law enforcement investigation of a violation of this policy, including, but not limited to, providing access to lockers, desks, and other school property, and providing oral and/or written statements regarding the relevant events.

The principal or designee, and/or any other employee having observed the student’s behavior will document his or her observations of the student; the documentation will be provided to the law enforcement agent, and a copy will be placed in the student’s discipline record.

ENFORCEMENT PROCEDURES

The procedures to enforce this policy are as follows:

1. **Suspension/Expulsion:** Students who violate this policy will be suspended by the principal. Suspension for the first offense of this policy will be for three to five (3-5) days, unless extraordinary circumstances exist. The time period for suspension for the second or third offense will be determined at the discretion of the principal and/or Superintendent. The principal and/or Superintendent will determine whether or not the suspension will be served in school or out of school.

If deemed appropriate by the Superintendent, he or she may request that the Board expel a student who has violated this policy for a second or third offense.

2. **Referral to Law Enforcement:** The student will be referred to the law enforcement agency, if appropriate. If the incident involves using or being under the influence of alcohol or a controlled substance, the student will be referred to the local law enforcement agency. In all other situations, referral to law enforcement will be at the discretion of the building principal or designee.
3. **Search and Seizure:** A student’s person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school official has reasonable cause to believe that the student is in possession of drugs or drug paraphernalia. Any evidence indicating that a student has violated the law and this policy may be seized by the principal or designee.

Lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and desks. Authorized school officials may open and inspect lockers and

desks when there is reasonable cause to believe that the locker or desk may contain items which may be a threat to safety and security. Such a search may be conducted without a search warrant, and without notice or consent.

Students are permitted to park on school premises as a matter of privilege, not of right. The District retains the authority to conduct routine patrols of school parking lots and to inspect the exteriors of automobiles on school premises. The interiors of vehicles on school premises may be inspected whenever an authorized school official has reasonable cause to believe that illegal materials are contained inside. Such patrols and inspections may be conducted without notice, consent, or a search warrant.

4. **Parent Contact:** The student's parent/guardian will be contacted as soon as possible following any alleged violation of this policy.
5. **Conduct Contract:** Any student violating this policy must sign a conduct contract before returning to school. Violation of the conduct contract may result in additional disciplinary measures.
6. **Drug, Alcohol, and Tobacco Assessment/Treatment:** The terms of the suspension and/or conduct contract may be modified, at the discretion of the principal or Superintendent, if a student who has violated this policy voluntarily completes a drug, alcohol, and tobacco education course and/or undergoes assessment and treatment for drug, alcohol, and tobacco abuse.

STUDENTS WITH DISABILITIES

Suspensions and expulsions of students with disabilities as defined by Public Law 94-142 and subsequent amendments (Individuals with Disabilities Education Act), Section 504 of the 1973 Rehabilitation Act, and the Americans with Disabilities Act will follow federal guidelines as well as the provisions of this policy.

IMMUNITY FOR GOOD FAITH IMPLEMENTATION

District employees and independent contractors of the District who implement this policy in good faith and with appropriate foundation are immune from civil liability.

INTENTIONAL HARASSMENT

District employees and independent contractors of the District are prohibited from using their authority to determine reasonable suspicion solely for the purpose of intentionally harassing a student. Using the authority in such a manner may result in disciplinary action against the employee or may be considered a breach of the District's contract with the independent contractor.

NOTICE

Upon adoption of this policy, the Board will provide notice to each student, parent/guardian, or custodian at registration. Subsequently, a copy of the policy will be provided to each new student, as well as to the parent/guardian or custodian, at the time of initial registration in a District school.



Legal Reference: Idaho Code §33-205
§20-516
§33-210
§37-2705
§37-2732C
Drug-Free Schools and Communities Act of 1988
PL 100-690 and all subsequent amendments
Individuals with Disabilities Education Act
PL 94-142 and subsequent amendments
Section 504 of the 1973 Rehabilitation Act
Americans with Disabilities Act
Idaho v. Voss, Idaho Court of Appeals, Nov. 23, 2011

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 07/14/92

10/12/99

06/10/13

08/11/14

See also: 3321P

I. NON-DISCIPLINARY PROCEDURES

Non-disciplinary procedures will apply to students who self-refer or who are referred by parents, peers, staff, or through other referrals. Students who voluntarily reveal to professional staff members that they have been or are involved in the use of controlled substances/drugs, and students who turn in controlled substances/drugs to a staff member for disposal will have the confidentiality and anonymity of their communications fully respected. Individuals who are concerned about a student's behavior or possible chemical involvements should contact the Student Assistance Specialist and/or school administration.

Controlled substances: voluntary disclosure:

Any student who voluntarily discloses using or being under the influence of any controlled substance/drug before he or she is reasonably suspected to be in violation of the law and this policy will be provided anonymity to the extent that:

1. Disclosure is held confidential on a faculty need-to-know basis;
2. Notification is provided to parent/guardian; and
3. Available counseling is offered at the school level.

A. Self-Referral

If a student voluntarily requests assistance from school officials with regard to a tobacco, alcohol, controlled substance/drug problem, there will be no discipline of the student provided that, in the opinion of an administrator and/or other professional staff member, the student is not under the influence of or in possession of tobacco, alcohol, or controlled substances/drugs at the time he/she requests help:

1. The student will meet with a Student Assistance Specialist or intervention trained professional, parent(s), and/or legal guardian(s) to discuss the problems which have been identified and develop an appropriate program for student involvement such as:
 - a. In-school intervention: peer support groups, contractual agreements, counseling, support teachers.
 - b. Out-of-school intervention/treatment: Assessment by community agency, private counseling, outpatient treatment, inpatient treatment. (Any costs will be borne by the parent(s) and/or legal guardian(s).)
 - c. Community based information and support: Alcoholics Anonymous, Narcotics Anonymous, education programs through community agencies.
 - d. Family-based information and support: Developing Capable People, Parent Project, Al-Anon, Ala-Teen, community agency programs, and contractual agreements.
2. Subsequent voluntary requests will automatically result in a referral to the school Student Assistance Specialist or intervention trained professional. A formal chemical dependency assessment will be strongly recommended.
3. If the student and/or parent(s) or legal guardian(s) refuse counseling and/or assessment, they will be reminded that use, possession, distribution, or being under the

influence of tobacco, alcohol, or controlled substances/drugs at school or off the school grounds at a school activity will be subject to school disciplinary measures and/or citations issued by law enforcement officials.

B. Staff, Parent, Peer, Other Referral of Student

If a student is exhibiting signs of possible substance use (i.e., increased tardiness, absenteeism, lowered class performance, outbursts in class, apathy, increased complaints of illness, etc.), the staff member should notify the Student Assistance Specialist or intervention trained professional and/or administrator of his or her concerns by filling out a Student Referral form documenting the observed behaviors.

Upon referral, the Student Assistance Specialist or intervention trained professional will complete an evaluation of the student and make recommendations to the student and to the parent/legal guardian. The student will meet with a Student Assistance Specialist or intervention trained professional and parent(s), and/or legal guardian(s) to discuss the problems which have been identified and develop an appropriate program for student involvement such as:

1. In-school intervention: peer support groups, contractual agreements, counseling, support teachers.
2. Out-of-school intervention/treatment: assessment by community agency, private counseling, outpatient treatment, inpatient treatment. (Any costs will be borne by the parent(s) and/or legal guardian(s).)
3. Community-based information and support: Alcoholics Anonymous, Narcotics Anonymous, education programs through community agencies.
4. Family-based information and support: Developing Capable People, Parent Project, Al-Anon, Ala-Teen, community agency programs, and contractual agreements.

If the student and/or parent(s)/legal guardian(s) refuse services, refer to I.A.3.

II. DISCIPLINARY PROCEDURES

Controlled substances: referral to law enforcement once a student is reasonably suspected of being in violation of the law and this policy regarding controlled substances, regardless of any previous voluntary disclosure, the building administration or designee will immediately notify the local law enforcement agency and will seek a law enforcement evaluation of the student. The evaluation may seek transfer of school custodial responsibility to the state department of juvenile corrections.

A. Under the Influence and/or in Possession of Alcohol, Tobacco Product, Controlled Substance/Drug

1. First Offense:

Step 1: If a student is suspected of being under the influence and/or in possession of alcohol, a tobacco product, or a controlled substance/drug when on or near District property during school hours or at a school-sponsored activity, the student should be immediately escorted by a District employee to the school administrator or designee of that activity. Except in the case of an emergency, the student should not be left unattended and should not be allowed to leave the school premises.

Step 2: A school administrator or designee should question and record observations of the student. If, in the opinion of the administrator or designee, the student is under the influence and/or in possession of alcohol, tobacco product, or a controlled substance/drug, continue with steps 3-8.

Step 3: A law enforcement official will be notified by a school administrator or designee. A copy of the observation documentation should be provided to the law enforcement official and a copy should be placed in the student's discipline record.

Step 4: Parent(s) and/or legal guardian(s) will be notified by administration or designee by phone with the date recorded or by written notice within a reasonable time limit.

Step 5: Law enforcement should complete an evaluation of the student. If the student is in violation of the law, a citation will be issued by a school administrator/official or by a law enforcement official. The citation must be witnessed and served by a law enforcement official within a reasonable time limit.

Step 6: The student will receive a minimum three-day suspension. If unable to provide in-school suspension, other appropriate disciplinary action may be taken as per suspension policy.

- a. The terms of the suspension and/or conduct contract may be modified, at the discretion of the principal or Superintendent, if a student who has violated this policy voluntarily completes a school-approved drug, alcohol and tobacco education course or support group and/or undergoes assessment and treatment for drug, alcohol and tobacco abuse.

Step 7: The school administrator, within a reasonable time limit, will refer the student's name to the Student Assistance Specialist or intervention-trained professional who will be responsible for implementing the intervention process. (Step I. B.)

Step 8: The student and parent(s) or legal guardian(s) will meet with a building administrator and/or Student Assistance Specialist or intervention-trained professional. A student behavior contract may be signed by the student, parent(s) or legal guardian(s) and administrator. Copies will be made available to the parent(s) or legal guardian(s) and Student Assistance Specialist or intervention-trained professional.

The student and parent(s) or legal guardian(s) will be expected to follow the recommendation(s) of the Student Assistance Specialist or intervention-trained professional. If the student and/or parent(s) or legal guardian(s) refuse counseling and/or assessment, they will be reminded by building administration that use, possession, distribution, or being under the influence and/or in possession of alcohol, tobacco products, or controlled substances/drugs at school or off the school grounds at a school function will be subject to school disciplinary measures and/or citations issued by law enforcement officials.

2. Second Offense

Repeat Procedures II A-1. If it is determined by building administration or law enforcement that the presence of said student is a detriment to the safety of the student body or self, the administrator has the option of suspending out of school and/or referring the student to the Board of Trustees for expulsion.

3. Third and Subsequent Offenses

Repeat Procedures II. A-2. Upon the third citation being issued (accumulative over grades 6-8 and again over grades 9-12) by a school administrator/official or law enforcement official or witnessed and served by a law enforcement official, the student may be referred by the school administrator to the Superintendent and the Board of Trustees for expulsion. (See Policy 3740)

B. Distribution of Controlled Substances

If a student is involved in transmitting, trafficking in or distributing alcohol or controlled or dangerous substances on school grounds or at any school-sponsored function, law enforcement official(s) will be asked to intervene. If it is determined that the presence of said student is a detriment to the safety of the student body or self, there will be a mandatory recommendation made by the school administrator to the Superintendent and the Board of Trustees for expulsion.

C. Non-Students

Law enforcement officials will be notified of non-students on school property using, possessing, or distributing a controlled substance/drug.

STUDENTS WITH DISABILITIES: suspensions and expulsions of students with disabilities as defined by public law 94-142 and subsequent amendments, (Individuals with Disabilities Education Act), section 504 of the 1973 Rehabilitation Act, and the Americans with Disabilities Act will follow federal guidelines, Chapter 12 of the Idaho Special Education Manual, and the provisions of this policy.

IMMUNITY FOR GOOD FAITH IMPLEMENTATION: Intervention-trained specialists who implement this policy in good faith and with appropriate foundation are immune from civil liability.

INTENTIONAL HARASSMENT: Intervention-trained specialists who intentionally harass a student through the misuse of their authority pursuant to this policy are not immune from civil

liability arising from the wrongful exercise of that authority. The individual may be found guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.)



Legal Reference: Idaho Code §18-1502, 23-949, and 23-612

Policy History

APPROVED: 12/08/08

TFSD

REVISED: 08/19/13

08/11/14

09/14/15

All schoolwork submitted for the purpose of meeting course requirements must represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to: plagiarism, cheating, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, unauthorized use of hard copy or software to develop one's own software. Faculty and building administrators will have the responsibility for monitoring the above actions.

Where appropriate, parents shall be contacted as soon as practicable to report any alleged academic dishonesty on the part of students. Teachers are granted authority, with the direction and advice of their principals, to exercise their good judgment in applying a range of academic consequences for violations of this policy. Student and parent appeals of any consequences resulting from violations of this policy should be addressed to building administrator(s).

All teachers, beginning especially at the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in our schools. A copy of the Academic Honesty Policy shall be included in student handbooks and shall be distributed to parents via District publications at least annually.

Cheating

Cheating is defined as and includes, but is not limited to, the following:

1. Copying or attempting to copy another student's homework, quiz, test, essay, or lab report.
2. Cheating on tests through such means as cheat sheets, use of unauthorized electronic devices, and discussion of test information with other students.
3. Obtaining test questions and/or copies of tests outside the classroom test setting.
4. Lending and/or copying from another student's work (homework, tests, projects, assignments).
5. Altering or interfering with grading (forging signatures, changing or inserting answers on work after grading).
6. Allowing another student to copy answers during a test situation.
7. Collaborating with other students on an assignment in direct violation of teacher's instructions.
8. Using books and electronic information in generating an assignment in direct violation of teacher's instructions.
9. Accessing, taking, and benefiting from copies of tests and quizzes previously used or to be used by teachers unless provided as study guides by the teacher.
10. Submitting work previously presented in current course or in another course.

Plagiarism

Plagiarism is defined as and includes, but is not limited to, the following:

1. Copying material from the source, including the Internet, without citing the source, or citing the source but omitting quotation marks.
2. Paraphrasing the source without proper citation.
3. Copying stories, in whole or part, which appear in books, magazines, television or film.
4. Copying directly, without making any changes, alterations or adaptations from a drawing, painting, illustration, photographic image, or graphic symbol without citing the source.
5. Submitting papers written in whole or part by someone else, including the Internet.
6. Submitting papers on which the student has received substantial assistance from peers and/or adults that dramatically changes the character of the work so that it is no longer the student's own.
7. Submitting a paper purchased from a research or term paper service, including, but not limited to the internet.



Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

For the purposes of the District's policies relating to corrective action or punishment:

1. In-School Suspension is the exclusion of the student from classroom participation but in attendance at school. The student would continue his/her school day under administrative monitoring by a staff member. In-school suspension is for a term not to exceed five (5) school days.
2. Temporary Suspension is the exclusion from school or individual classes for a specific period of up to five (5) school days.

The Superintendent or the principal of any school may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the administration will conduct an informal conference on the reasons for the suspension and the opportunity to challenge those reasons with the student and/or parent/guardian. Any pupil who has been suspended may be readmitted to the school. The re-admittance may be contingent on reasonable conditions prescribed by the Superintendent or principal. The Board of Trustees shall be notified of any temporary suspensions, the reasons for them, and the response to them.

- a. Only the Superintendent (or the Board) can extend an initial temporary suspension. The Superintendent may extend the suspension for an additional ten (10) school days
 - b. Only the Board can extend a temporary suspension for an additional five (5) days, beyond the additional ten (10) days added by the Superintendent, and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental the health and safety of other pupils.
3. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is a habitual truant, who is incorrigible, whose conduct is such to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school district in the State of Idaho or any other state. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five (5) days of the Board's actions.

No pupil shall be expelled nor denied enrollment without the Board of Trustees or their designee having first given written notice to the parent or guardian of the pupil stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent or guardian may appear to contest the hearing. The hearing may only be contested on the basis that the parent feels the procedure was incorrect, incomplete, or in some manner inappropriate. The notice shall also state the rights of the pupil to be represented by counsel, to produce witnesses and submit evidence on his or her own behalf, and to cross-examine any adult witnesses who may appear against him or her. Within a reasonable period of time following such notification, the Board of Trustees shall grant the pupil and his or her parents or guardian a full and fair hearing in front of a hearing officer on the proposed expulsion. The administrator shall allow a reasonable period of time between notification and the hearing to allow the pupil and his or her parents or guardian to prepare their response to the charge.

If the parent wishes to appeal, an appeal hearing is set up with the Board and the parent is given a set of instructions outlining the procedure that will be covered in the appeal meeting. The Board is given the same document and the script within the document is followed. The intent of the appeal meeting is not to rehear all the details that led to the expulsion recommendation, but to determine whether the child received a fair and impartial hearing. See Procedure 3740P.

Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or state authorities, in order that such authorities may address the student's needs.

4. "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.
5. No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Students with Disabilities

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. If a student with a disabling condition accrues ten (10) days

suspension per year, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct.

When a disabled student is acting in such a way that he/she poses a danger to himself/herself or to another student or property, or substantially disrupts his/her educational program or that of other students, temporary suspension may take place. Temporary suspensions may not last longer than ten (10) school days. The principal shall convene the Team for reviewing the student's record before the student is readmitted to school no later than the tenth (10th) day of suspension.



Cross Reference:	3330	Student Discipline
	3360	Discipline of Students with Disabilities
	3370	Search and Seizure
	3740P	Student Expulsion/Denial of Enrollment

Legal Reference:	20 U.S.C. 1400, et seq. Individuals with Disabilities Education Act
	I.C. § 33-205 Denial of school attendance
	I.C. § 33-512 Governance of schools
	I.C. § 33-1630 Requirements for Harassment, Intimidation, and Bullying
	Information and Professional Development

Policy History

ADOPTED: 3/14/16

ISBA

REVISED: 4/13/20

1/11/21

Discipline Philosophy

Discipline is an integral and important part of the educational process. Students are expected to demonstrate good manners, honesty, integrity, respect, and accept responsibility for their actions. The objective of any corrective action is to assist the student in learning and growing from their mistakes.

Corrective Action

Purpose: Corrective action ensures that students learn and grow from their mistakes so they may make responsible decisions that protect the rights of students, teachers, and school officials, and to maintain the continuity of the educational process.

Corrective action will apply to students anytime the student is engaged in, or traveling to/from any school activity under the direction or supervision of district personnel.

Corrective Action Procedures:

Problems that cannot be handled by the classroom teacher should be referred to the principal or other school officials assigned to the task for entry into the corrective action procedure at the appropriate step. Every effort will be made to keep parents informed when a student enters the corrective action process. Principals ultimately have authority to deal with all infractions except for violations involving the possession of firearms and/or dangerous implements. Principals, therefore, may offer diversion or accountability alternatives at any step of the corrective action process.

Steps: Step 1 or 2 if cooperative
Step 2 or 3 if uncooperative or the action is repeated.

Step 1. Disciplinary Action:

Disciplinary action is the term used for all forms of corrective action other than suspension, emergency removal or expulsion. Disciplinary action may be administered by a building principal, assistant principal or other persons designated by the administrator. Disciplinary action may include:

Counseling	Work detail
Parent conferences	Detention
Home visitation	Restitution
Special services evaluation	In-school Suspension
Referral to other agencies	Peer mediation

Step 2. Suspension:

A suspended student is denied attendance at school and participation in other school activities for a stated period of time. This includes denial of admission to or entry upon any property that is controlled by the school district. Students undergoing in-school suspension are allowed on school property for academic purposes only. The building administrator may impose this action.

1. In-School Suspension: The student would continue his/her school day under administrative monitoring by a staff member.
2. Temporary Suspension: A suspension up to and not exceeding five school days. Conditions and limitations of a temporary suspension are as follows:

- a. Prior to a temporary suspension, an informal conference will be conducted with the student and/or parent.
- b. Parent/Guardian must be notified prior to suspension.
- c. Any student subject to a temporary suspension must be provided, upon their return, an opportunity to make up time, assignments and tests missed as outlined in the building's attendance and makeup policy. At the end of the period of suspension, the student shall be automatically readmitted to school. The re-admittance may be contingent on reasonable conditions prescribed by the Superintendent or principal.
- d. At the request of building administration, the Superintendent may suspend a student for a period up to ten (10) additional school days.
- e. At the request of the Superintendent of schools, the Board of Trustees may suspend a student for a period up to five (5) additional school days.

Step 3. Expulsion:

Expulsion means a denial of attendance to school or any other activity conducted by or on behalf of the school district for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real or personal property that is owned, leased, rented or controlled by the school district. All expulsions are subject to the conditions and limitations as set forth in Policy 3740 and Procedure 3740P.

Note: A student may be removed immediately from a class, subject or activity by a certified teacher, an administrator, or persons designated by the administrator, and sent to the building principal or designated school authority. The teacher or administrator must have good and sufficient reason to believe that the student's presence poses an immediate and continuing threat or substantial disruption of the educational process. This removal can continue until the threat or disruption has been addressed; or the principal imposes disciplinary action, suspension, or recommends expulsion.

Code of Conduct and Corrective Action for Activities

Activity directors and/or coaches may choose to develop a discipline code for their activity which may dictate more severe consequences than the corrective action procedures listed in this document. These special activity discipline codes, which must be approved by building administrators, will be enforced as long as the student is engaged in that particular activity.

Guidelines for Law Enforcement Interviews/Interrogations

A law enforcement official wishing to interview or interrogate a student shall, when practicable:

1. notify the building administrator or designee
2. record the interview/interrogation
3. communicate with parents at the earliest appropriate time, as long as it does not obstruct the investigation.

Search and Seizure

Student lockers are school district property, and as such, are subject to periodic inspections without permission and without notice, by school officials and/or school officials accompanied by police officers.

1. Searches may be conducted of a student's person, his/her backpack, or automobile by a school official if the school official has a reason to believe that the search is needed to

maintain an appropriate environment for learning, and that this need outweighs the student's expectation for privacy.

2. When the search of a student, his/her backpack, or automobile is made by a police officer, or a school official in the presence of a police officer for law enforcement purposes, the police officer must have probable cause to believe that they will find contraband or evidence of an illegal act.
3. Any search of a student's person and/or backpack as a result of the activation of a metal detector will be conducted in accordance with this policy.
4. Attempts should be made to conduct all searches in private.
5. At the beginning of each school year, building administrators should inform students that this policy applies while they are on school property and/or at a school function away from school property.

Offenses Violating Idaho Code

Appropriate law enforcement agencies will be notified. Parents/guardians will be notified.

Personal and Property Rights Violations Requiring Disciplinary Action

1. Altercation or Harassment: A serious argument or verbal harassment which, in the judgment of the staff member, may lead to physical violence or be physically, mentally, or emotionally abusive or degrading.
2. Incitement to Disorder: The incitement by an individual or group to commit or engage in any behavior precisely limited by Idaho Code.
3. Verbal Abuse of School Personnel: Unprovoked, overt, verbal or nonverbal communications of disrespect or contempt directed toward staff members.
4. Willful Disobedience: Overt and conscious disregard for a legal request or order given by a recognized school or civil official or their deputy.
5. Robbery: The act of taking the personal property of another, from his person or in his presence, against his will or under constraint of fear or force.
6. Petty Theft: Theft of items valued at less than \$1,000.00
7. Theft: To unlawfully take away another person's property without his consent, secretly and without the use of threat or violence.
8. Entering Another's Locker, Desk, or Personal Belongings Without Permission: The act of entering another student's locker, desk, or other personal belongings without permission.
9. Possession of a Stolen or Lost Article: The possession (on the person, or in the locker), of any article reported lost or stolen.
10. Vandalism: Willful damage to personal or public property.

11. Breaking, Entering, and/or Damaging School Facilities or Property: Forcibly entering a school facility, entering a school facility without the permission of school authorities, and/or damaging a school facility or school property. If the offense is committed by a high school senior during his/her senior year, the student will forfeit the opportunity to attend his/her graduation ceremony.
12. Truancy: Any student attending school in the Twin Falls School District 411 is deemed truant from school or class if the student is absent from school without the consent of the student's parent/guardian or school officials, or is absent from school with the consent of the parent for an invalid reason. Valid reasons for being absent from school include illness, purposes considered essential to the family operation (e.g., death, divorce), and other reasons deemed significant by the family and school officials. Truancy includes absence from school or from class after arrival at school and departure from school during the school day without permission of school officials. Class work, homework, and exams missed while truant will not be allowed to be made up for credit. Truancy is a major disciplinary violation, and as such will result in parent(s)/guardian(s) being notified.
13. Improper Parking of Student Vehicles: All students that park vehicles in areas other than the designated parking area.
Corrective Action Sequence: The vehicle will be impounded at the student's expense.
14. Negligent Driving: The operation of a motor vehicle in a manner which could endanger life or property. Corrective Action Sequence: Step 1 or 2 and/or referred to police and/or restricted from parking or operating a vehicle on or around school property. Note: Driving speed shall be reasonable and prudent on all school grounds and parking lots.

The following violations, 15-17, require beginning corrective actions at 3340P pg. 1 of 8, Step 2:

15. Harassment/Bullying: Harassment/Bullying is any student's repeated, willful, and malicious behavior that threatens, harms, "bullies," or otherwise harasses another student, thereby disturbing that student's ability to peaceably attend school or any school-related function. Harassment/Bullying includes, but is not limited to, threatening to fight or fighting, use of vulgar or offensive, profane, or indecent language, racial slurs, comments referring to a student's mental/physical disability, sexual or religious orientation, dress, grades, and any other conduct that can be construed as offensive by the victim or the school.
16. Assault: An intentional threat or attempt, with force, to do physical harm to someone, including extortion.
17. Hazing: Any action or situation created that causes or is reasonably likely to cause harassment, bodily danger, or physical harm, severe mental or emotional harm, extreme embarrassment or ridicule, or personal degradation or loss of dignity to any student or other person associated with a school. NOTE: In order for "hazing" to be "harassment," the actions must be directed at an individual or group on the basis of race, national origin, religion, color, disability, age, grade level, or gender, or be unwelcome behavior of a sexual nature.
18. Sexual Harassment: Sexual Harassment is defined as unwelcome sexual advances, requests for

sexual favors, other verbal or physical conduct of a sexual nature, and/or discrimination based on gender differences.

Corrective action: Follow District Sexual Harassment Policy 3290

19. Fighting: The exchange of blows or other violent physical contact between or among two or more students.

Corrective action: Begins at 3340P Pg. 2 of 8 Step 2 for grades 9-12

20. Battery: A battery is any: (a) willful and unlawful use of force or violence upon the person of another; or (b) actual, intentional and unlawful touching or striking of another person against the will of the other; or (c) unlawfully and intentionally causing bodily harm to an individual.

Corrective action: Begins at 3340P Pg. 2 of 8 Step 2 and may include step 3 depending on the severity of the offense.

21. False Reports of Explosives, Bomb Threat, Alarms or 911 Emergency Call: Any student who reports to any police officer, sheriff, employee of a fire department or fire service, prosecuting attorney, newspaper, radio station, television station, employee of a bus service, employee of a school district, that a bomb or other explosive has been placed or secreted in a school building, school bus or on school property knowing that such report is false.

Corrective Action:

Kindergarten through grade 2 Start at step 1
Police must be notified

Grade 3 through grade 5 Start at step 2
Police must be notified. Student held financially liable.

Grade 6 through grade 12 Step 2 or 3 if cooperative
Step 3 if uncooperative
Police must be notified. Student held financially liable.

22. Substance Abuse Policy and Procedures:

Refer to Procedure 3321: Student Drug, Alcohol, and Tobacco Use, District Policy manual.

23. Fireworks, Weapons, and Dangerous Instruments: Possession, handling, or transporting a firearm, dirk knife, Bowie knife, dagger, metal knuckles, or any deadly and dangerous weapon as defined in Section 921 of Title 18 of the United States Code, or Twin Falls City Code 6.2.1, including any knife other than a small pen knife, any explosive, including firecrackers, or look-alike or replica weapons, regardless of composition, air gun, flipper or other contrivance which propels a missile or missiles by use of compressed air, springs or any elastic substance; or any other dangerous object, on or about their person while on the property of the school district, while engaged in a school activity on other property, and/or while riding school-provided transportation. Such term does not include a pocket knife with a blade of less than 2½ inches in length.

Corrective action: Step 2 Suspension and (any offense) Step 3 Expulsion for a minimum of one year or as determined by the Board of Trustees on a case-by-case basis.

25. Use of Weapon or Dangerous Implement: Causing or attempting to cause physical injury with a weapon or dangerous implement as defined in the aforementioned paragraph, or behaving in a way that could cause physical injury to any person.

Corrective action: Step 2 Suspension and (any offense) Step 3 Expulsion for a minimum of one year or as determined by the Board of Trustees on a case-by-case basis.

26. Zero Tolerance Policy: A policy relating to discipline of students carrying concealed firearms on school property:

Idaho Code 18-3302D: Carrying weapons or firearms on school property. It shall be unlawful and is a misdemeanor for any person under the age of twenty-one (21) to carry a firearm, dirk knife, Bowie knife, dagger, metal knuckles or other deadly or dangerous weapon on or about his person while on the property of a public or private elementary or secondary school or in those portions of any building, stadium or other structure on school grounds which were, at the time of the violation, being used for an activity sponsored by or through such a school in this state or while riding school provided transportation.

The Board of Trustees of a school district shall expel any person violating the provisions of this section (18-3302D) if the violator is a student. The school shall immediately suspend the student pursuant to the provisions of section 33-205, Idaho Code. The board shall expel from school for a period of not less than one (1) year, twelve (12) calendar months, a student who has been found to have carried a weapon or firearm on school property, except that the Board may modify the expulsion order on a case-by-case basis.

Corrective action: Step 2 Suspension and (any offense) Step 3 Expulsion for a minimum of one year or as determined by the Board of Trustees on a case-by-case basis.

27. Disruptive Acts: The intentional use of or urging of others to use violence, force, coercion, threat, intimidation, fear, or any other conduct to cause the substantial and material disruption or obstruction of any lawful mission, process or function of the school.

Corrective action: Starts at Steps 2 and 3

28. Falsification of School Documents: Alteration of school documents (passes, report cards, permanent records, etc.)

29. Prohibition of Gangs and Hate Groups: Gangs, hate groups, and similar organizations or groups which advocate hatred or discrimination on the basis of race, color, religion, gender, ancestry, national origin, or disability are inconsistent with the fundamental values of the educational environment of the Twin Falls School District 411. The activities of such groups and their members are prohibited on school district property and at all school functions.

Such prohibited activities include, but are not limited to: the congregation of members, the solicitation or recruitment of members, the possessions of group paraphernalia and materials, the intimidation of others, the advocacy of discrimination, and any other behavior, such as the wearing of gang colors or insignia and the use of language, codes, gestures that provoke violence or seek to advocate the purpose and objective of such groups. Disciplinary action may include suspension or expulsion.

30. Breach of Confidentiality of Records: Disclosure of personally identifiable information about a student is permitted only to school officials who have been determined by the district to have legitimate educational interests. Directory information may be disclosed to people who do not have a legitimate educational interest unless the parent or eligible student has objected to disclosure of this information. Directory information includes name, address, telephone number, date and place of birth, major field of study, participation in official activities, dates of attendance, degrees, awards, previous schools, and similar information.

Complaints and Grievances

Problems are best resolved at the building level. Parents and students have the right to an informal conference with the building principal or designee for the purpose of resolving the problem. If the complaints/grievances are not resolved, parents and students have the right to present their concerns orally or in writing to the Director of Elementary or Secondary Programs. If the concerns are still not resolved, the parents and students have the right to present their issues to the Superintendent and then to the School Board.



Cross References: 3290 Sexual Harassment
3321P Student Drug, Alcohol, and Tobacco Use
3740 Student Expulsion – Denial of Enrollment
3740P Student Expulsion – Denial of Enrollment

Legal References: US Code 18 Section 921
Twin Falls City Code 6.2.1
Idaho Code § 33-205
Idaho Code § 18-3302D Carrying Weapons or Firearms on School Property

Procedure History:

ADOPTED:

TFSD

REVISED: 9/12/95 3/9/09
7/9/96 6/10/13
6/10/97 8/11/14
10/14/97 3/14/16
11/25/97 4/13/20
5/11/99 12/13/21
6/13/00
6/12/01
12/9/02
5/12/03
7/14/03
7/19/04
12/13/04
11/28/08

It is the priority of the Board of Trustees of this District to promote a safe learning environment for all students and staff. The Board recognizes that there may be emergency situations where it becomes necessary for a staff member to physically restrain or place a student in seclusion when the student's behavior poses an imminent risk of serious physical harm to self or others. The purpose of this policy is to ensure that all students and staff are safe in school, and that any student who may have a behavior crisis is free from the inappropriate use of physical restraint or seclusion.

The Board supports school-wide programs and services that promote positive student behavior to improve overall school safety and create an environment that is conducive to learning, while also minimizing the need for the use of physical restraint and seclusion and ensuring that they are only used as a last resort in an emergency situation.

DEFINITIONS

Aversive techniques are techniques using physical, emotional, or mental distress as a method of redirecting or controlling behavior.

Crisis intervention means the implementation of a predetermined strategy to mitigate immediate harm to students or staff in a behavioral crisis.

De-escalate means utilizing strategically employed verbal or non-verbal interventions to reduce the intensity of threatening behavior before a crisis situation occurs.

Emergency means a situation in which a student's conduct creates a reasonable belief that the student's conduct has placed the student or any other person in imminent danger of serious physical harm. An emergency requires immediate intervention.

Functional behavioral assessment (FBA) means the process of gathering and evaluating information that can be used to hypothesize about the function of student behavior and developing a behavior intervention plan (BIP).

Imminent means likely to happen right away or within a matter of minutes.

Positive behavioral interventions and supports means application of a broad range of systematic and individualized strategies for achieving important social and learning outcomes, while preventing problem behaviors by making them irrelevant, inefficient, and ineffective.

Restraint means a physical, mechanical, or chemical restraint used for the purpose of immobilizing or reducing an individual's freedom of movement for the purpose of preventing harm to students and others.

Physical restraint means immobilizing or reducing the ability of a student to move his or her torso, arms, legs, or head freely.

Physical restraint does not include:

1. Physical instructional prompts provided during the course of instruction, for the purpose of directing or assisting a student in completing a task or activity;
2. Briefly holding a student in order to calm or comfort the student;
3. Holding a student's hand or arm to escort the student safely from one area to another when the student is complying with the request to move;
4. Intervening in a physical fight;
5. Physically removing a weapon or dangerous object from a student's possession; and
6. Using protective or stabilizing devices, including adaptive equipment.

Mechanical restraint means using a device, object, or equipment to restrict a student's freedom of movement; not including the use of devices prescribed by a qualified health professional, vehicle restraints, or devices used by law enforcement officers.

Chemical restraint Chemical restraint is the intentional use of medication, including pills, tablets, needles and liquids, primarily to control or subdue a student's behavior.

Seclusion means involuntary confinement in a room or other space during which a student is prevented from leaving, or reasonably believes that he will be prevented from leaving, by means that include, but are not limited to, the following: (1) manually, mechanically, or electrically locked doors that, when closed, cannot be opened from the inside; (2) blocking or other physical interference by staff; or (3) 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. The term does not include a timeout used for the purpose of calming the student as part of an approved program.

APPROPRIATE USE OF PHYSICAL RESTRAINT OR SECLUSION

Each school will establish practices that have the goal of making the school climate and environment welcoming and supportive of learning, and promote the recognition and reinforcement of appropriate student behavior. It is expected that school staff will implement positive behavioral interventions and supports, functional behavioral assessments and related behavior plans, and utilize constructive methods to de-escalate potentially dangerous situations.

In the case of a student whose behavior impedes the learning of that student or others, consideration of the use of positive behavioral interventions and supports and other strategies to address that behavior will occur. The use of positive behavioral interventions is required for students on an IEP.

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

Restraint or seclusion should only be implemented in situations where a student's behavior poses an imminent danger of serious physical harm to self or others, and not as a routine strategy to address instructional problems or inappropriate behavior.

The following guidelines apply to the use of physical restraint or seclusion:

1. Staff members will take reasonable efforts to prevent the need for the use of physical restraint or seclusion by implementing positive behavioral interventions and supports.
2. Staff members may only use physical restraint or seclusion in situations where the student's behavior poses an imminent danger of serious physical harm to themselves or others, and other interventions are ineffective.
3. Staff members will utilize the least restrictive technique necessary to end the threat of imminent danger of serious physical harm.
4. Staff members will carefully and continuously visually monitor the student when physical restraint or seclusion is used to ensure the appropriateness of its use and the safety of the student and others.
5. Staff members will immediately terminate the use of physical restraint or seclusion as soon as it is determined the student is no longer in imminent danger of serious physical harm to self or others, or if the student is observed to be in severe distress.
6. Staff members will document in writing each incident requiring physical restraint or seclusion.
7. Selected staff members will be trained on the appropriate use of effective alternatives to physical restraint and seclusion, and when appropriate, the safe use of physical restraint and seclusion. Only trained personnel will employ these interventions whenever possible.
8. Staff members will review and revise behavioral strategies as appropriate to address the underlying cause of the dangerous behavior, and to prevent the repeated use of physical restraint or seclusion for managing the dangerous behavior.
9. Parents will be notified verbally regarding physical restraint or seclusion as soon as possible and no later than 24 hours following the restraint or seclusion. (See section entitled "Notice to Parent/Guardian.")

PROHIBITED PRACTICES

The following are prohibited under all circumstances, including emergency situations:

Staff members are prohibited from using mechanical restraints (e.g., handcuffs or plastic straps) to restrict a student's freedom of movement. This policy does not prohibit law enforcement from using physical or mechanical restraints in exercising their law enforcement duties.

Staff members are prohibited from using chemical restraints (i.e., drugs or medication) to control behavior or restrict freedom of movement. An exception is warranted as decided by a consultation between the IEP committee and a qualified health professional. In that case, drugs or medications must be (1) prescribed by a qualified health professional, and (2) administered as prescribed by the qualified health professional.

Staff members are prohibited from using aversive techniques (e.g., shaming or "wall sits") to

control behavior or restrict freedom of movement.

Staff members are prohibited from using physical restraint or seclusion techniques that restrict a student's breathing or harm the student, and will be limited to using reasonable force when utilizing physical restraint or seclusion with a student. Specifically, the use of prone (i.e., lying face down) physical restraints should be avoided.

Staff members are prohibited from employing physical restraint or seclusion procedures when a known psychiatric, medical or physical condition of the student would make physical restraint or seclusion dangerous for that student. For example, seclusion is inappropriate for students who are severely self-injurious or suicidal.

Staff members are prohibited from using any technique that is inconsistent with the student's rights to be treated with dignity and to be free from abuse. The use of any technique that is abusive will be reported to the appropriate authorities.

Staff members are prohibited from using physical restraint or seclusion (1) as a form of punishment or discipline; (2) as a means of coercion, retaliation, or as a convenience; (3) as a planned behavioral intervention in response to behavior that does not pose imminent danger of serious physical harm to self or others; or (4) in a manner that endangers the student.

NOTICE TO ADMINISTRATOR

Staff members must notify the building administrator immediately when a student is physically restrained or placed in seclusion. The building administrator shall notify the Superintendent or designee as soon as possible and will provide the designee with a copy of the report of the events within 24 hours.

OBSERVATION OF STUDENT

Seclusion will not be used unless a staff member can continuously monitor the student for visual or auditory signs of physiological distress and can communicate with the student. A staff member will maintain continuous, direct visual and auditory contact with the student throughout the duration of any physical restraint or seclusion to ensure the appropriateness of its use and the safety of the student and others.

Students will be permitted to use the restroom upon request and will be escorted to and from the restroom. Students will also be provided water on request.

Monitoring will be conducted by a staff member who has received the required training to ensure the safety of the student and that procedures are appropriately implemented and documented.

SECLUSION AREA

Each school building must designate a clean and safe seclusion area intended for confining a student without causing or allowing the student to harm themselves or others. The seclusion area will be of reasonable size; adequately lighted, ventilated, and heated/cooled; free from any objects or potential hazards that unreasonably expose the student or others to harm; permit direct, continuous visual and auditory monitoring of the student; must not be locked or prevent the student

from exiting the area should an emergency arise; and comply with state and federal fire safety requirements.

A staff member will be required to visually inspect the seclusion area before and after each use to determine whether the area is clean and safe, and address any concerns by cleaning the area and/or reporting the concerns to maintenance staff.

TIME AND DURATION

Physical restraint and seclusion should not be used any longer than necessary to allow a student to regain control of their behavior.

If an emergency seclusion lasts longer than the suggested maximum time, the following are required: additional support (e.g., change of staff, introducing a specialist, or obtaining additional expertise) and documentation to explain the extension beyond the time limit.

REINTEGRATION INTO THE CLASSROOM

Staff members may make an independent judgment about when the student is ready to rejoin classmates or other activities. Reintegration may occur quickly, or may be very gradual, but will depend on the circumstances and the emotional state and readiness of the student to return to the normal situation.

INCIDENT REPORTING

Immediately after the student has restored emotional and behavioral control following the use of physical restraint or seclusion, a staff member not involved with the incident will visually examine the student to ascertain if any injury has been sustained during the physical restraint or seclusion.

The building administrator will verbally notify the parent/guardian as soon as possible and no later than 24 hours after the physical restraint or seclusion occurs.

The staff member(s) involved with the incident shall complete a written report as soon as possible after the incident. All use of physical restraint or seclusion procedures must be documented on TFSD Restraint and Seclusion Incident Report. The report will be completed within one school day of the incident.

The building administrator will place a copy of the report in the student's education file and enter the incident into the student management system, which will be made available to the student's parent/guardian.

Each staff member involved in an incident will engage in a debriefing session to determine what could have been done to prevent the need for use of physical restraint or seclusion for this student specifically and for other students in similar situations.

INCIDENT REPORT REQUIREMENTS

The following should be included in the incident report created after each instance of physical restraint or the use of seclusion:

1. Information about the student (i.e., name, grade, etc.).
2. If the student has a disability (IDEA or Section 504), and the type of disability.
3. The date and the start and end times of the restraint or seclusion.
4. The location of the incident.
5. A description of the incident.
6. A description of the dangerous behavior that resulted in the implementation of physical restraint or seclusion.
7. If applicable, a note that physical restraint or seclusion were not employed due to a psychiatric, medical, or physical condition of the student that would make physical restraint or seclusion dangerous for that student.
8. Possible events that triggered the dangerous behavior that led to the restraint or seclusion.
9. Prevention, redirection, or pre-correction strategies that were used during the incident.
10. A description of the restraint or seclusion strategies that were used during the incident and a log of the student's behavior during physical restraint or seclusion.
11. A description of any injuries or physical damage that occurred during the incident.
12. How the student was monitored during and after the incident.
13. A description of behaviors displayed demonstrating the student's ability to return to the educational environment.
14. The staff member(s) who participated in the implementation, monitoring, and supervision of physical restraint or seclusion and whether the person(s) had training related to restraint or seclusion.
15. The extent to which the staff member(s) adhered to the procedural implementation guidelines.
16. The follow-up that will occur to review or develop the student's positive behavioral interventions and supports in order to avoid the use of restraint or seclusion in the future.
17. The date and time the parent/guardian was notified.

NOTICE TO PARENT/GUARDIAN

The building administrator will verbally notify the parent/guardian of a student requiring physical restraint or seclusion as soon as possible and no later than 24 hours following the incident. Verbal notice will include a brief summary of the incident and contact information for the staff member who will provide additional information. The delivery of the verbal notice will be documented by the building administrator.

Verbal notice will be provided via telephone. In the event a building administrator is unable to speak directly to the parent via telephone, a message will be left on the individual's voicemail, if available. If unable to reach the parent via telephone or leave a message on voicemail, the building administrator will send an e-mail to the parent, if the e-mail address is known.

The building administrator will place a copy of the incident report in the student's education file, which will be made available to the student's parent/guardian.

Parents/guardians will receive written, annual notice about the District's policies and procedures for restraint and seclusion. These policies will be available with other school Board policies to all parents electronically via our website or as a hard copy on request.

CRISIS INTERVENTION TRAINING

Any teachers and other personnel who are likely to make a decision as to whether to restrain or confine a student will complete crisis intervention training on the appropriate use of effective alternatives to physical restraint and seclusion, and in cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion. A list of trained personnel and their contact information shall be posted in the office and made available to teachers. Training in crisis intervention may include, but is not limited to:

1. Evidence-based skills training related to positive behavioral interventions and supports, safe physical escort, crisis prevention, understanding antecedents, de-escalation strategies, and conflict management;
2. Evidence-based techniques shown to be effective in the prevention of physical restraint and seclusion, including techniques to identify events and environmental factors that may trigger emergency safety situations;
3. Evidence-based techniques shown to be effective in keeping both school personnel and students safe when imposing physical restraint or seclusion;
4. Techniques to identify dangerous behaviors, as well as methods for evaluating the risk of harm to determine whether the use of physical restraint or seclusion is warranted;
5. The risk of using physical restraint or seclusion in consideration of a student's known and unknown psychiatric, medical, and physical limitations;
6. First aid and cardiopulmonary resuscitation (CPR); and
7. The requirements of this policy and the procedures to be followed in cases of physical restraint and seclusion.

Employees not trained in restraint and seclusion use shall be trained on how to respond when they believe use of restraint or seclusion is necessary. Restraint and seclusion techniques will only be utilized by a person who has been trained in crisis intervention. Other school personnel may employ physical restraint and seclusion procedures only in rare and clearly unavoidable emergency

circumstances when fully trained school personnel are not immediately available. Untrained staff should request assistance from trained staff as soon as possible.

MONITORING AND REPORTING

The Superintendent or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy in the District. The Superintendent or designee will comply with all state and federal requirements for reporting incidents of physical restraint or seclusion.

The building administrator will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy within the school.

ANNUAL POLICY REVIEW

The District will annually review this policy and related procedures to determine the efficacy of the policy and procedures; whether modification of the policy or procedures is necessary; and whether selected school staff should receive additional training on positive behavior intervention and supports, or the proper use of restraint and seclusion. The review must include a review of the documentation and reporting of incidents involving physical restraint and seclusion.



Legal References: I.C. § 33-512 Governance of Schools
I.C. § 33-1612 Thorough System of Education
IDAPA Proposed Rule 08.02.03.160-161 (Aug. 11-12, 2010)
U.S. Dept. of Ed., *Restraint and Seclusion: Resource Document* (2012),
<http://www.ed.gov/policy/restraintseclusion>.
34 C.F.R. §300.324(a)(2)

Policy History

ADOPTED: 01/10/11

EMT

REVISED: 07/08/13

10/12/15

7/12/21

8/08/22

In May 2012, the Office of Special Education Programs (OSEP) of the U.S. Department of Education released *Restraint and Seclusion: Resource Document*. The document identifies 15 principles for states, local school Districts, parents/guardians, and other stakeholders to consider when developing and implementing policies and procedures related to physical restraint and seclusion. Idaho does not currently have any state statutes, regulations, or policies addressing this issue. Although the Idaho State Board of Education released a set of proposed rules in 2010 regarding the use of physical restraint and seclusion, the proposed rules were never promulgated. This policy was drafted to meet the requirements of the proposed rules, dated August 11-12, 2010, and is based on the principles as set forth in the above-mentioned resource document.

Code of Conduct Violations by Students with Disabilities, Resulting In Disciplinary Consequences

The TFSD #411 follows the guidelines developed by the Idaho Department of Education in its *Idaho Special Education Manual*. As of the development of this amended policy, the most recent version of this manual is 2018. Please refer to Chapter 12, Discipline, of the manual. The manual can be found on the internet by going to the Special Education section of the State Department website or by accessing the following link:
http://www.sde.idaho.gov/site/special_edu/manual_page.htm.

Policy History**ADOPTED:** 8/11/14

ISBA

REVISED: 7/12/21

Definition

A student sexual offender is defined as a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

Notification to School District

The Superintendent of Public Instruction is required by state law to notify a school district or private school regarding the enrollment of a registered juvenile sexual offender. The Superintendent of Public Instruction is also required to notify the district or school of the offender's probationary status or treatment status, if known. The Superintendent of the district or his designee shall make contact with the State Department of Education in order to receive regular updates of this information.

Educational Placement

The Superintendent of the district or his designee shall determine the appropriate educational placement for student sexual offenders except those identified as having a disability. When determining educational placement, the Superintendent or his/her designee shall consider such factors as the safety and health of the student population. The Superintendent or designee shall develop guidelines for managing each student sexual offender in District schools. If the Superintendent or designee determines that, in the best interest of District schools, the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Convicted juvenile sexual offenders shall not attend a school attended by their victims or a victim's sibling(s). The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a District school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Staff

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community. However, each circumstance involving a student probationary juvenile offender attending a District school shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and state laws and rules permit the release of

information concerning a student registered sexual offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.



Legal Reference:	I.C. §18-8402	Juvenile Sex Offender Registration Notification and Community Right-to-Know Act – Findings
	I.C. §18-8403	Juvenile Sex Offender Registration Notification and Community Right-to-Know Act – Definitions
	I.C. §18-8.408	Juvenile Sex Offender Registration Notification and Community Right-to-Know Act – Providing List To Superintendent Of Public Instruction
	I.C. §18-8412	Juvenile Sex Offender Registration Notification and Community Right-to-Know Act – Exemption from Civil Liability
	I.C. §18-413	Juvenile Sex Offender Registration Notification and Community Right-to-Know Act – Penalties for Vigilantism or other misuse of information
	I.C. §33-205	Denial of School Attendance

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

To maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by the student, without notice or consent of the student. This applies to student vehicles parked on school property. Building principals may require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle and personal effects therein, when reasonable suspicion of wrongdoing exists.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons or other illegal or dangerous substances or material, including searches conducted through the use of specially trained dogs.

Students

School authorities may search the student and/or the student's personal effects in the student's possession when there is reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Whenever practical, searches of a student shall be conducted by a staff member of that student's gender. Any time a search of a student must be conducted, a second adult shall be present. Whenever practical, this second adult shall also be of the student's gender. In no case shall a search of a student be conducted without at least one adult of the student's gender present.

Seizure of Property

If a search produces evidence that the student has violated or is violating the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.



Cross Reference: 3370P Searches and Seizure

Policy History:

ADOPTED: 8/11/14

ISBA

REVISED: 4/11/22

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The Superintendent, principal, and the authorized assistants of either shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
2. If the authorized administrator has reasonable suspicion to believe that any locker, car or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
3. The authorized administrator may perform random searches of any locker, car or container of any kind on school premises without notice or consent.
4. If the authorized administrator has any reasonable suspicion to believe that any student has any item or substance in his/her possession, which constitutes an imminent danger to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
5. No student shall hinder, obstruct or prevent any search authorized by this procedure.
6. When feasible and when a student is under 18 years of age, the building principal shall attempt to contact a student's parent/guardian prior to conducting a search of their person. When it is not feasible to contact the parent prior to a search of a student's person, the building principal shall attempt to contact the parent/guardian as soon as possible following the search.
7. Any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness as described in Policy 3370. A written record of the time, date, and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.
8. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.
9. In any situation where the administrator is in doubt as to the propriety of proceeding with any search or seizure, the administrator is authorized to report the situation to the appropriate law enforcement agent. The administrator is not to become the agent of any public law enforcement agent.



Cross Reference: 3370 Searches and Seizure

Procedure History

ADOPTED: 8/11/14

ISBA

REVISED: 4/11/22

8/08/22

Extracurricular or co-curricular activities are supplements to the regular instructional programs and afford students opportunities for enrichment. **However, participation in extracurricular and co-curricular activities is a privilege, not a right.** As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

Extracurricular, and co-curricular activities will be defined as: Activities sanctioned by the Idaho High School Activities Association (IHSAA) and their middle school counterparts. These activities include but are not limited to: Baseball, Basketball, Cross Country, Football, Golf, Soccer, Softball, Swimming, Tennis, Track & Field, Volleyball, Wrestling, Cheer, Dance, Music, Debate, Drama, and Speech.

Students of the Twin Falls School District, who wish to participate in interscholastic extracurricular activities, must adhere to the Idaho High School Activities Association (IHSAA) rules and regulations; this District's activities association; local city ordinances and the laws of the State of Idaho; and this District's policies.

Interscholastic extracurricular activities and competitions are recognized as a valid part of the total school program. Expenditure of School District funds in accordance with the District's expenditure and budgetary regulations is authorized for the support of these activities. The District will maintain membership in the IHSAA for the appropriate grade levels.

All student participants in a sponsored extracurricular activity must purchase a school activity card.

Students must have parental permission to participate in extracurricular and cocurricular activities identified in this policy.

GENERAL REGULATIONS:

Participation Policies

Sportsmanship

All schools and participants in extracurricular/co-curricular activities will comply with Twin Falls School District policies and with the Idaho High School Activities Association (IHSAA) sportsmanship guidelines manual. Sportsmanship, as defined by the IHSAA, is those qualities of behavior which are characterized by generosity and genuine concern for others. Further, awareness is expected of the impact of an individual's influence on others' behavior as well. Coaches, administration, athletes, and spectators should exhibit sportsmanship.

Use of Equipment and Facilities

The use of equipment and facilities are to be cleared with the building principal or their designee.

Participation Standards

Extracurricular/co-curricular activities will be open to all students (subject to tryouts, when applicable) and administered according to the following standards:

The building principals or their designees of each school shall certify the eligibility of all participants in accordance with the participation requirements stated herein. This includes home-schooled and dual-enrolled students.

Academic Eligibility

To be academically eligible for extracurricular activities a student must:

- be designated a full-time student, including those eligible under TFSD Policy 3031;
- be on track to graduate based on the graduation requirements of the program in which they are enrolled; and
- have received passing grades and earned credits in the required number of courses in the previous semester.

Required number of passed courses in the previous semester:

- Students who were enrolled in 8 Credited Classes-Pass 6
- Students who were enrolled in 7 Credited Classes-Pass 5
- Students who were enrolled in 6 Credited Classes-Pass 5
- Students who were enrolled in 5 Credited Classes-Pass 4
- Students who were enrolled in 4 Credited Classes-Pass 4

Students are allowed to practice without meeting the "Academic Eligibility Requirements" but will not travel or participate in competition until becoming academically eligible.

Ongoing Academic Eligibility:

All coaches will be provided a weekly grade check from the Activities Director/Administration office on Monday or, in the case that Monday is a holiday, on the following school day.

Any extracurricular participant with an "F" in any class on the weekly grade check will receive a failing grade notice during school each Monday from the Activities Director/administration office encouraging the student to attend after-school tutoring. If the student has not received a failing grade notice in the previous week they will be placed on academic probation for one week. During the probation week, the student will be allowed to practice and participate in their activity.

If an extracurricular participant has an "F" in any class in two or more consecutive weekly grade checks, they are ineligible for that week. The student may practice but may not travel or participate in any events. The student will remain ineligible until all grades are passing.

In the event of circumstances beyond the student's and/or teacher's control (such as a student or teacher being absent) resulting in the student not having the opportunity to turn in work, do the make-up work, or take a test before the next competition – the student may get a waiver from the Principal, Athletic Director, or their designee. Extracurricular participants are responsible for their academics. This applies to all extracurricular programs as defined in this policy.

Activities directors and administration may temporarily waive ongoing academic eligibility requirements and consequences for students with a cumulative grade point average of 3.5 or above. However, in cases of persistent and prolonged academic struggles, no matter a student's GPA, directors and administrators will hold the student to all of the expectations and consequences of the ongoing academic eligibility policy.

Other Participation Requirements

All participants and their parent/guardian must have completed and returned the Twin Falls Extracurricular Activities Pledge Sheet.

Notwithstanding any other District policy violation, any civil or criminal law infraction or conduct by a student participant that is determined by the team head coach and building athletic/activities director to be detrimental to the activity program, school or school District will result in counseling by the team head coach and the building athletic/activities director with possible suspension or expulsion from activities.

At the beginning of each semester, teachers or coaches of co-curricular courses will explain to students how participation in the co-curricular activity impacts their course grade. Co-curricular students who are suspended as a result of this policy will have their co-curricular course grade affected only if the reason for the suspension was related to coursework or course expectations. Students who miss a co-curricular activity because of a suspension may ask to do, or be required to do, alternative assignments or special projects to make up the missed activity.

The following travel policy applies to extracurricular/co-curricular activities:

1. School District approved transportation must be used.
2. Participants must travel together to and from contests away from their school in transportation provided by the school. The exceptions are:
 - a. Injury to a participant which would require alternate transportation.
 - b. Arrangements between the participant's parent/guardian and the coach for the student participant to be transported by his/her parent/guardian. See policy 3780.
 - c. Participants are *not* allowed to ride with friends or family members other than a parent or guardian.

Violations requiring administrative action as established in the "Students Rights and Responsibilities" will entail:

1. Where the violation and disciplinary action involves in-school or out-of-school suspension, the participant shall not participate in practice or contest during the time of suspension.
2. Where suspension from school has resulted, the participant may be subject to suspension or expulsion from the activities team for the remainder of the season.
3. Theft or malicious destruction of any school or individual equipment or property is not to be tolerated. Participants found to be responsible for the theft or malicious destruction of school property will be suspended from the team. A decision regarding further competition will be made by the building athletic/activities director, and the designated building administrator.

School Attendance Requirements:

1. A student must be in school at least one-half (½) day in order to participate in an activity that day. An exception would be made if the student has an approved medical appointment; in which case, the student must present to the attendance supervisor a signed statement from the doctor. This pertains to practice sessions and contests.
2. For athletic activities, a student who has been injured and has had medical treatment cannot participate again without a doctor's release.

Drugs - Alcoholic Beverages - Tobacco Products:

Use or possession of alcoholic beverages, tobacco (including the types described in Policy 3305) and/or illicit drugs by activities program participants is prohibited. The consequences will apply as outlined in Policy 3321.

In activities where the season is not dictated by the IHSA (i.e., speech, debate, music, and drama), the building principal, building athletic/activities director and team head coach will define the season.

The rules and regulations in this code shall apply to any violation on or off the school premises during the season of participation.

Additional team rules and regulations recommended by the team head coach must be approved in writing by the building principal and building athletic/activities director.



Cross Reference: 3031 Extracurricular Activities – Eligibility for Students Not Enrolled for Academic Activities
 3305 Prohibition of Tobacco Possession and Use
 3321 Student Drug Alcohol and Tobacco Use
 3780 Transportation to School Sponsored Events

Legal Reference: Idaho Code § 33-512(12)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 7/13/09

8/11/14

9/14/15

6/11/18

8/12/19

5/11/20

12/13/21

12/22/22

The District has a strong commitment to the health, safety, and welfare of its students. Results of studies throughout the United States indicate that education alone, as a preventive measure, is not effective in combating substance abuse. Additional supportive programs are necessary. The District hereby authorizes the use of random student drug testing to help prevent, detect, and treat substance abuse by students.

Purpose

The purpose of random student drug testing is to promote health and safety through the following objectives:

1. Prevention: to undermine the effects of peer pressure by providing an additional reason for students to refuse to use illegal substances,
2. Intervention: to encourage students who use illegal substances to participate in rehabilitative programs.

Random student drug testing is not intended to be disciplinary or punitive in nature. No student shall be penalized academically, suspended or expelled from school, or referred to law enforcement for any verified positive result obtained through random student drug testing.

If a student is reasonably suspected of using illegal substances or alcohol during school hours or at school sponsored activities, the District's policy on student drug, alcohol and tobacco use will be followed (TFSD Policy No. 3321).

Scope

This policy requires that all District students in grades six (6) through twelve (12) who are selected for a sport, dance, or cheer team which is sponsored by the Idaho High School Activities Association (IHSA), or an equivalent middle school team, be subject to random student drug testing. Those students will hereafter be referred to as "student athletes."

Student athletes need to be exemplary in the eyes of the community and other students.

Participation in sports, dance, or cheer is a privilege, not a right; therefore, the District has the right to require a high standard of conduct for all participants.

All student athletes may be randomly selected for drug testing during their sport season, defined as the first day of practice through the last day of competition. Testing frequency will be determined by the District. Tests will be administered during regular school hours on randomly chosen school days. Testing will be conducted at each District secondary school offering sports, dance, or cheer. Collected samples may be tested for illegal substances, nicotine, and alcohol. Samples will not be screened for the presence of any other substance, nor for the purpose of identifying the existence of any disability or physical condition.

Mandatory Written Consent

As a condition for participation on any sport, dance, or cheer team, the student athlete and student athlete's parent/legal guardian must consent in writing to random student drug testing. The student athlete shall be provided with the Twin Falls School District's Random Student Drug Testing Consent Form (3400F), which must be signed, dated, and returned prior to any participation. Failure to comply will result in non-participation. The consent form must be completed annually.

District Drug Testing Coordinator (DTC)

The District will employ a Drug Testing Coordinator (DTC) to supervise the testing program, set up the collection environment, guarantee specimens, and supervise the chain-of-custody. The DTC will complete training from the manufacturer(s) of the testing device(s) and the contracted certified laboratory. The contracted laboratory must follow standards set by the U.S. Department of Health and Human Services and must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA).

Random Selection Process

The principal/administrative designee at each District secondary school offering sports, dance, or cheer will maintain a numbered list of all current student athletes. On the day of testing, the principal/administrative designee will provide the District (DTC) with the total number of students on the list. The DTC will use a random number generator to select a District determined percentage of numbers from the list. A student athlete is selected for testing if his/her number on the list is randomly generated. Each testing day all of the numbers on the list will be eligible for selection; therefore, it is possible that a student athlete may be selected for testing several times during the season or not at all. An alternate number will be generated in the event that a selected student athlete is verified absent. A student athlete determined to be in violation of this policy will be ineligible for random selection until the completion of the consequence.

Testing

Testing will follow best practice standards and protocols for non-regulated drug testing. Careful chain-of-custody procedures, two-step specimen testing, and Medical Review Officer (MRO) will ensure that verified positive results are legally valid. The District will conduct random student drug testing by urinalysis using the following collection procedures and specimen analyzation.

Collection Procedures

1. The DTC will set up the collection site. The faucets will be taped off. Water sources will contain blue dye so the water cannot be used to dilute the sample. The restrooms will be secured for drug testing use only.
2. The DTC and the principal/administrative designee will complete the random selection process.

3. The principal/administrative designee will call for the selected student athletes. Not all the student athletes should be called simultaneously. The principal/administrative designee will call two (2) student athletes initially. When one student athlete completes testing, the next student athlete will be called to reduce loss of class time.
4. The student athlete should report promptly and directly to the principal/administrative designee. No access to lockers or restrooms will be allowed.
5. The principal/administrative designee will escort the student athlete to the DTC at the collection site. The DTC will begin the Custody and Control Form (CCF) provided by the laboratory. The CCF bears an assigned specimen identification number which will be used to identify the student athlete and his/her specimens. Only the DTC shall know the assigned number for each student athlete selected for testing.
6. The student athlete will set aside all coats and bags and clean their hands with hand sanitizer in the presence of the DTC prior to entering the restroom. The DTC will open the sealed foil pouch containing the test cup and instruct the student athlete on appropriate urine collection. The student athlete will be instructed to refrain from using the faucet(s) or flushing the toilet(s).
7. The student athlete will enter the secure restroom facility alone. The DTC will remain outside the restroom facility, maintaining its security during student use. The DTC may listen for sounds of normal urination and water usage within the facility.
8. The student athlete will exit the secure restroom facility and deliver the fresh urine specimen to the DTC. The student athlete will clean their hands with hand sanitizer.
9. The DTC will note the time of collection and will assess the validity of the urine specimen, according to the temperature and adulteration strips included in the test cup. The DTC will read the results of the immunoassay screen included in the test cup.

Collection problems will be handled as follows:

FAILED TEMPERATURE: If the temperature registers outside of the acceptable range, the specimen is invalid. The student athlete must produce another specimen using a new test cup.

ADULTERATION: If adulteration is suspected, the student athlete must produce another specimen using a new test cup.

FAILED CONTROL: If no line appears in the control area, the result is invalid. The DTC must repeat the test using a new test cup.

SHY BLADDER: If the student athlete is unable to produce a specimen or produces an insufficient quantity of a specimen, he/she will remain under supervision until an adequate urine specimen is produced. The student athlete may be given one (1) liter of fluid. If still unable to produce a specimen within two (2) hours, the student athlete may be subject to the consequences outlined in this policy as determined by the administration.

10. The DTC will open the sealed collection kit provided by the laboratory. The student athlete will watch the DTC pour the specimen from the test cup into the specimen bottles, place the caps on the specimen bottles, and affix the seals to the specimen bottles. The DTC will date the seals. The student athlete will initial the seals. The seals come from the CCF and contain a barcode with the student athlete's specimen identification number. This number shall be the means for identifying the specimens by all laboratory personnel. It will also be used by the laboratory and the medical review officer to report results.

11. The DTC will complete and sign the CCF. The student will also sign the CCF. The DTC will place the sealed specimen bottles in the leak-proof plastic bag provided by the laboratory. The DTC will give the student athlete his/her copy of the CCF as well as an informational page describing the analyzation of the urine sample.
12. The student athlete will leave the collection site and return to the principal/administrative designee, who will time and sign a pass to return the student athlete to class. The principal/administrative designee will send for the next student athlete.
13. The DTC will discard the test cup and any excess urine specimen. The DTC will flush the toilet, apply blue dye to any water source, and secure the restroom facility for the next student athlete.
14. Once all of the day's samples are collected, the DTC will use the results of the immunoassay screen included in each test cup to determine if the sample will be sent to the laboratory for further testing. All samples with a negative result will be disposed of at the school. All samples indicating a non-negative result will be sent to the laboratory following strict chain-of-custody procedures.
BROKEN SEAL: If the seal is broken prior to arriving at the laboratory, the specimen is invalid. The student athlete will remain eligible for participation and will be retested on the next testing day.

Specimen Analyzation

Urinalysis results will be determined by two-step testing and verification by a MRO. The initial test will be performed on-site using an immunoassay test incorporated in the testing device. The immunoassay test detects the presence or absence of a drug above a given cut off concentration level. Samples which produce negative results will be discarded. Samples which produce non-negative results will be sent to a laboratory to be analyzed by Gas Chromatography/Mass Spectrometry (GC/MS). A GC/MS test is used to confirm and quantify the presence of a drug. Samples which produce negative results at the laboratory will be discarded. Samples which are confirmed non-negative at the laboratory will be reviewed by the MRO. The MRO is a licensed physician responsible for reviewing laboratory results and evaluating medical explanations for such results. The student athlete's parent/legal guardian will be contacted by the MRO to determine if there is a legitimate medical explanation for a non-negative result, such as appropriate medication use. If the MRO confirms that there is a valid medical explanation for a non-negative result, the result will be reported as negative. If not, the result will be reported as a verified positive result.

Test Results

No results will be given at the time of testing. The results of negative tests will not be disclosed to protect the identity of all student athletes being tested. The DTC will receive reports from the laboratory and the MRO on specimens sent to the laboratory for further testing. When the MRO releases the report of a verified positive result to the DTC, the DTC will notify the principal/administrative designee of a student athlete's verified positive result. Information on a verified positive result will be shared on a strict need-to-know basis with designated District personnel. The results of drug tests pursuant to this policy will not be documented in any student

athlete's academic records. Thirty (30) days after the end of the school year, all records of negative results will be destroyed. Verified positive results will be retained in a secure location with limited access for up to four (4) years.

Verified Positive Results

The principal/administrative designee will meet with the student athlete and student athlete's parent/legal guardian to discuss the consequences of a verified positive result.

The student athlete or student athlete's parent/legal guardian may appeal the test results by requesting that the urine specimen be retested by the District's contracted laboratory or another District approved laboratory. The cost of the retest will be the responsibility of the student athlete or student athlete's parent/legal guardian. The student athlete will be ineligible for participation until the results of the appeal have been reported.

Consequences

Any student who refuses to be tested, deliberately avoids testing, impedes or tampers with the testing process, or has a verified positive result will be in violation of the TFSD Random Student Athlete Drug Testing Policy. Violations will be cumulative from sixth (6th) to eighth (8th) grade and from ninth (9th) to twelfth (12th) grade within the Twin Falls School District. Consequences for violation of the policy are as follows.

FIRST VIOLATION: The student athlete and student athlete's parent/legal guardian may choose one of the following two (2) options. Failure to select an option within seventy-two (72) hours shall be deemed selection of Option 2.

Option 1: This option contains three (3) parts.

Part A: SUSPENSION

The student athlete will be suspended from at least 20% of the season contests.

If 20% of the season is not remaining, the suspension will be applied to the next season.

The student athlete may practice but will not dress for contests or travel with the team.

Part B: INTERVENTION

The student athlete will participate in an appropriate intervention program as determined by the District Student Assistance Specialist.

Part C: FOLLOW-UP TEST

The student athlete must produce a negative follow-up drug test to regain eligibility.

The MRO will determine the appropriate time frame for the follow-up test.

Option 2: The student athlete will complete a forty (40) day suspension from the team. During this time the student athlete will not practice or compete with the team. The student athlete must produce a negative follow-up drug test to regain eligibility.

SECOND VIOLATION: The student athlete will complete a forty (40) day suspension from the team. During this time the student athlete will not practice or compete with the team. The student athlete must comply with all intervention recommendations made by the District Student

Assistance Specialist. The student athlete must produce a negative follow-up drug test to regain eligibility.

THIRD VIOLATION: The student athlete will no longer be eligible to participate in athletics. The student athlete will be encouraged to participate in any intervention recommendations made by the District Student Assistance Specialist.

Confidentiality

The District respects the privacy of its student athletes and shall maintain confidentiality regarding all random student drug testing. The results will only be released to designated District personnel. All records and subsequent actions shall be kept in a file separate from the student athlete's academic file. Any District personnel with the knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student athlete involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. The District personnel will not release the records of individual drug and alcohol tests or any resulting action to anyone other than the student athlete and/or student athlete's parent/legal guardian without written authorization from the student athlete and/or student athlete's parent/legal guardian.

Financial Responsibility

Initial random drug tests, initial follow-up drug tests, and all administrative fees necessary to implement this policy are the financial responsibility of the District.

A request on appeal for another test of a positive urine specimen is the financial responsibility of the student athlete or student athlete's parent/legal guardian.

Counseling and subsequent treatment by non-school agencies which may be recommended by the District Student Assistance Specialist are the financial responsibility of the student athlete or student athlete's parent/legal guardian.



Cross Reference: 3321 Student Drug, Alcohol and Tobacco Use

Legal Reference: Vernonia School District 47J v. Acton, 515 U.S. 646 (1995)
Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied, 119 S.Ct. 68 (1998)

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 6/11/18
8/12/19

3400F

TWIN FALLS SCHOOL DISTRICT
RANDOM STUDENT ATHLETE DRUG TESTING
CONSENT FORM

The Twin Falls School District uses random student drug testing to help prevent, detect, and treat substance abuse by students. I understand that consent to random student drug testing is a condition for participation in sports, dance, or cheer. I hereby agree to be subject to the terms of the District's Random Student Athlete Drug Testing policy (TFSD Policy No. 3400).

I accept the methods outlined in the policy for random selection, collection and analyzation of urine specimens, and report of results. Inherent to the random selection process, I may be tested several times during a season or not at all. If randomly selected, I agree to provide a urine specimen according to the collection procedures outlined in the policy. I understand that as part of the analyzation of non-negative results the parent/legal guardian may be contacted by a Medical Review Officer (MRO) to discuss the student athlete's medication use.

I authorize the release of information concerning the results of any random student drug test to the Twin Falls School District. This consent is given pursuant to all state and federal statutes and is a waiver of rights to nondisclosure of such test records and results only to the extent of the disclosures in the policy.

This consent form will be valid for the current academic year.

Student Athlete (Please Print)

Date: _____, 20____

Student Athlete Signature

Parent/Legal Guardian Signature

1. Student Organizations:
 - a. All student organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted.
 - b. Bylaws and rules of student organizations must not be contrary to board policy or to administrative rules and regulations.
 - c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.
2. Social Events
 - a. Social events must have prior approval of the administration.
 - b. Social events must be held in school facilities unless approved by the Board.
 - c. Social events must be chaperoned at all times.
 - d. Attendance at high school social events and dances shall be limited to high school students, and middle school social events shall be limited to middle school students, unless prior permission is received from the principal.



Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

The Board acknowledges that the solicitations of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose, including the collection of money by students in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may be permitted by the Superintendent providing that the instructional program is not adversely affected.



Policy History

ADOPTED: 8/11/14

REVISED:

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of the District to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered when recognized student or school-affiliated organizations of the District request permission to participate in such activity.



Cross Reference: 4310 Contact with students
 3250 Distribution and Posting of Materials

Policy History

ADOPTED: 8/11/14

REVISED:

Within the concept of free public education, the District shall provide an educational program for the students as free of costs as possible.

Students may take all credit-based courses free of charge. There may be optional charges as described below.

A student may be charged a reasonable fee for any non-credit course or non-curricular activity such as an extracurricular activity, student activity, or membership in a voluntary club or association. The Board or its designee may waive the fee in cases of financial hardship.

Additional fees may be charged for “enhanced programming and materials” which are voluntary enrichments to the curriculum beyond what is necessary to meet the learning expectations for a particular grade or course (i.e. students may wish to use a superior product or consumable than that provided by the school, in which case they may be asked to pay the additional cost or the upgrade).

The Board delegates authority to the Superintendent to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the Board regarding fee schedules. A student may be responsible for the cost of replacing materials or property lost or damaged due to negligence and for excessive use of course supplies. If school property in a student’s possession is lost, broken, or otherwise damaged, the student may be charged the lesser of the fair market value of the item at the time or the cost of repair.

The District may require, as a condition of graduation or issuance of a diploma or certificate that all lawful indebtedness incurred by a student be satisfied and/or that all books or other instructional materials, uniforms, athletic equipment, advances on loans, or other personal property of the District be returned.



Legal reference: I.C. § 33-603 Payment of fees or returning of property

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 1/8/18
5/9/22

1. No fees will be charged for textbooks or workbooks for class use required by the School District.
2. No fees will be charged in metals classes, shop or vocational agriculture for the use of acetylene, oxygen; and there will be no fee for classes in electricity.
3. Students will be required to furnish paper and pencils and other items which are obtained on an individual basis.
4. Resale items such as lumber, metal, arts or crafts items, all of which are voluntarily selected by students, will be handled on an individual school basis.
5. Reasonable fees representing cost for duplicating and issuance will be charged after issuance of the first transcript of credits.
6. Students who by choice go beyond the requirements of any course will be charged for additional materials.
7. Students will be charged for extraordinary wear and tear, damage or breakage, or loss of school books and materials. No deposit, however, will be applied generally nor in advance. Building principals will judge this point to the best of their ability. In arriving at an assessment of damages, they will consider the age of the books or other items and endeavor to be reasonable in the charges.
8. For reasons of personal health and hygiene each student will be required to furnish his own clothing and towels for physical education and athletic purposes.
9. For reasons of personal health and safety each student will normally furnish his own equipment in band and orchestra classes. In order to provide variety of instrumentation, limited numbers of instruments will be available for students' use under necessary regulations to assure health and safety.
10. While student locker service will be optional, locks and lockers will be supplied for a yearly maintenance fee. This is to replace locks that require continual upkeep.



Procedure History

ADOPTED: 8/11/14

TFSD

REVISED: 1/8/18

Students are permitted to park on school premises as a matter of privilege, not of right. Patrols and inspections may be conducted without notice, without student consent, and without a search warrant. Students are required to unlock vehicles for reasonable inspection when required to do so by an administrator. Failure to cooperate may result in the loss of permission to drive a vehicle onto campus, in-school suspension or short-term suspension from school. In cases involving drugs, alcohol or firearms, the local sheriff or police may be called.

Students will be permitted to park their vehicle in the school parking lot provided they have:

- a. Current vehicle insurance policy;
- b. Driver's license; and
- c. Vehicle registration.

Additional parking requirements include:

1. Automobiles are restricted to parking in spaces marked for parking. All automobiles inappropriately parked are subject to being towed without additional warning and at owner's expense.
2. The Twin Falls School District assumes no responsibility of automobiles left in the lot overnight.
3. The Twin Falls School District is not responsible for theft or damage to automobiles parked in the student parking lot.



Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

Twin Falls School District No. 411Model Student Vehicle Parking Application

_____ Student Name (please print)	_____ Age	_____ School
_____ Student Address	_____ City	_____ Zip Code
_____ Vehicle Make	_____ Model	_____ Year
_____ License Plate Number	_____ Student's Driver's License Number.	
_____ Insurance Company Name	_____ Insurance Agent's Name	
_____ Insurance Policy Number	_____ Name of Car Owner	
_____ Parking Permit Number (Assigned by the school)		

I certify, by my signature below, that the above information is true. I agree that my being able to operate and to park a vehicle on school property is a privilege conditioned on my willingness to have that vehicle subject to search by school authorities at any time the vehicle is on school property when, in the judgement of the building administrator, a reasonable suspicion of a violation of Idaho law or District policies or rules exists. I also understand that it is my responsibility to obey the speed limit on school grounds, to operate the car safely going to and from school and school events, to park in designated areas, and to maintain legally required insurance on the vehicle. Finally, I understand that any violation of this agreement or other school rules can lead to the revocation of all parking privileges. I further understand that motor vehicles in violation of the District's Student Vehicle Parking policy may be subject to towing.

_____ Student Signature	_____ Date
<p>I, the parent/legal guardian of _____ hereby verify the information supplied above and understand and agree with the rules pertaining to the operation of a vehicle by students of the District.</p>	
_____ Parent/Guardian Signature	_____ Date

The Board or their designee may arrange for health services to be provided to all students each year. Such services may include, but not be limited to:

1. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day;
2. Consulting services of a qualified specialist for staff, students, and parents;
3. Vision and hearing screening;
4. Scoliosis screening; and
5. Immunization as provided by the Department of Health and Human Services.

Parents/guardians will receive a written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress.

In general, the District will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. Further, parents will be notified of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening administered by the District is conducted which is:

1. Required as a condition of attendance;
2. Administered by the school and scheduled by the school in advance; and
3. Not necessary to protect the immediate health and safety of the student or other students.

Parents or eligible students will be given the opportunity to opt-out of the above-described non-emergency, invasive physical examination or screening.

As used in this policy, the term "invasive physical examination" means any medical examination involving the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but this does not include a hearing, vision, or scoliosis screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Idaho High School Activities Association will be required to follow the rules of that organization, as well as other applicable District policies, rules, and regulations.

All parents will be notified of the requirements of the District's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.



Legal Reference:	20 U.S.C. § 1232h(b)	Protection of Pupil Rights - Limits on Survey, Analysis, or Evaluations
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 8/08/22

This District is concerned about the health, safety, and well-being of students, including those who participate in extracurricular activities, contact sports for both girls and boys such as, but not limited to, football, wrestling, soccer, basketball and baseball/softball. In an effort to maintain the health and safety of students, the following guidelines from the Idaho High School Activities Association will be strictly followed:

Action Plan

Coaches, trainers, and other adults associated with a school athletic team will receive appropriate training regarding injuries to student athletes, including concussions.

Each student desiring to participate in a school athletic league or sport, and the student's parents/guardians, shall be provided notice of or copies of any concussion guidelines or information available from the State Department of Education and the Idaho High School Activities Association, and also this policy.

If a player is suspected of having a concussion, the following steps should be taken:

1. Remove athlete from play.
2. Ensure athlete is evaluated by an appropriate health care professional.
3. Inform athlete's parents or guardians about the known or possible concussion and give them the fact sheet on concussion. (Fact sheet available from CDC at www.cdc.gov/concussion)
4. Allow the athlete to return to play only with the permission from an appropriate health care professional and the consent of a parent and/or guardian. An appropriate health care provider shall mean a qualified health care professional who is trained in the evaluation and management of concussions, including a physician or physician's assistant licensed under chapter 18, title 54, Idaho Code, an advanced practice nurse licensed under Idaho Code 54-1409, or a licensed health care professional trained in the evaluation and management of concussions who is supervised by a directing physician who is licensed under chapter 18, title 54, Idaho Code.

Signs and Symptoms

Signs Observed by Coaching Staff

- Appears dazed or stunned
- Is confused about assignment
- Forgets plays
- Is unsure of game, score or opponent
- Moves clumsily
- Answers questions slowly

- Loses consciousness
- Shows behavior or personality changes
- Can't recall events prior to hit
- Can't recall events after hit

- Headache
- Nausea
- Balance problems or dizziness
- Double vision or fuzzy vision
- Sensitivity to light or noise
- Feeling sluggish
- Feeling foggy or groggy
- Concentration or memory problems
- Confusion

Additionally, students with a concussion should NOT return to sports or recreation activities on the same day the injury occurred. They should delay returning to their activities until a health care professional experienced in evaluating for concussion says they are symptom-free and it is okay to return to play. This means, until permitted, not returning to:

- Physical education class
- Sports practices or games, or
- Physical activity at recess.



Legal References: I.C. § 33-1625
IHSAA Guidelines www.cdc.gov/concussions

Policy History

ADOPTED: 09/10/12

ISBA

REVISED: 10/12/15

District and school administration will monitor the National Weather Service and will initiate notifications and communication throughout the district when poor air quality, lightning, or severe weather is present. These conditions can change rapidly, and employees should keep a close eye on changing weather conditions to be prepared to take action if necessary. This policy applies to all Twin Falls School District outdoor events on or off school campus including recess.

Air Quality

To determine air quality, district administration will utilize the closest Department of Environmental Quality (DEQ) monitoring station to the school or event. If an event is being held in a location that is between multiple monitoring stations, an average of those station's air quality will determine the air quality for the location.

Air Quality 51 to 100: Outdoor activities are permissible, paying close attention to those students that are unusually sensitive to air pollution.

Air Quality 101 to 150: Outdoor activities are permissible only when additional rest periods are provided for students. Administration will confer with the school's Athletic Trainer, Certified (ATC), school nurses, or other medical personnel to determine appropriate additional rest periods. School personnel will closely monitor all students, particularly those groups that are sensitive to poor air quality.

Air Quality over 150: All students and staff will remain indoors, and outdoor activities are not permissible. In the event an activity has begun and during the event the air quality rises above 150 all participants will be moved indoors until the air quality decreases to below 150 or the event will be canceled or postponed as determined by district administration in charge of the event. Prior to a scheduled outdoor event, when air quality is over 100, the administration may determine to postpone, move, or cancel the outdoor activity.

Lightning

Administrators will monitor lightning activity during outdoor events. When lightning-detection devices or mobile apps are available, this technology can be used to determine the proximity of lightning strikes. The preferred app for this purpose will be Lightning Tracker & Alerts. However, hearing thunder and seeing lightning should take precedence over lightning-detection devices or mobile apps and play shall be suspended. In the event that thunder is heard, a cloud-to-ground lightning bolt is seen, the leading edge of the thunderstorm is close enough to strike the event location, or a lightning strike has occurred within a 10-mile radius as determined by a lightning-detection device, within the previous 30 minutes during an outdoor event, administration will direct all students, staff, and spectators to move indoors and remain indoors. Upon administrative

approval, the outdoor event will convene once there has not been a lightning strike within a 10-mile radius within the previous 30 minutes.

Hazardous Weather

In the event a hazardous weather condition, as determined by the National Weather Service, has been identified in the area of an outdoor activity, all students and staff will be moved indoors and remain indoors until the National Weather Service has determined the hazard has passed and the administration has determined it is safe to return outdoors. Administration will keep in mind that during one of these events there may be power outages, downed power lines, floods, etc. which would make it unsafe to return outdoors. Students and staff shall stay away from windows and exterior doors during a hazardous weather event and remain by an interior wall. Hazardous conditions, such as tornadoes/thunderstorms/severe wind, can develop in seconds and not allow for formal means of communication. In the event an employee feels that weather is immediately threatening, they will instruct students, employees, and others to take immediate cover near an interior wall indoors.

Extreme Temperatures

In the event of extreme cold and/or high wind, Administrators may move all students and staff indoors. When the combined wind speed and actual air temperature create a wind chill index of 10 degrees Fahrenheit or below administrators will keep students inside for recess time and will allow students to enter the building before school has commenced, after an acceptable drop off time as determined by school administrators. In addition, administrators may keep students inside during recess if the student is not dressed appropriately for the current weather conditions.



Policy History

ADOPTED: 8/12/19

TFSD

REVISED: 11/14/22

The Board will permit the administration and self-administration of medication to students in schools in its jurisdiction in accordance with the following policy. Medication includes over-the-counter, prescription, and homeopathic medication used to treat an ailment.

If a parent/guardian wishes for a student to self-administer medication:

1. The parent/guardian will complete the form entitled, "Medication Order," which can be accessed in school offices and on the district website. This form must be completed and signed by the parent. In instances where the medication is a prescription medication, it must also be signed by a licensed health care provider;
2. One form must be completed, with necessary signatures, for each medication that the student is to receive;
3. Forms must be renewed with each change in dosage;
4. The parent/guardian must agree to comply with this policy for handling, storage, and disposal of medications;
5. Students will come to the office to receive his/her medication at the assigned time(s) and will self-administer under the supervision of trained school staff, unless designated to carry their medication as described below for the treatment of diabetes, asthma, allergic reactions, or other diagnosis requiring emergency rescue medication;
6. In instances where a student is prescribed an emergency rescue medication, a Health Care Plan will be created by the school nurse. Such students shall be permitted to possess and use a prescribed emergency rescue medication at all times or in a designated location as prescribed by the Health Care Plan or physician's order;
7. In instances where a student is prescribed an inhaler to be carried with them, an asthma inhaler agreement form will be completed by the parent and the physician. The asthma inhaler agreement may serve as the Medication Order form; and
8. If the administration by someone other than the student is necessary, the nurse must develop a Health Care Plan for the student before any medication is given by school personnel.

Employees assisting with the self-administration of medication will be trained by the school nurses. Each school will maintain a list of staff members who have undergone this training on an annual basis.

Handling and Storage of Medicines

All medications, except those approved for keeping by students for self-administration, must first be delivered by the parent or other responsible adult to the employee assisting with the self-administration of medication. In most instances, this will be the school secretary. The employee must:

1. Examine any new medication to ensure that it is properly labeled with dates, name of the student, medication name, dosage, and physician's name (if applicable);
2. Record on the Student Individual Medication Log the date the medications were received by school personnel and, in the case of prescription medication, the amount of medication received by school personnel;
3. Store all medications, prescription and nonprescription, in their original containers and store medication requiring refrigeration at 36F - 46F; and
4. Store medications in a securely locked storage compartment excluding those medications approved for the student to possess for self-administration. Controlled substances will be contained in a separate compartment, secured, and locked at all times. This excludes prescription emergency rescue medications as designated in a student's Health Care Plan or Asthma Inhaler Agreement.

Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each school will maintain a current list of those persons authorized to administer and assist with self-administration of medications.

Administering Medicines to Students by School Personnel

No employee except qualified health care professional or those trained by the school nurses on an annual basis may administer a drug or prescription drug to a pupil under this policy except in an emergency situation.

The school nurse may administer medication to any student in the school with written authorization from the student's licensed health care practitioner and parent/guardian.

Where the administration of medication by school personnel is a routine or expected activity for a particular student there will be a Medication Order form on file and the subject shall be addressed in a student's Health Care Plan. The subject may also be addressed in the student's Section 504 Plan or IEP, if applicable.

Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel.

Emergency Administration of Medicines

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or school personnel trained but the school nurse on an annual basis may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function, according to the Medication Order form. There must be on record a medically diagnosed allergic condition that would require prompt treatment to protect the student from serious harm or death.

Training administrators and designated staff members on how to administer medications in an emergency situation shall be done by the school's nurse or other licensed health care practitioner on an annual basis to assure such individuals have knowledge as to how to administer emergency medication to students orally or by injection. Records including the content of the training, participants, trainer, and the date of training shall be retained.

When a medication is administered by school personnel in an emergency situation, such administration will be documented on the Emergency Medication Administration Form, which will be maintained with other logs of medication self-administration.

Self-Monitoring and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent/guardian and treating physician, shall be permitted to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes in the classroom and in any area of the school or school grounds, and to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

Self-Administration of Emergency Rescue Medication such as Asthma Medication, Insulin/Diabetic Treatment, or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication, the following shall apply to epinephrine auto-injectors, insulin, or blood glucose monitoring supplies if a parent/legal guardian chooses to have his or her child self-medicate:

1. The parents/guardians of the pupil shall provide to the school nurse written authorization for the self-administration of medication. This will be documented in a Health Care Plan or Asthma Inhaler Agreement.
2. The parents/guardians shall provide to the school nurse a Medication Order form stating that the student has a severe allergic reaction (anaphylaxis), asthma, another potentially life-threatening respiratory illness, or diabetes and is capable of, and has been instructed in, the proper method of self-administration of medication. In cases where the student has severe or life-threatening allergies, Policy 3515 Food Allergy Management, and any related procedures shall be followed. For students with a severe allergic reaction, asthma,

another potentially life-threatening respiratory illness, or diabetes the student's physician or health care provider-supplied information may contain:

- a. The name and purpose of the medicine;
 - b. The prescribed dosage;
 - c. The time(s) at which or the special circumstances under which medication should be administered;
 - d. The possible side-effects of the medicine;
 - e. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing or allergic reaction;
 - f. Contact information for the physician and parent/guardian; and
 - g. If applicable, a list of the child's asthma triggers or allergies.
3. The school's administration and appropriate teachers and school personnel are informed that the student is self-administering prescribed medication. Such notification shall be done in a manner so as to best preserve the privacy of the student and the student's medical condition to the extent appropriate.

For students with severe or life-threatening allergies, this information may be provided in the student's Health Care Plan.

Disposal of Medication

School personnel must either return to the parent/guardian or destroy (with permission of the parent/guardian) any unused, discontinued, or obsolete medication. Medicine that is not repossessed by the parent/guardian within a seven-day period of notification by school authorities will be disposed of by the school nurse.

Additional Requirements for Self-Administration of Medicines

The Board or designee will inform the parents/guardians of the student in writing that the District and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil, absent any negligence by the District, its employees, or its agents, or as a result of providing all relevant information provided pursuant to subdivisions of this subsection with the school nurse, absent any negligence by the District, its employees, or its agents, or in the absence of such nurse, to the school administrator.

The parents/guardians of the pupil shall sign a statement acknowledging that the District shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the District and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

Students who are authorized to carry their own epinephrine auto-injectors or supplies necessary for diabetes monitoring and/or treatment may be retested periodically to ensure they are still capable of correctly self-administering the medication.

Any school employee authorized in writing by the school nurse may assist with self-administration of medications provided that only the following acts are used:

1. Verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
2. Handing a prefilled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
3. Opening the lid of the above container for the student;
4. Guiding the hand of the student to self-administer the medication;
5. Holding a container of fluid and assisting the student in drinking fluid to assist in the swallowing of oral medications; and/or
6. Assisting with the removal of a medication from a container for students with a physical disability which prevents independence in the act.



Legal References: I.C. § 33-520 Policy Governing Medical Inhalers, Epinephrine Auto-Injectors, Insulin and Blood Glucose Monitoring Supplies

I.C. § 54-1401 Nurses — Purpose — License Required — Representation to the Public

Policy History:

ADOPTED: 7/12/21

TFSD

REVISED:

If a student requires blood glucose testing or insulin injections during the school day, the following policy applies.

ELEMENTARY OR MIDDLE SCHOOL STUDENTS

Students will complete blood glucose testing and insulin injections in the health room, under the supervision of a school nurse or designee, unless there is a documented reason to not do so. Students and staff are required to use universal precautions for the disposal of waste.

Parents are responsible for notifying the school administrator of the student's diabetes management plan and signing medical releases as necessary. The school nurse will be responsible for overseeing the implementation of the student's diabetes management plan.

If the parent or guardian of an elementary, middle, or junior high student requests that the student practice his/her diabetes management plan outside of the health room, the school administrator and school nurse will review the request and grant or deny it based on relevant considerations, including, but not limited to, the age and maturity of the child, the ability to self-administer, understanding and practice of universal precautions, and adherence to diabetes management plan.

If an elementary, middle, or junior high student is allowed to self-administer, the parent or guardian, student, and the school nurse must complete and sign a plan for independent diabetes management, documenting how the nurse, student, and parent will continue to work together.

HIGH SCHOOL STUDENTS

Students may self-administer blood glucose testing and insulin injections in accordance with Policy 3510, including its rules regarding self-administration of medication. In practicing self-administration, students are required to practice universal precautions for the disposal of waste.

UNIVERSAL PRECAUTIONS

Universal precautions for the disposal of waste will be posted in the health room and students and staff are required to comply with the guidelines. Any accidental pricks or punctures must be reported and appropriate medical response accessed.



Cross Reference: 3510 Administering Medicines to Students

Legal Reference: I.C. 33-506(1)
I.C. 33-512(4)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 10/12/15

Food-allergic reactions can develop into severe or life-threatening reactions and, even with proper treatment, can be fatal. A student's ability to learn may be drastically altered by their fears of a reaction. The Board will endeavor to provide a safe and healthy environment for students with severe and life-threatening food allergies and to address food allergy management in District schools in order to:

1. Reduce the likelihood of severe or potentially life-threatening allergic reactions;
2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction; and
3. To provide students, through necessary accommodations, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

Food allergy management will focus on prevention, education, awareness, communication, and emergency response.

District and school administrators, will endeavor to be knowledgeable about and follow all applicable federal laws, including the Americans with Disabilities Act, Section 504, Individuals with Disabilities Education Act, and the Family Educational Rights and Privacy Act, as well as all state laws and District policies/guidelines that may apply to students with allergies.

Administrators or their designees may make all of the appropriate allergy forms available to parents, explain the procedures for completing and returning them, and ensure that all forms and health records submitted by parents and physicians are reviewed by the appropriate personnel. Administrators and school nurses may also meet with parents and listen to their needs and concerns.

When a student has been identified as having food allergies verified by a physician, nurse practitioner, or physician assistant, individual written management plans may be used to determine accommodations to be made on a daily basis to prevent and prepare for an allergic reaction. An emergency care plan may be used to provide direction in the event of a life-threatening allergic reaction at school or at a school event. Key staff members may be trained to use emergency medications and may be notified of the location of those medications at school and at any special function.

The Superintendent or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, may develop administrative regulations to implement this policy, including regulations pertaining to all classrooms and instructional areas, school cafeterias, outdoor activity areas, school buses, field trips, and school activities held before or after the school day.

Administrative regulations may address the following components:

1. Identification of students with food allergies and provision of school health services;
2. Development and implementation of individual written management plans;
3. Medication protocols, including methods of storage, access and administration;
4. Development of a comprehensive and coordinated approach to creating a healthy school environment;
5. Ensuring that the needs of children with documented allergies are taken into consideration in planning for District programs;
6. Communication and confidentiality;
7. Emergency response;
8. Professional development and training for school personnel;
9. Awareness education for students and parents/guardians;
10. Training for District staff and volunteers; and
11. Policy monitoring and evaluation.

Allergy-related policies, protocols, and plans may be updated annually or after any serious allergic reaction occurs at school or at a school-sponsored activity.

The Superintendent or designee may annually notify students, parents/guardians, staff and the public about the District's food allergy management policy by publishing such in handbooks and newsletters, on the District's website, through posted notices, or other efficient methods.

Students with allergies will be treated in a way that encourages the student to report possible exposure to allergen and any symptoms of an allergic reaction, and to progress toward self-care with his/her food allergy management skills. Allergy-related bullying will not be tolerated.



Cross Reference: 2400 Special Education
2410 Section 504 of the Rehabilitation Act of 1973
3510 Administering Medicines to Students
3510F1 Authorization for Self-Administered Asthma/Emergency Medication
3510F2 Indemnification/Hold Harmless Agreement for Self-Administration of Medication

Policy History

ADOPTED: 11/11/13

ISBA

REVISED: 8/11/14

Medical Plans of Care

There are several written documents individualized for a particular student which may be used to address the student's needs throughout the school day. These may be developed with input from a core team, which may include the student (if appropriate), the student's parent/guardian, the principal or his/her designee, the student's teacher, the school nurse, the cafeteria manager, the counselor, transportation staff, coaches, and other personnel deemed necessary. Medical care plans may include information pertaining to food allergy management. Medical plans of care may include the:

Emergency Care Plan: A medical plan of care distributed to all school personnel who have responsibilities for the care of the student. This plan specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed. In the event the student reports exposure to a food allergen or shows symptoms of anaphylaxis, he or she may be treated according to the Emergency Care Plan. This plan may be developed from information provided by the student's physician and parent/guardian prior to the student's entry to school, or immediately after the student is diagnosed with a severe allergy. Similar plans may also be developed for staff members with severe allergies.

Individualized Healthcare Plan: A medical plan of care that may be developed by the school nurse in collaboration with the student's health care provider and core team to provide written direction for school personnel to follow in accommodating the student's needs throughout the day. It may address conduct and use of allergen-containing products in the classroom, the cafeteria, the library, at recess, on field trips, during extracurricular activities, and in other environments the student will face during the school day or during District-sponsored activities. The plan may describe functional problem areas, set goals for overcoming problems, list tasks or interventions to meet the goals, and identify staff members responsible for implementing the plan. This plan may be developed prior to the student's entry to school or immediately after the student is diagnosed with a severe or life-threatening allergy. Input from the core team may be sought before changes are made to this plan. Similar plans may also be developed for staff members with severe allergies.

If a student's severe or life-threatening allergy is determined to be a disability, it may also be addressed in a Section 504 Service Agreement and/or in the Related Services Component of their Individualized Education Program (IEP).

A complete set of a student's current medical plans of care related to food allergies may be maintained by the school nurse. The Superintendent or building administrator may also require that copies of the Emergency Care Plan be kept in other places where they may be needed, such as with epinephrine auto-injectors kept in other places in the school.

The school nurse may provide information or copies of the different components of a student's medical plans of care to appropriate personnel, including teachers, cafeteria staff, District staff supervising school-sponsored extracurricular activities, and others who may be involved in the implementation of the medical plans of care. Such information may be provided to substitute teachers along with contact information for the school nurse.

Students With Disabling Special Dietary Needs

When a student's food allergy is identified, evaluated, and determined to be a disabling condition, the District shall make appropriate accommodations, substitutions or modifications for such students in accordance with the applicable policies relating to students with disabilities.

In such cases, the student may be required to have a written medical statement signed by a licensed physician to be included with the student's Individualized Healthcare Plan. The medical statement may identify:

1. The student's special dietary disability;
2. An explanation of why the disability restricts the student's diet;
3. The major life activity(ies) affected by the disability;
4. The food(s) to be omitted from the student's diet; and
5. The food or choice of foods that must be provided as the substitute.

Students With Non-Disabling Special Dietary Needs

The District may, at its discretion, make appropriate accommodations, substitutions, or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision may be required to have a written medical statement signed by a physician, physician assistant, or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet;
2. The food(s) to be omitted from the student's diet; and
3. The food or choice of foods to be substituted.

Allergy In-Service Training

The District may provide periodic training to teachers, aides, volunteers, substitutes, food service personnel, transportation personnel, and others as needed on any of the following topics:

1. Basic information such as signs, symptoms, and risks associated with food allergy and anaphylaxis;
2. Awareness of food and non-food items that might present risk;
3. Strategies that reduce the risk of exposure to identified allergens throughout the school day;
4. Designation and maintenance of allergen-free zones;
5. Basic food handling procedures, including hand washing, avoiding cross-contamination, and cleaning surfaces;
6. District and school level policies, procedures, and plans for managing students with chronic health conditions including allergies;

7. How to respond in the case of a possible severe or life-threatening allergic reaction;
8. Local emergency medical service procedures;
9. Proper storage and administration of epinephrine auto-injectors, antihistamines, and other medications;
10. Strategies to manage student privacy and confidentiality while maintaining an inclusive class environment; and
11. How to deal with food allergy-related bullying.

Epinephrine and Other Medications

Students with severe allergies may be permitted to carry an epinephrine auto-injector with them, in accordance with Policy 3510. A student's epinephrine may also be kept in other locations where it would be easily accessible for the student, such as in their classroom, with a District employee supervising lunch or recess periods, or on their bus. Locations for storage will follow the manufacturer's guidelines. Staff may be notified of the locations of epinephrine in the school. The Superintendent or building principal may require that whenever students are present at a school, at least one person who has been trained to administer an epinephrine auto-injector is also present.

Any student who receives epinephrine at school must be either:

1. immediately transported to a hospital for evaluation by a licensed healthcare provider and further observation; or
2. immediately released into the care and custody of their parent(s)/guardian(s).

The Cafeteria

The Superintendent or building administrator may require that cafeteria staff take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Prohibit specific foods;
2. Clean and sanitize kitchen surfaces and equipment to avoid cross contamination with potential food allergens;
3. Wear non-latex gloves, and change or wash gloved hands during extended use to avoid cross-contamination with potential food allergens;
4. Have photos of students with severe or life-threatening allergies placed in the kitchen, only for kitchen staff to view;
5. Make appropriate substitutions or modifications to meals served to students with serious allergies;
6. Be prepared to make food ingredient lists used in food production and service available. Maintain food labels from each food served to a child with allergies for at least twenty-four (24) hours following service in case the student has a reaction from a food eaten in the cafeteria; and
7. With parental approval, set up cafeteria procedures such as entering a student's allergy into computerized database. Such information would remain confidential and shared on a need-to-know basis in compliance with federal privacy regulations.

Allergies and the Classroom

The school nurse, teacher, and parents of any children with severe or life-threatening allergies, may set a classroom protocol regarding the management of food in the classroom. This protocol will be communicated by the teacher to the students and parents of the affected class, and may include any of the following accommodations:

1. The parents of students with severe or life-threatening allergies may provide allergen-free snacks to be kept in the classroom and given to the student when treats are served in the classroom;
2. Students, parents, and staff may be prohibited from bringing homemade treats or specified foods for in-class consumption. Only commercially prepared treats with intact ingredient labels may be allowed in class;
3. Teachers may notify parents in writing of any school related activity that requires the use of food in advance of the project or activity;
4. Use of food for instructional lessons may be limited or eliminated;
5. Use of food or candy as part of a school project related to the curriculum may be prohibited; and
6. Allergen-containing foods may be prohibited in classrooms during after-school activities when that classroom will be used by a student with a known food allergy during the school day.

The Superintendent or building administrator may require teachers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Post signs indicating rules for preventing exposure to life-threatening allergens in the classroom and ensure that these rules are enforced;
2. Eliminate the use of food allergens in the allergic student's educational tools, school-provided supplies, and incentives;
3. Participate in the planning of students' re-entry into school after an anaphylactic reaction; and
4. Send notices to parents of students in the classroom that the classroom is a free zone with regard to a specified food.

Teachers may be required to develop and implement age-appropriate lessons on allergies for such subjects as health, family and consumer sciences, biology, and physical education. Such lessons may emphasize:

1. Support for, and inclusion of, classmates with chronic health conditions, such as food allergies;
2. Bullying prevention, including reporting harassment, hazing, and bullying to school personnel;
3. Knowledge of potential allergens and the symptoms of a potentially life-threatening reaction;
4. Differences between life-threatening allergies and food intolerances;
5. Appropriate response to emergency situations such as life-threatening allergic reactions;
6. Developmentally-appropriate self-management of food allergies; and

7. The importance of following District health policies and guidelines, such as those regarding hand washing, food-sharing, and allergen safe zones.

Transportation

The school bus drivers may be informed when they are transporting a student with a life-threatening allergy. The Superintendent or building administrator may require bus drivers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Strictly enforce a policy of no eating on the bus. Students with medically documented needs may be permitted to eat allergen-safe foods on the bus;
2. Refrain from handing out food treats; and
3. Assign seats to students, and/or seat students with life-threatening allergies immediately behind and to the right side of the bus driver.

The Superintendent or building administrator may require the transportation department to send letters to parents of all students who use District transportation informing them that at least one student at the school has a life-threatening allergy, requesting that their child wash their face and hands after breakfast and before boarding the bus, and informing them of rules prohibiting students from eating on the bus.

Field Trips

The Superintendent or building administrator may require that those organizing field trips take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Take into consideration the potential for exposure to the student's food allergens when determining sites for field trips, and consider ways of avoiding allergen exposure during the field trip;
2. Notify parents of students with severe or life-threatening allergies and the school nurse as soon as possible of any upcoming field trip;
3. Allow parents of students with severe or life-threatening allergies to accompany the student on field trip;
4. Store meals for students with food allergies separately to minimize cross-contamination;
5. Ensure that students do not eat on the bus;
6. Prepare ways for participants to wash hands before and after eating, such as with hand wipes;
7. Appoint a District employee attending the field trip to implement any student's Emergency Care Plan if necessary, and bring all supplies necessary to do so; and
8. Note the location of closest medical facility ahead of time.

Other Accommodations

The Superintendent or building administrator may require that any of the following steps be

implemented to accommodate students with severe or life-threatening allergies:

1. Prohibit food and utensil trading and sharing, and post signs in schools informing students that they are expected to neither trade nor share food or utensils;
2. Designate particular tables in the cafeteria, particular classrooms, areas within classrooms, or other areas as allergen-free zones. These zones may be designated by a universal symbol, and be cleaned with a separate wash bucket and cloth with District-approved cleaning agents;
3. Post signs at points of entry to each school and/or on the school or District website advising that there are students with life-threatening allergies. Such signs may not disclose the identity of the student with the food allergy unless his or her parent has consented to that disclosure;
4. Have letters sent to all parents of children attending school or classroom with at least one student known to have a life-threatening allergy, notifying them of the severity of the health threat, signs and symptoms to be aware of, and concise list of foods and materials of concern and school policy regarding them. This will be done in a way that protects the confidentiality of the student with the life-threatening allergy. If other students or parents may be able to guess or deduce which student has the life-threatening allergy, approval of the student's parent may be sought before the letter is sent;
5. Hold Emergency Care Plan drills to assure the efficiency and effectiveness of such plans;
6. Ensure that there is at least one functioning emergency communication device, such as a walkie-talkie or cell phone, available at all times in classrooms, on field trips, at recess, during physical education class, at school-sponsored extracurricular activities, and/or on school buses;
7. Develop a cleaning protocol to ensure that the threat of allergens is minimized;
8. Prohibit the sale of particular food items in the school; and
9. Request that students refrain from bringing foods to which a student is known to have a severe or life-threatening allergy to school, and request that parents refrain from sending such foods to school. A Superintendent or building principal may completely prohibit particular food items from the school or school grounds when it is felt that the benefits of doing so would outweigh the difficulty of enforcing such a ban and the controversy such a measure is likely to provoke.

Confidentiality

The District will endeavor to maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. District staff shall maintain the confidentiality of student records as required by law, regulations, and Board policy.

Expectations of Students with Severe or Life-Threatening Allergies and their Parents

The Board expects students with life-threatening allergies to do the following, as age appropriate:

1. Take as much responsibility as possible for avoiding allergens, including refraining from sharing or trading of foods or eating utensils with others, refraining from eating anything with unknown ingredients or a known allergen; avoid putting anything in mouth such as writing utensils, fingers, or other foreign objects;
2. Use proper hand washing before and after eating and throughout the school day;
3. Learn to recognize personal symptoms;
4. Notify an adult immediately if they eat something they believe may contain a food to which they are allergic;
5. Notify an adult if they are being bullied, harassed, hazed, or threatened by other students as it relates to their food allergy;
6. Carry their epinephrine auto-injector with them at all times if they are permitted to do so, or know where the auto-injector is kept and who has access to it;
7. Know how to get to the nurse's office;
8. Develop an awareness of their environment and their allergen-free zones; and
9. Know their overall Individual Healthcare Plan and understand the responsibilities of the plan.

The Board encourages parents of students with serious allergies to do the following, as age appropriate:

1. Teach their child to:
 - a. Not share snacks, lunches, drinks, or utensils;
 - b. Know which foods are and are not safe for them to eat, and to read labels and understand ingredient safety;
 - c. Understand the importance of hand washing before and after eating;
 - d. Recognize the first symptoms of an allergic or anaphylactic reaction;
 - e. Communicate with school staff as soon as he/she feels a reaction is starting;
 - f. Understand rules and expectations about bullying related to food allergies, and report such teasing and/or bullying;
 - g. Carry his/her own epinephrine auto-injector when appropriate, or know where the epinephrine auto-injector is kept and who has access to it;
 - h. Administer his/her own epinephrine auto-injector and be able to train others in its use; and
 - i. Develop awareness of their environments, including allergy-controlled zones.

2. Inform the school nurse of their child's allergies prior to the opening of school, or as soon as possible after diagnosis. All food allergies must be verified by documentation from physician, nurse practitioner, or physician assistant;
3. Work with the core team collaboratively to develop the Individualized Healthcare Plan, an Emergency Care Plan authorized by the student's physician;
4. Complete and submit all requested and required forms. Provide the school with current cell phone number, and other emergency contact numbers;
5. Allow District health personnel to consult with the student's physician or healthcare provider, and provide current contact information for the healthcare provider;
6. Provide the school nurse with up-to-date emergency medications so they can be placed in all required locations for the current school year. Parents may be requested to provide two (2) or more epinephrine auto-injectors. Medications must comply with the District medication policy of proper labeling and expiration;
7. Consider providing a medical alert bracelet for their child;
8. If requested, provide "safe snacks" for their student's classroom in case of an unplanned special event. Parents may also be asked to provide a nonperishable safe lunch to be kept at school in case the student forgets to bring lunch;
9. Review policies, procedures, and plans with the core team annually and following any allergic reaction at school; and
10. Provide the school nurse with at least annual updates on their child's allergy status. Inform the school of any changes in the child's life-threatening allergy status and provide a physician's statement if the student no longer has food allergies.



Cross Reference: 3510 Student Medications

Procedure History

ADOPTED: 11/11/13

ISBA

REVISED: 8/11/14

1/9/17

7/12/21

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child diagnosed as having a contagious or infectious disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The District shall rely on the advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

Management of common communicable diseases will be in accordance with Idaho Department of Health and Welfare guidelines and communicable diseases control rules. A student who exhibits symptoms of a communicable disease that is readily transmitted in the school setting may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the school nurse or other responsible person designated by the Board and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

The District reserves the right to require a statement from the student's primary care provider authorizing the student's return to school. In all proceedings related to this policy, the District shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer shall promptly notify the school nurse or other responsible person designated by the Board to determine appropriate measures to protect student and staff health and safety. The school nurse or other responsible person designated by the Board, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of the student or for determining appropriate educational accommodation will be informed of the specific nature of the condition, if it is determined there is a need for such individuals to know this information.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

Pediculosis (Head Lice)

Pediculosis is the infestation of the hair, skin or pubic area with adult lice, larvae or nits (eggs).

The psychological, social and economic impact of head lice infestations can create a problem in the community. Every attempt will be made to educate students and parents on the prevention and eradication of head lice before and after an infestation is detected.

At the elementary level, to avoid embarrassment and to contain the infestation, whole classrooms will be checked for head lice upon the report of possible infestation by a classroom teacher. The principal, his/her designee, school nurse or another qualified professional will examine the child in question and their classmates. At the secondary level, the principal, his/her designee, school nurse or another qualified professional will examine the child in question and may examine additional students at the discretion of the principal. Siblings of students found with lice and their classmates may also be checked if there is the suspicion that infestation may exist. Due to the possible and very probable epidemic infestation of head lice in the school environment, anyone exhibiting head lice will be isolated immediately.

Any student found to have head lice will be removed from the classroom with their belongings. The parent/guardian and/or listed emergency contact will be contacted so they can pick up the student and begin treatment immediately. A student suspected of infestation will not ride the bus. The student will be held in the front office or the nurse's office until the parent/guardian arrives in order to avoid further infestation.

Parents/guardians should be provided with printed educational information on head lice treatment. The educational material should include details explaining the problem and list the procedures for treatment and requirements for reentering school.

The student may return to school after being successfully treated so that no live lice or eggs are detected by the school nurse or a designated school official. The student's parent/guardian must accompany the student upon returning to school and remain present during the recheck. With the presence of nits or lice at the time of recheck, the student will continue to be excluded from school.

In the interest of the health and welfare of students enrolled in the District, no student will be permitted to attend classes if they are infested with head lice or the eggs of head lice.

All other children in the elementary school classroom where lice or nits have been reported will be checked and given a letter to take home explaining the situation and the need for parents to inspect their children carefully. Any child who is suspected of having lice will be treated with the utmost discretion.



Legal Reference:

I.C. § 33-512 Governance of Schools

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 1/8/18

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child who does not provide an immunization record to the school regarding the child's immunity to certain childhood diseases. Immunity requirements are met if the child has received or is in the process of receiving immunization as specified by the Board of Health and Welfare or has previously contracted the disease. The parent or legal guardian of the child must comply with the immunization requirements at the time of admission and before attendance for the child.

Summary of Immunization Requirements			
Immunization Requirement	Child born after September 1, 2005	Child born after September 1, 1999 through September 1, 2005	Child born on or before September 1, 1999
Measles, Mumps, and Rubella (MMR)	2 doses	2 doses	1 dose
Diphtheria, Tetanus, Pertussis	5 doses	5 doses	4 doses
Polio	4 doses	3 doses	3 doses
Hepatitis B	3 doses	3 doses	3 doses
Hepatitis A	2 doses	0 doses	0 doses
Varicella	2 doses	0 doses	0 doses

Summary of Seventh Grade Immunization Requirements		
Immunization Requirement	Child admitted to 7th grade prior to the 2011-2012 school year	Child admitted to the 7th grade during the 2011-2012 school year and each year thereafter
Diphtheria, Tetanus, Pertussis	0 doses	1 dose
Meningococcal	0 doses	1 dose

Summary of Twelfth Grade Immunization Requirements		
Immunization Requirement	Child admitted to 12th grade during 2020-2021 school year and each year thereafter, if student	Child admitted to the 12th grade during 2020-2021 school year and each year thereafter, if student

	received their first dose of Meningococcal vaccine at 16 years of age or older, or if student has never received a dose.	received their first dose of Meningococcal vaccine before the age of 16
Meningococcal	1 dose	2 doses

Immunization Certification

A physician, physician's representative, or another licensed health care professional must sign the immunization record. This may include osteopath, nurse practitioner, physician's assistant, licensed professional nurse, registered nurse, or pharmacist. The record must state the type, number, and dates of the immunizations received.

Intended Immunization Schedule

The parent or legal guardian of a child who is in the process of receiving or has been scheduled to receive the required immunizations must provide the schedule of intended immunizations statement. A form is provided by the Department of Health and Welfare or a similar one may be used provided it includes the following information:

1. Name and date of birth of child;
2. School and grade in which child is enrolling and attending;
3. Types, numbers, and dates of immunizations to be administered;
4. Signature of the parent, custodian, or legal guardian; and
5. Signature of a licensed health care professional providing care to the child.

Children admitted to school and failing to continue the schedule of intended immunizations will be excluded from school until the child's parent, custodian, or legal guardian provides documentation of administration of the required immunizations.

Exemptions

1. Any child who submits a certificate signed by a physician licensed by the State Board of Medicine stating the physical condition of the child is such that all or any of the required immunization would endanger the life or health of the child is exempt from the immunization requirements;
2. Any minor child whose parent or guardian submits a signed statement to school officials stating their objections on religious or other grounds is exempt from the immunization requirements. The parent or guardian can use a form provided by the District or submit a written, signed statement that the District will attach to the form; and
3. A child who has laboratory proof of immunity to any of the childhood diseases listed above will not be required to be immunized for that disease; and

4. A child who has had varicella (chickenpox) diagnosed by a licensed physician upon personal examination will not be required to be immunized for the disease provided they submit a signed statement from the diagnosing physician.

A child exempted under one of the above requirements may be excluded by the District in the event of a disease outbreak.

Reporting

The District shall submit a report of each school's immunization status to the State Department of Education on or before the first day of November of each year. The report shall include:

1. Inclusive dates of the reporting period;
2. Name and address of the school, district, and county;
3. Grade being reported and total number of children enrolled in the grade;
4. Name and title of the person completing the report form;
5. Number of children who meet all of the required immunizations listed in the tables above;
6. Number of children who do not meet all of the required immunizations listed in the tables above, but are in the process of receiving the required immunizations; and
7. Number of children who claimed exemption to the required immunizations listed in the tables above.



Legal Reference:

I.C. § 39-4801 Immunization Required
I.C. § 39-4802 Exemptions
IDAPA 16.02.15 Immunization Requirements for Idaho
School Children

Policy History

ADOPTED: 8/11/2014

ISBA

REVISED: 7/9/2018

10/12/20

Suicide

It is the intent of the Twin Falls School District to protect the health of its pupils. As such, and as directed by Idaho Code, the District has established a policy addressing suicide prevention, intervention, and postvention procedures. Notwithstanding, neither a school district nor a teacher has a duty to warn of the suicidal tendencies of a student absent the teacher's or school district's knowledge of direct evidence of such suicidal tendencies. The Board directs the Superintendent or designee to draft and implement internal procedures and processes relating to:

1. Suicide prevention;
 2. Suicide intervention; and
 3. Suicide postvention.
1. Prevention procedures may include but are not limited to, direction for school and the appropriate school staff members to:
 - A. Offer and provide help and assistance, including early identification;
 - B. Support and/or counsel students;
 - C. Provide referral to appropriate sources outside the school;
 - D. Designate staff members who will be responsible for planning and coordinating the implementation of district procedures addressing suicide. This will typically be the school counselors in coordination with the building administrators;
 - E. Encourage staff to report to the counselor, students they believe may be at elevated risk of suicide. This will typically be done by the building administrator;
 - F. Provide additional training on suicide prevention for all staff for whom such training is deemed necessary; and
 - G. Offer resources to parents/guardians on suicide prevention.
 2. Intervention procedures may include but are not limited to, direction for the school and the appropriate school staff members to:
 - A. Contact the parents/guardians of students suspected as any risk of suicide;
 - B. Contact emergency services to assist a student who is at any risk of suicide, when appropriate;
 - C. Provide first aid until emergency personnel arrive, when appropriate; and
 - D. Move other students away from the immediate area of any suicide attempt on District property or at a District event.
 3. Postvention in the event of a death by suicide procedures may include but are not limited to, direction for school and the appropriate school staff members to:
 - A. Provide after-care support for faculty, staff, and students after a sudden death has occurred;
 - B. Adhere to the procedures provided in the Emergency Response Manual; and

- C. Offer mental health services and/or mental health resources to students likely to be strongly affected by a recent death.
- 4. Postvention in the event of a suicide attempt procedures may include but are not limited to, direction for school and the appropriate school staff members to:
 - A. Require from parents a discharge summary or documentation from an outside counselor or doctor prior to a student who has attempted suicide returning to the school building; and
 - B. Establish a system of support or re-entry plan for the student upon their return.

District personnel shall attend to the rights of the student and his or her family.

The District shall comply with all requirements of State law and administrative rules for training by personnel on suicide prevention and awareness.



Legal References:	I.C. § 33-136	Suicide Prevention in Schools
	I.C. § 33-512B	Suicidal Tendencies – Duty to Warn
	I.D.A.P.A. 08.02.03.160	Safe Environment and Discipline

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 6/11/18
5/13/19
6/13/22

The Board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

Each parent or guardian must provide an emergency telephone number where the parent or designee of the parent can be reached.

When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse or a doctor. The principal or designated staff member should immediately contact the parent so that the parent can arrange for care or treatment of the injured student.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

1. Isolate the child immediately from other children in a room or area segregated for that purpose.
2. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
3. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the principal or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he/she may elect to continue the treatment or make other arrangements.



Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

Interviews by School Administrators (Student Victims/Witnesses)

When a violation of board policy or school rule occurs, the school principal or designee may question a potential student victim or students who may have relevant information without prior consent of the parent, guardian or legal custodian. Another adult may be present during the questioning of students.

Interrogations by School Administrators (Student Suspect)

In situations where a student is suspected of violating board policy or school rule, the principal or designee may interrogate the suspected student without the prior consent of the student's parent, guardian, or legal custodian. The school official must first have reasonable grounds, however, to suspect that the student committed such a violation. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will be afforded the opportunity to present his or her side of the story, orally or in writing.

Interviews and Interrogations by Law Enforcement Officials (School-Related Violation)

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or an activity involving school operations, law enforcement officers may be notified by school officials to request a criminal investigation. Law enforcement officers may also independently determine that an investigation requiring student interviews and interrogations is necessary. When law enforcement officers question a student victim, witness or suspect in such instances, school officials shall make an effort to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation.

When students are interviewed or interrogated by law enforcement officers, the principal or designee shall request that police officers observe all procedural safeguards prescribed by law. However, district personnel are not responsible for a police officer's compliance with the law. If a parent or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

School discipline investigations conducted by school administrators and criminal investigations conducted by law enforcement officers shall be conducted in a parallel manner rather than as a joint investigation. Therefore, a school discipline investigation need not stop as soon as the school administrator believes that a crime has been committed. The results of the parallel investigations may be shared among school officials and the police.

Interviews and Interrogations by Law Enforcement Officers (Non-School-Related Violation)

The District strives to maintain cooperative working relations between law enforcement, child protective and school authorities. Law enforcement officers may wish to interview students

regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the student's class time. The principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the principal or designee shall immediately contact the area administrator or district legal counsel for assistance.

Before any student interview or interrogation begins regarding suspected criminal activity, the principal or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The principal or designee shall request that all procedural safeguards prescribed by law are observed by the law enforcement officers when interviewing student witnesses or interrogating student suspects. An effort shall be made to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation regarding suspected criminal activity. Whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision. **In cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family, such parent/guardian contact would not be warranted. The Idaho Department of Health and Welfare or law enforcement may exclude school personnel from any child abuse investigations/interviews and may use a school building to conduct the interview.**

Arrests by Law Enforcement Officers

A law enforcement officer may take a student into custody if the student has been placed under arrest or if the student's parent, guardian, or legal custodian and the student consent to such release. The officer must first notify the principal or designee so that the student may be summoned to the principal's office and taken into custody in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on school premises without prior notification to the principal or designee, the law enforcement officer should notify school authorities of the situation as soon as possible.

When a student is removed from school by law enforcement officers for any reason, school officials will make every reasonable effort to notify the student's parent, guardian, or legal custodian. The school official will document such effort in writing. Before removing the student from school, the police shall sign a release form in which they assume full responsibility for the student. If a school official has reason to believe that a student was removed from the school by a law enforcement officer without making a valid arrest or without the consent of the student and the parent, guardian, or legal custodian, the school official will attempt to immediately contact the area administrator or legal counsel.

School officials will notify the appropriate area administrator of the removal of any student from school by law enforcement under any circumstance. School officials shall request that all procedural safeguards prescribed by law are observed by law enforcement officers conducting an arrest. District personnel are not, however, responsible for an officer's legal compliance with respect to said arrest.

Definitions:

1. "Interview"—The questioning of a student who may be a witness or victim of an incident.
2. "Interrogation"—The questioning of a student suspected of violating Board and/or District policy, school rule or criminal law.
3. "Reasonable Grounds to Suspect"—More than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred. For example, it may be based upon, among other things, direct observations or the reported observations or experiences of others. It involves a common-sense conclusion about human behavior based upon all of the circumstances presented.
4. "Probable Cause"—A set of probabilities grounded in factual and practical considerations, which would cause a reasonable person to believe that a violation has occurred. It requires having more evidence for than against.



Cross References: 3200P Student Rights and Responsibilities
4400 Relations with Law Enforcement and Child Protective Agencies
5260 Abused and Neglected Child Reporting

Legal References: I.C. § 6-904(1) Exceptions to Governmental Liability
I.C. § 16-1605 Reporting of abuse, abandonment or neglect
I.C. § 16-1606 Immunity
I.C. § 16-1607 Reporting in bad faith—Civil Penalties
I.C. § 16-1631 Authorization for Department to Act
I.C. § 20-516 Apprehension and Release of Juvenile—Detention

Other References: Idaho Attorney General Annual Report 93-2 (1993) (available at <https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf>)

Policy History

ADOPTED: 8/11/14

ISBA

REVISED: 9/14/15

The Board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with District procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the principal, evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the principal. The Superintendent is directed to establish procedures for the removal of a student during school hours.



Policy History:

ADOPTED: 8/11/14

REVISED:

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy 4410P.
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. Proper identification is required before the student shall be released.
3. A student shall be released to the custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.
4. The school should always check with the custodial parent before releasing the student to a non-custodial parent.
5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody, unless an emergency situation justifies a waiver.
6. Police should be called if a visitor becomes disruptive or abusive.

**Cross Reference:**

4400 Relations with the Law Enforcement and
Child Protective Agencies

Procedure History

ADOPTED: 8/11/14

REVISED:

The Board believes that the use of videotaping equipment can make positive contributions to the health, safety, and welfare of all students, staff, and visitors to the District, as well as safeguard District facilities and equipment. Having carefully weighed and balanced the rights of privacy of students, staff and visitors against the District's goal of ensuring the safety of every student, employee and visitor while they are on school district property and also accomplish the goal of safeguarding District facilities and equipment, the Board hereby authorizes the use of video cameras on District property as follows:

Video surveillance shall be used to promote order, to maintain the security, health, welfare, and safety of all staff, students and visitors on District property, and to safeguard District facilities and equipment.

The District shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on District property. Additionally, notices shall be posted on or about School District property alerting those on School District property that the district is utilizing the use of Video Surveillance.

Review of any video recordings is restricted to those who have a security, a safety or a legitimate educational interest.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The District shall comply with all applicable state and federal laws related to record maintenance and retention. Video tapes that are records of student and/or staff behavior shall be secured in a locked file until the tapes are either reused or erased. The video tape shall be considered a student and/or staff record and shall be subject to current law for the release of student record information and/or personnel record.

Video surveillance may be used for investigations of criminal activity by appropriate law enforcement agencies and may be used by the School District to investigate violations of School District policy.

Students or staff in violation of Board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

Video cameras may be installed in public locations as deemed appropriate by the Superintendent, and shall not be installed in areas with a reasonable expectation of privacy.

Audio shall not be part of the video recordings made, reviewed, or stored by the District.



Cross-Reference: 3570 Student Records

Legal Reference: I.C. § 33-512
Books v. Logan, 127 Idaho 484, 903 P.2d 73 (1995);
Rife v. Long, 127 Idaho 841, 908 p.2d 143 (1995).
I.C. § 18-6701 et. seq.
34 C.F.R. Part 99
Family Educational Rights and Privacy Act (FERPA)

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

Because of student privacy concerns, the District requires listen-in technology to be disabled while the device is at school, on District-provided transportation, and at school events. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students.

A parent/guardian shall obtain approval from the building principal before operating a student-tracking safety device or other electronic device with recording or listen-in capability, such as Angel Sense, at school or at a school-sponsored event. Any parent/guardian receiving permission to use an electronic device with listen-in capability may be requested to enter into a user agreement with the school to define the scope and limits of such use.



Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g;
34 CFR Part 99 (2000)

Policy History

ADOPTED: 6/10/19

REVISED:

In the event an enrolled student fails to meet the state enrollment and attendance requirements, the school principal or designee will provide written notification on a form provided by the Idaho Department of Education to the student and parent/guardian of the District's intent to request that the Idaho Department of Transportation suspend the student's driving privileges, because the student has dropped out of school (and has not otherwise enrolled in another public/private school, home schooling educational program, course of preparation for the GED, a college or university, a post-secondary vocational program, or job training program or other educational activity approved by the Board) or has failed to comply with the enrollment and attendance requirements found in Idaho Code.

The student and parent/guardian will have fifteen (15) calendar days from the date of receipt of the above-mentioned notice to request a hearing before the school principal or designee for the purpose of reviewing the pending suspension of driving privileges. The requested hearing will be held within thirty (30) calendar days after the receipt of the request.

The school principal or designee may grant a hardship waiver of the requirements of this policy for any student for whom a personal or family hardship requires that the student have a driver's license for his or her own or family member's employment or medical care. The principal or designee will take into account the recommendations of teachers, other school officials, guidance counselors, or academic advisors prior to granting a waiver. Such a hardship waiver must be requested by the student or the student's parent/guardian at the initial hearing.

If the principal or designee, denies a hardship waiver, that decision may be appealed to the Board of Trustees of this District within seven (7) calendar days of receipt of the principal's or designee's decision. The hearing before the Board will be held at a mutually convenient time. The Board will have the authority to uphold the decision of the principal or designee, or reverse the decision and grant the hardship waiver.



Cross-Reference: 2325 Driver's Education

Legal Reference: I.C. § 33-211 Students' Drivers' Licenses
I.C. § 49-110 Definitions
I.C. § 49-303 What Persons Shall Not Be Licensed
I.C. § 49-303A Driver's License or Permits Issued to Certain Persons Under the Age of Eighteen Years
I.C. § 49-305 Instruction Permits—Temporary Licenses—Motorcycle Endorsement Instruction Permit
I.C. § 49-310 Applications of Persons Under the Age of Eighteen Years
I.C. § 49-326 Authority of Department to Suspend, Disqualify or Revoke Driver's License and Privileges

Policy History

ADOPTED: 2/10/14

ISBA

REVISED: 8/11/14

School student records are confidential, and information from them shall not be released other than as provided by law. Federal and state laws grant certain rights to parents and students, including the right to inspect, copy, and challenge school records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents shall have the right to object to the release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) notifies the school not to release this information.

The Superintendent or designee shall implement this policy consistent with state and federal law and may develop administrative procedures to assure compliance with state and federal law. The Superintendent or a designee shall inform staff members of this policy, and shall inform students and their parents of it, as well as their rights regarding student school records.



Cross Reference: 3575 Student Data Privacy and Security
4260 Records Available to the Public

Legal Reference: 20 U.S.C. § 1232g et seq. Family Education Rights and Privacy Act (FERPA)
34 C.F.R. 99 Implementing FERPA
I.C. 33-133 Idaho Student Data Accessibility, Transparency, and Accountability Act – Definitions – Student Data – Use and Limitations – Penalties
I.C. § 33-209 Attendance at School – Transfer of Student Records – Duties
I.C. § 32-717A Divorce Actions – Parents’ Access to Records and Information

Policy History:

ADOPTED: 8/11/14

ISBA

REVISED: 1/11/16

See Also: 3570P and 3570F

**Notification of Parents and Students Rights
Concerning A Student's School Records**

Page 1 of 4

Notification to Parents and Students of Rights Concerning a Student's School Records

The District will maintain a record for each student enrolled in the district. Student records shall include the following information as applicable and if the district has created or received such information. Items 1-7 must be included in the student record:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records, including exemption documentation;
7. Attendance record;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of these records; and
17. Disciplinary information.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. **The right to inspect and copy the student's education records within a reasonable time from the day the District receives a request for access.**

Students less than eighteen (18) years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.

The District charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

When the student reaches eighteen (18) years of age, or is attending an institution of post-secondary education, all rights and privileges accorded to the parent become exclusively those of the student.

2. The right to request an amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes is inaccurate, misleading, irrelevant, or improper.

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent.

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by state or federal law. Before information is released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. **The right to a copy of any school student record proposed to be destroyed or deleted.**
5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

Throughout the school year, the District may release directory information regarding students, limited to:

1. Name;
2. Address;
3. Gender;
4. Grade level;
5. Birth date and place;
6. Parents'/guardians' names and addresses;
7. Academic awards, degrees, and honors;
8. Information in relation to school-sponsored activities, organizations, and athletics;
9. Major field of study;
10. Period of attendance in school; and
11. A student's image (photo or video) solely for the purpose of publication or recognition of a student's honors, awards, or achievement or for any District informational or promotional use on its social media or other publications, or for any yearbook.

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Twin Falls School District administrative office within thirty (30) days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student is specifically informed otherwise.

6. **The right to request that student directory information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the District not release this information, and the District will comply with the request.

7. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.**

The name and address of the office that administers FERPA is:
U.S. Department of Education
Student Privacy Policy Office
400 Maryland Avenue, SW
Washington, DC 20202-4605



Cross Reference: 3570 Student Records
 3570P Student Records

Policy History:

ADOPTED: 12/9/13

ISBA

REVISED: 10/12/15
 4/11/22

Maintenance of School Student Records

The District shall maintain a record for each student enrolled in the district. Student records shall include the following information as applicable and if the district has created or received such information. Items 1-7 must be included in the student record:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records including exemption documentation;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of student's record; and
17. Disciplinary information.

The following are records which the District will maintain permanently:

1. Student's legal name;
2. Birth Certificate;
3. Proof of residency;
4. Academic transcript including graduation date;
5. Attendance summary, listing enrollment dates records;
6. Student Identification Number; and
7. Educational Assessment Data.

Information in student records (excluding permanent records listed above) shall be maintained for a period of three (3) years after a student graduates or permanently leaves the District.

Special Education Records shall be maintained in accordance with applicable special education laws.

The District's public records custodian, in conjunction with the Superintendent or their designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with the District's procedure established by the Superintendent.

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

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this policy and consistent with the provisions of state and federal law.
2. The parents of a student under 18 years of age shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 15 days of the District's receipt of such a request.

Where the parents are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The District shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

- A. Academic progress reports or records;
- B. Health reports;
- C. Notices of parent-teacher conferences;
- D. School calendars distributed to parents/guardians; and
- E. Notices about open houses and other major school events, including pupil-parent interaction.

When the student reaches eighteen (18) years of age, graduates from high school, marries, enters military service, or becomes legally emancipated, all rights and privileges accorded to the parent become exclusively those of the student. The parents of dependent students, as defined by the I.R.S. (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish, via either a copy of the applicable tax forms and/or a Parental Affidavit for Educational Records attesting to the student's dependent status.

Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has waived his or her right of access, after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The District may grant access to, or release information from, student records to employees or officials of the District or the Idaho State Board of Education, provided a current, demonstrable, educational or administrative need is shown, without parental consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. For purposes of an audit or evaluation by a federal or state-supported education program, and to comply with federal requirements related to such a program, the receiving entity must be a state or educational authority or another entity allowed by the Family Educational Rights and Privacy Act (FERPA), or must be an authorized representative of such an entity.

For each new audit, evaluation, or enforcement effort, the District shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The District shall be responsible for using reasonable methods to ensure, to the greatest extent practicable, that the authorized representative

- A. Uses the personal information only for the authorized purpose;
 - B. Protects the personal information from further unauthorized disclosures or other uses; and
 - C. Destroys the personal information when it is no longer needed for the authorized purpose. Such destruction shall be effected by any specified time period set forth in the written agreement.
5. The District may grant access to, or release information from, student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. Any such release in this regard shall be consistent with Idaho Code and Policy 3575 relating to the limitations on the release of student data.
6. The District shall grant access to, or release information from, a student's records pursuant to a court order or appropriate subpoena. In most instances, the parent/qualified student shall be given prompt written notice of such order/subpoena, a general statement of the documents which will be released, and the proposed date of release of the documentation requested. However, there are very limited circumstances under the USA Patriot Act where schools are required to disclose information without notice to the parent or student to the Attorney General of the United States upon an ex parte order in connection with the investigation or prosecution of terrorism crimes or other such specified situations when the court order prohibits disclosure (i.e. Federal Grand Jury Subpoena or Law Enforcement Subpoena wherein such order indicates disclosure is not permitted).
7. The District shall grant access to or release information from any student record as specifically required by federal or state statute.

8. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records, and one copy shall be mailed to the parent or eligible student by the records custodian. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.
9. The District may release student records to the Superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.
10. Prior to the release of any records or information under items 6, 7, 8, and 9 above, the District shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 6. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
11. The District may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. Any release that is made must be narrowly tailored considering the immediacy, magnitude, and specificity of the information concerning the emergency; and the information should only be released to those persons whose knowledge of the information is necessary to provide immediate protection of the health and safety of the student or other individuals (i.e. law enforcement, public health officials, trained medical personnel). The exception is temporarily limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's records. The District shall notify the parents or eligible student as soon as possible of the information released, the date of the release, the person, agency, or organization to which the release was made, and the purpose of the release and the same information shall be recorded in the student's record log.
12. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).
13. The District may charge a fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship. See Policy 4260 for information regarding the District copy fee schedule.

14. A log of all releases of information from student records, including all instances of access granted, whether or not records were copied, shall be kept and maintained as part of such records. This log shall be maintained for the life of the student record and shall be accessible only to the parent or eligible student, records custodian, or other such person. The log of release shall include:
- A. Information released or made accessible;
 - B. The name and signature of the records custodian;
 - C. The name and position of the person requesting the release or access;
 - D. The legitimate interests the parties had in requesting or obtaining the information;
 - E. The date of the release or grant of access;
 - F. A copy of any consent to such release; and
 - G. Any additional information required by state or federal law.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

- 1. Name;
- 2. Address;
- 3. Gender;
- 4. Grade level;
- 5. Birth date and place;
- 6. Parents'/guardians' names and addresses;
- 7. Academic awards, degrees, and honors;
- 8. Information in relation to school-sponsored activities, organizations, and athletics;
- 9. Major field of study;
- 10. Period of attendance in school; and
- 11. A student's image (photo or video) solely for the purpose of publication or recognition of a student's honors, awards, or achievements or for any District informational or promotional use on its social media or other publications, or for any yearbook.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The parents may challenge the accuracy, relevancy, or propriety of the records, except for grades, and references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

1. The right to present evidence and to call witnesses;
2. The right to cross-examine witnesses;
3. The right to counsel;
4. The right to a written statement of any decision and the reasons therefore; and
5. The right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The parents may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.



Cross References: 3575 Student Data Privacy and Security
 4260 Records Available to Public

Procedure History

ADOPTED: 8/11/14

ISBA

REVISED: 1/11/16
 4/12/21
 4/11/22

The efficient collection, analysis, and storage of student information is essential to improve the education of our students. As the use of student data has increased and technology has advanced, the need to exercise care in the handling of confidential student information has intensified. The privacy of students and the use of confidential student information is protected by federal and state laws, including the Family Educational Rights and Privacy Act (FERPA) and the Idaho Student Data Accessibility, Transparency, and Accountability Act of 2014 (Idaho Data Accountability Act).

Student information is compiled and used to evaluate and improve Idaho's educational system and improve transitions from high school to postsecondary education or the workforce. The Data Management Council (DMC) was established by the Idaho State Board of Education to make recommendations on the proper collection, protection, storage and use of confidential student information stored within the Statewide Longitudinal Data System (SLDS). The DMC includes representatives from K-12, higher education institutions and the Department of Labor.

This policy is required by the Idaho Data Accountability Act. In order to ensure the proper protection of confidential student information, the District shall adopt, implement and electronically post this policy to its website. It is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy. This policy is consistent with the DMC's policies regarding the access, security, and use of data maintained within the SLDS. Violation of the Idaho Data Accountability Act may result in civil penalties.

Definitions

Administrative Security consists of policies, procedures, and personnel controls including security policies, training, and audits, technical training, supervision, separation of duties, rotation of duties, recruiting and termination procedures, user access control, background checks, performance evaluations, and disaster recovery, contingency, and emergency plans. These measures ensure that authorized users know and understand how to properly use the system in order to maintain security of data.

Aggregate Data is collected or reported at a group, cohort or institutional level and does not contain Personally Identifiable Information (PII.)

Data Breach is the unauthorized acquisition of PII.

Logical Security consists of software safeguards for an organization's systems, including user identification and password access, authenticating, access rights and authority levels. These measures ensure that only authorized users are able to perform actions or access information in a network or a workstation.

Personally Identifiable Information (PII) includes: a student's name; the name of a student's family; the student's address; the students' social security number; a student education unique identification number or biometric record; or other indirect identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances, to identify the student.

Physical Security describes security measures designed to deny unauthorized access to facilities or equipment.

Student Data means data collected at the student level and included in a student's educational records.

Unauthorized Data Disclosure is the intentional or unintentional release of PII to an unauthorized person or untrusted environment.

Collection

The District shall follow applicable state and federal laws related to student privacy in the collection of student data.

Access

Unless prohibited by law or court order, the District shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Superintendent or designee, is responsible for granting, removing, and reviewing user access to student data. An annual review of existing access shall be performed.

Access to PII maintained by the District shall be restricted to:

- (1) the authorized staff of the District who require access to perform their assigned duties; and
- (2) authorized employees of the State Board of Education and the State Department of Education who require access to perform their assigned duties; and
- (3) vendors who require access to perform their assigned duties.

Security

The District shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. The District shall immediately notify the Executive Director of the Idaho State Board of Education and the State Superintendent of Public Instruction in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. The District shall also notify in a timely manner affected individuals, students, and families if there is a confirmed Data Breach or confirmed Unauthorized Data Disclosure.

Use

Publicly released reports shall not include PII and shall use Aggregate Data in such a manner that re-identification of individual students is not possible.

District contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall include the following provisions which are intended to safeguard student privacy and the security of the data:

1. Requirement that the vendor agree to comply with all applicable state and federal law;
2. Requirement that the vendor have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure;
3. Requirement that the vendor restrict access to PII to the authorized staff of the vendor who require such access to perform their assigned duties;
4. Prohibition against the vendor's secondary use of PII including sales, marketing or advertising;
5. Requirement for data destruction and an associated timeframe; and
6. Penalties for non-compliance with the above provisions.

The District shall clearly define what data is determined to be directory information.

If the District chooses to publish directory information which includes PII, parents must be notified annually in writing and given an opportunity to opt out of the directory. If a parent does not opt out, the release of the information as part of the directory is not a Data Breach or Unauthorized Data Disclosure.



Cross Reference: 2140 Student and Family Privacy Rights
3570 – 3570P Student Records

Legal Reference: 20 U.S.C. § 1232g Family Education Rights and Privacy Act
34 C.F.R. 99 Family Education Rights and Privacy Act
I.C. § 33-133 Idaho Student Data Accessibility, Transparency, and Accountability Act

Policy History

ADOPTED: 9/8/14

ISBA

REVISED: 9/14/15

This District's Board of Trustees recognizes that while the parents of some students may be divorced or estranged, both have a right to be informed of and involved in their child's educational process. The Board also recognizes that parents who are estranged or divorced may disagree regarding the education of the child, and/or may attempt to limit one another's access to their child. Despite such estrangement, both parents are welcomed and encouraged to participate in the child's education, to the extent appropriate.

The parent who enrolled the student will be presumed to be the custodial parent until a court order or written agreement between the parties, identifying the custodial parent, is provided to the school.

A parent will only be prevented from participating in his/her child's education if a court order (e.g., divorce decree, custody order, or restraining order) specifically denies visitation rights. If one parent desires that the district comply with such an order, he/she has the obligation to present a copy of the signed order to the building principal. Additionally, the district may prohibit either parent (regardless of custodial status and the language of the court order) from entering the school, or otherwise participating in school-sponsored activities, if he or she disrupts the educational process or his/her presence is detrimental to the morals, health, safety, academic learning, or discipline of the student(s).

PROGRESS REPORTS AND STUDENT RECORDS

Both parents have the right to receive progress reports and review student records of their minor children. If the parents are separated or divorced, progress reports will be sent to the custodial parent with the expectation that he/she will share the report with the non-custodial parent. The district will send copies of the progress report to the non-custodial parent only if that parent submits a written request that it do so.

Both parents have the right to review their minor student's records. However, if the custodial parent advises the district, in writing, to delete the minor child's address from student records supplied to the non-custodial parent, the records will be flagged and the deletion will be made. Any request to review the student's records must comply with the Family Educational Rights and Privacy Act.

PARTICIPATION IN PARENT AND TEACHER CONFERENCES

Both parents are welcome, and encouraged, to participate in parent and teacher conferences, disciplinary meetings or hearings, Individual Educational Program team meetings, and any other conference called by district personnel regarding the student's education. If the parents are separated or divorced, the custodial parent is expected to share scheduling information with the non-custodial parent. The school will provide scheduling information to the non-custodial parent only if it receives a written request to do so.

EDUCATIONAL DECISIONS

In the event the parents are unable to agree with one another on decisions regarding their student's educational program, including, but not limited to, placement, participation in extracurricular activities, and consent to evaluation and services, the custodial parent's decision will be binding on both parents unless a court order requires otherwise. In the event the educational decision relates to services provided pursuant to the Individuals with Disabilities Education Act, the educational decisions, and the parents' rights and responsibilities, will be pursuant to the statutory requirements.

VISITATION WITH THE STUDENT DURING SCHOOL HOURS

Generally, both parents have the right to attend school programs open to parents and patrons, volunteer in the child's classroom, or visit the child at the school, or otherwise be in the school setting. The parent's right is not negated solely by the fact that he/she is the non-custodial parent. Such visitation will be limited only if the district has received a copy of a court order specifically restricting the parent's access to the child by: 1) denying the parent's visitation rights; or 2) requiring supervision of the parent's visitation with the child. The district does not have the responsibility to supervise visitation between a parent and his/her child and, thus, will not allow parent access in the school setting.

When visiting the school, all parents are required to comply with all district policies and not take any action which disrupts the educational process. All parents visiting the school must check-in with the school office before proceeding to a classroom or other area of the school. If a parent takes any action which the administrator considers to be inappropriate or disruptive to the educational process, he/she may be requested to leave and prohibited from returning.

If a parent wants to visit with his/her child privately, the administrator shall have the authority to grant or deny the request, and, if granted, to determine the place and time of such visit to ensure minimal disruption to the student's participation in class.

RELEASE OF THE STUDENT TO SOMEONE OTHER THAN THE CUSTODIAL PARENT

Only the custodial parent and the authorities specified in Procedure 3550P have the right to authorize removal of the child from school property during school hours. If the custodial parent desires that the student be removed by another individual, he/she must inform the school in writing that he/she is authorizing such party to remove the student. Such authorization shall specify the person, date, and time or specify that the authorization for a specified person is generally applicable.

If the non-custodial parent seeks to remove the child from school, and the custodial parent has not consented, the following steps should be followed:

1. The principal or designee will meet with the non-custodial parent and, in his/her presence, telephone the custodial parent and explain the request. If the custodial parent agrees, the student will be released and the records will reflect that the permission was granted orally.

2. If the custodial parent objects to the removal, the principal or designee may allow a visit between the non-custodial parent and student, with the child remaining in the office area for the visit and then returning to class. The non-custodial parent will not be allowed to leave the office area with the student.
3. If the principal or designee has reason to believe that a possible abduction of the child may occur at the school or the parent is disruptive, the superintendent and/or local law enforcement officials will be immediately notified.

Removal by the non-custodial parent without the permission of the custodial parent shall not be allowed by the principal under any but extraordinary circumstances where:

1. The custodial parent is unavailable to give consent due to circumstances beyond his or her control, such as injury, illness, or arrest;
2. The child's welfare is at risk if approval is not granted; and
3. The principal has notified the Superintendent and obtained his or her approval.

If the principal or Superintendent believes the child is at risk and the custodial parent cannot be reached, the school resource officer, local law enforcement, or the Department of Health & Welfare should be notified.



Legal Reference: Idaho Code § 33-506
§33-512
§32-717A
Family Educational Rights And Privacy Act of 1974 20 USC 1232g
34 CFR Part 99
Idaho Attorney General Opinion No. 93-2

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 10/12/15

Whenever possible and legal, the Twin Falls School District recognizes the value of providing information to non-custodial parents regarding school purposes and activities pertaining to their child. The district also recognizes that many divorced parents continue to share caregiving and custody and that each parent under legal and practical circumstances, should have equal access to information regarding their child's school progress and activities.

Therefore, upon written request to their child's school principal, the school will subsequently and routinely mail to that parent copies of all school information which is normally sent home with the child. This will include mailings of copies of report cards, and class and school newsletters during the school year in which the request is made. Non-custodial parents and parents with shared custody not normally receiving materials from the school may annually request this service.

Parents, restricted by court order, will not be given access to school information regarding their child. Challenges to a parent's access to information will be referred to and investigated by the Superintendent. Individuals initiating challenges must provide documentation regarding court orders prohibiting access to information.



Legal Reference: Federal Family Educational Rights and Privacy Act of 1974
Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802)
regs. Implementing
FERPA enacted as part of 438 of General Education Provisions Act (20
U.S.C. 1232G) – parent and student privacy and other rights with respect
to educational records

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

Upon notification by the Idaho state police of a missing or runaway child currently enrolled in the District, that student's records shall be flagged in such a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing or runaway child. If request is made for a flagged record, the record shall not be forwarded and the local law enforcement agency shall be notified of the request for the flagged record.

Any request concerning flagged records or knowledge as to the whereabouts of a missing or runaway child shall immediately be reported to the local law enforcement agency. Upon notification by the Idaho state police of the return of the missing or runaway child, the school shall remove the flag from the student's record.



Legal Reference: I.C. § 18-4511 School Duties—Records of Missing Child—
Identification Upon Enrollment—Transfer of Student Records

Policy History

ADOPTED: 8/11/14

ISBA

REVISED:

All student handbooks are approved policy of the board and are identified under the above policy number. The complete student handbook for each school is on file at the district administration office and at the respective schools.

Students who violate the provisions of the applicable student handbook will be disciplined in accordance with the district policies.



Legal Reference: Idaho Code § 33-512(6)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14

This District is committed to providing a safe environment for all students and staff. The District's therefore prohibits any weapons or other objects/substances that may pose a threat to health and safety or may disrupt the educational process on school property and at school-sponsored activities.

PROHIBITIONS

Students attending District schools are prohibited from:

1. Possessing or carrying objects/substances which are manufactured, used, or intended for use as a weapon, or facsimiles thereof, at school, on a school bus, or at any school-sponsored activity without prior permission of school officials.
2. Possessing, carrying, using, and/or threatening to use, any normally non-dangerous object or substance with the intent or result of causing harm to another individual at school, on a school bus, or at any school-sponsored activity.
3. Knowingly assisting another student(s) to possess, carry, or use a weapon at school, on a school bus, or at any school-sponsored activity.

DEFINITIONS

“Possess” is defined as bringing an object, or causing it to be brought, onto the property of a school, or onto a vehicle being used for school-provided transportation, or exercising dominion and control over an object located anywhere on such property or vehicle. A student will be determined to possess a weapon when the item is found to be in any of the following locations:

1. On a student's person;
2. In the student's personal property, including, but not limited to, the student's clothing, backpack, purse, or any other item the student transports or carries and/or causes to be transported or carried to school;
3. A vehicle parked in the school parking lot which the student drives and/or is transported in;
4. The student's locker; or
5. Any other school-related or school-sponsored event, regardless of location.

“Deadly or dangerous weapon” means a weapon, device, instrument, substance, or material that is used for or capable of, causing serious bodily injury or death, except that such term does not include a pocket knife with a blade of less than 2½ inches in length as defined in 18 U.S.C. Section 930.

“Weapon” additionally includes a knife with a blade of any length, and objects or substances that propel items or gases for self-defense such as pepper spray.

“Firearm” shall mean any firearm as defined in 18 U.S.C. Section 921.

INVESTIGATION

The superintendent or designee will immediately investigate any allegation that a student is in violation of this policy. If determined necessary by the superintendent or designee, law enforcement may be requested to conduct the investigation. Any item identified as a weapon may be confiscated by the superintendent or designee. Students reasonably believed to be in possession of these items may be suspended from school until a thorough investigation is completed.

DISCIPLINARY ACTIONS

Any student found to be in violation of this policy will be subject to disciplinary action, including, but not limited to, expulsion, suspension, or other appropriate penalties. The board may, at its discretion, expel a student for the possession and/or use of a weapon, regardless of whether the item at issue falls within the definition of “weapon” under the Gun-Free Schools Act. Disciplinary action will be taken after reviewing all factors, including, but not limited to, the mandates of federal and state law; the student’s actions; the risk of harm to the students, District personnel, and patrons; the student’s academic standing; the likelihood of recurring violation; and the student’s prior conduct.

Expulsion Mandated by Federal Law

The Board of Trustees shall expel a student when the student’s actions violate federal law, as set forth in the Gun-Free Schools Act and Idaho law, regarding the prohibition of weapons:

Gun-Free Schools Act. A student is found by District personnel or by law enforcement personnel to have carried a dangerous weapon as defined by 18 U.S.C. Section 921 on school property.

The expulsion, pursuant to the Gun-Free Schools Act, will be for a period of not less than one (1) year (twelve (12) calendar months). The board may modify the expulsion order on a case-by-case basis, taking into account the individual circumstances and the severity of the incident.

Referral to Law Enforcement

The District will refer any student who brings onto school property a weapon or firearm, as defined under the Gun-Free Schools Act or Idaho law, to law enforcement.

The board may, at its discretion, refer other students who violate this policy to law enforcement.

STUDENTS WITH DISABILITIES

Disciplining students with disabilities, as defined by Public Law 94-142 and subsequent amendments, and Section 504 of the 1973 Rehabilitation Act, under this policy will follow federal

guidelines under IDEA.

DENIAL OF ENROLLMENT

This District will not admit a student who has been expelled from another school district for violation of a statute, regulation, or policy which prohibits weapons until the student is eligible to return to his or her home school District. If a student wishes to challenge that decision, he or she is entitled to a due process hearing pursuant to Idaho Code Section 33-205.



Legal Reference: Idaho Code § 33-205
Idaho Code § 18-3302D
18 USC 921
18 USC 930
Elementary and Secondary Education Act, § 4141 (2001)

Policy History

ADOPTED: 12/08/08
EMT

REVISED: 10/12/15
12/13/21

The Board of Trustees may deny a student enrollment, or may deny a student attendance at any of its schools by expulsion, for the following reasons:

1. The student is a habitual truant, is incorrigible, or whose conduct, in the judgment of the board, is such as to be continually disruptive of school discipline or of the instructional effectiveness of the school, or whose presence in a public school is detrimental to the health and safety of other students.
2. The student has been expelled from another school district in this state or any other state.
3. The parent/guardian fails to furnish from or to request of the out-of-state school from which the student is transferring, school records for a student transferring into this district. The parent/guardian of a student transferring from out-of-state to a school in this district is required, if requested, to furnish the district accurate copies of the student's school records, including records containing information concerning violent or disruptive behavior or disciplinary action involving the student.

In the case of an open enrollment application, enrollment may also be denied for the reasons described in Policy 3010 and Procedure 3010P.

Any student having been denied enrollment or expelled may be enrolled or readmitted to school by the board upon such reasonable conditions as may be prescribed by the board; but such enrollment or readmission will not prevent the board from subsequently expelling such student for cause.

WEAPONS VIOLATION

The board will expel from school for a period of not less than one (1) year, twelve (12) calendar months, or may deny enrollment to, a student who has been found to have carried a weapon or firearm on school property in this state or any other state, except that the board may modify the expulsion or denial of enrollment order on a case-by-case basis. An authorized representative of the board will report such student and incident to the appropriate law enforcement agency.

SPECIAL EDUCATION STUDENTS

Discipline of a student with disabilities will be in accordance with the requirements of federal law Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504) as well as the provisions of this policy. Chapter 12 of the Idaho Special Education Manual will also be followed.

DUE PROCESS RIGHTS

No student will be expelled or denied enrollment without first receiving the following due

process rights:

1. The board, through the superintendent or his or her designee, will give written notice to the parent/guardian of the student;
2. The notice will state the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the board to deny school attendance;
3. The notice will also state the right of the student to be represented by counsel, to produce witnesses, and submit evidence on his or her own behalf, and to cross-examine any adult witnesses who may appear against him or her.
4. Within a reasonable period of time following such notification, the board, by means of an independent hearing officer, will grant the student and his or her parent/guardian a full and fair hearing on the proposed expulsion or denial of enrollment.
5. The board will allow a reasonable period of time between such notification and the holding of such hearing conducted by the hearing officer to allow the student and the parent/guardian to prepare their response to the charge.
6. If the parent wishes to appeal the recommendation of the hearing officer, an appeal hearing will be held in accordance with Procedure 3740P. If there is no appeal, the Board shall determine whether to affirm, modify, or reject the hearing officer's recommendation after reviewing the expulsion hearing summary.
7. Any student who was within the age of compulsory attendance at the time of the violation(s), who is expelled or denied enrollment as herein provided, will come under the purview of the Juvenile Corrections Act, and an authorized representative of the board will provide, within five (5) days, written notice of the expulsion to the prosecuting attorney of the county of the student's residence in such form as the court may require under the provisions of the Juvenile Corrections Act.



Legal Reference: Idaho Code § 33-205, 33-209, 20-527

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 01/10/11

12/14/15

See also: 3740P

EXPULSION HEARING PROCEDURES

The Twin Falls School District employs an expulsion hearing officer to conduct expulsion hearings. The expulsion officer first must determine if the student violated any policy. Next, the hearing officer will determine whether the expulsion procedure was appropriately followed, if it was fair, if the evidence established the violation, and then if the expulsion is the appropriate disciplinary response. The steps of the expulsion procedure are as follows. Each step has a form letter or a procedural description that accompanies it.

1. The building administration recommends that a student be expelled and completes the letter (Letter #1) to be sent to the parent along with the description of the expulsion process. (Letter #2)
2. The hearing officer follows a procedural guideline that contains within it a script of what he/she should say. This helps to make the hearing process more consistent. (Letter #3)
3. The hearing officer fills out an expulsion summary that describes the hearing and the recommendation. This document is sent to the Board along with a brief summary of the student's infractions. (Letter #4)
4. A copy of the expulsion summary is sent to the parent with a letter outlining the hearing officer's recommendation to the Board (expulsion or no expulsion.) The letter also states the parent's right to appeal the recommendation. (Letters #5 and #6).
5. If the parent wishes to appeal, an appeal hearing is set up with the Board and the parent is given a set of instructions outlining the procedure that will be covered in the appeal hearing. The Board is given the same document and the script within the document is followed. The intent of the appeal hearing is not to rehear all the details that led to the expulsion recommendation, but to determine whether the child received a fair and impartial hearing. (Letter #7)
6. If there is no appeal, the Board reviews the expulsion hearing summary and affirms, modifies or rejects the recommendation for expulsion. Depending upon the Board action, letters # 8 or #9 are sent out.
7. If the student is under 16, the courts are notified by letter and by formal petition. (Letter #10)

ADMINISTRATIVE PROCEDURAL OUTLINE FOR EXPULSION HEARINGS

The Hearing Officer should conduct the formal expulsion hearing in the following manner:

1. Call to Order: The hearing officer will describe the purpose of the expulsion hearing for the record.
2. Notification Requirement: The hearing officer will review with the parent/guardian the legal requirements the district must follow to notify him or her of the action being considered.
3. Explanation of Hearing Officer's Role and Responsibilities: The hearing officer will review those things that he will do to conduct a fair, impartial hearing.
4. Compiling the Basic Record: The hearing officer will collect any written documents or other exhibits the parent/guardian might have to support his or her position regarding the proposed expulsion, as well as any written documents or other exhibits that the school representative has to support the school's position.
5. Opening Statements: Brief opening statements of five minutes or less will be allowed by the proponent of expulsion and by the student or the student's representative. This is a preliminary statement to explain what each expects the evidence to show.
6. Proponent's Evidence: The proponent of expulsion will present any witnesses, documents, or other evidence which the proponent desires to be considered. Witnesses may be cross-examined. The testimony of other witnesses not present at the hearing will be received in evidence.

Any party wanting to reserve the right to cross-examine a witness not present at the hearing must make it known that such cross-examination of a specific witness is desired and also the general areas of cross-examination desired. If cross-examination is desired of such a witness, then arrangements will be made to receive such cross-examination at a later time.

7. Student's Evidence: The student, his/her parents or representatives are permitted to be present and hear the evidence presented by the proponent. In addition, the student is entitled to introduce evidence by testimony, writings, or other documents in his/her favor. The student and/or parent can give testimony of his/her own.
8. Hearing Officer Questions: If at any time during the proceedings, the Hearing Officer feels that clarification of a point is needed, or that some aspect of the situation needs to be examined in more depth, the Hearing Officer may question the proponent and/or the student.
9. Summation: The proponent of expulsion and the student or his/her representative will be given an opportunity to make a closing summation of no longer than 10 minutes each. The expulsion proponent may submit a rebuttal argument of no more than 5 minutes.
10. Advisement: At the conclusion of the summation, the case will be taken under advisement by the hearing officer who will then prepare findings of fact and recommendations. The proponent and student will receive a copy of the decision as soon as it is completed.

11. Modification: The procedural outline for a hearing is presented as a guideline, and may be changed by the hearing officer if the situation warrants and neither party formally objects. A modification in the manner in which the hearing is conducted will not invalidate the decision of the hearing officer unless said modification results in a violation of the student's right to due process or the deliberate omission of material evidence.



Cross Reference: 3340 Corrective Actions and Punishment

Procedure History

ADOPTED: 10/8/91

REVISED: 10/24/12

8/11/14

8/10/15

12/14/15

SENT TO PARENT BY SCHOOL

Letter #1

ADMINISTRATIVE RECOMMENDATION FOR EXPULSION

*[Place on **School** Letterhead]*

Dear _____:

The purpose of this letter is to notify you that the School District #411 administration has recommended that student's name appear before the district Expulsion Hearing Office for a hearing to determine whether he/she should be expelled. This recommendation is based on continued violation of school district discipline policies. Can list other charge(s)

The administration has made an advisory recommendation. The Expulsion Hearing Officer will decide whether to convey formally the expulsion recommendation to the Board of Trustees on the basis of information obtained at the hearing.

The hearing has been scheduled for your son/daughter at _____ in the morning/afternoon at school, address. _____ will be permitted to have a representative present at the hearing to advise him/her. The representative may be an attorney, parent, or guardian.

The Expulsion Hearing Officer will hear the charges against your son/daughter, and see the evidence as presented by the building administrator. He or she will allow _____ or his/her representative the opportunity to present oral testimony, produce witnesses, affidavits, and or exhibits in his/her own behalf, and cross examine any adult witnesses who may appear against him/her. In addition, the Hearing Expulsion Officer will make a record of the hearing.

Please notify my office as to whether you plan to be present at the hearing to contest the charges. If you have any questions regarding the charges, the hearing, or the possible outcomes, please feel free to call me at school phone number.

Sincerely,

Name

Principal/Associate Principal

School Name

Enclosures

SENT TO PARENT FROM SCHOOL TO ACCOMPANY LETTER #1

Letter #2

EXPULSION PROCEDURE DESCRIPTION

*[Place on **School** Letterhead]*

This document describes the procedure used by the Expulsion Hearing Officer when conducting an expulsion hearing in School District #411. Though specific circumstances of your child's situation may preclude the procedure from being rigidly followed, it does serve as a guideline for the Officer and gives you an idea as to what you may expect.

Step 1: Call to Order

The hearing officer will describe the purpose of the expulsion hearing for the record.

Step 2: Notification Requirement

The hearing officer will review with you the legal requirements the district must follow to notify you of the action being considered.

Step 3: Explanation of Hearing Officer's Role and Responsibilities

The hearing officer will review those things that he or she will do to conduct a fair, impartial hearing.

Step 4: Compiling the Basic Record

The hearing officer will collect any written documents or other exhibits that you might have to support your position regarding the proposed expulsion, as well as any written documents or other exhibits that the school representative has to support the school's position.

Step 5: Opening Statements

Both the school representative and your child or his/her representative will be allowed five minutes to explain what you think your evidence will show.

Step 6: Proponent's Evidence

The school representative will be allowed to present all the evidence that he/she has acquired to support expulsion.

Step 7: Student's Evidence

The student and/or the student's representative will be allowed to present all the evidence that he/she has acquired to show why the student should not be expelled.

Step 8: Hearing Officer Questions

The hearing officer may question the proponent, the student, or the student's representative regarding any facet of the situation. The questioning may occur at any time during the hearing.

Step 9: Summation

The school representative and the student representative will be able to make a closing statement that summarizes their position. This statement should last no more than ten minutes. After both parties have made their summary statements, the school representative is allowed to make a short rebuttal.

Step 10: Advisement

After all the aforementioned steps have been taken, the hearing officer will end the hearing and excuse all participants. The hearing officer will subsequently determine the facts and make the recommendation regarding expulsion. Both parties will receive a written copy of the recommendation as soon as it is completed.

EXPULSION OFFICER'S SCRIPT

Letter #3

PROCEDURAL SUGGESTIONS FOR THE HEARING OFFICER

CALL TO ORDER

This is the time and place for the hearing in the matter of the proposed expulsion of _____, a student at _____ School. This hearing was scheduled for the date of _____, 20____, at the _____ in School District #411, Twin Falls, Idaho.

For the record, I will identify myself; I am _____, and I, by designation of Twin Falls School District #411 Board of Trustees, am empowered to act as the hearing officer in this matter of proposed expulsion.

At this time, I will request that others present identify themselves for the record. First, the proponents of expulsion....and those present to represent the student.

NOTIFICATION REQUIREMENTS

The law requires that certain written notice be given to a student's parent or guardian before a hearing can be held to expel any student. Please respond either yes or no as to whether you received written notice stating the grounds for the expulsion, the time and place that you could appear to contest the action, the right of the student to be represented by counsel, the right of the student to submit evidence on his/her behalf, the right of the student to produce witnesses on his/her behalf, and the right to cross examine any adult witness who may appear against him/her.

Finally, did you receive such notification in sufficient time to allow you to prepare your response to the charges?

(If the answer to any of the above is no, repeat the rights, ask the parent whether he/she understands them, and whether he/she wishes to delay this hearing for a few days in order to obtain an attorney, witnesses, or prepare a defense.)

EXPLAIN THE ROLE AND RESPONSIBILITIES OF HEARING OFFICER

Each party should have available to them a copy of the hearing officer's responsibilities and the procedures to be followed at this hearing. For the record, I wish to review this information.

Idaho law and school district policy stipulates that the school Board, or someone designated by the school Board, will act as a hearing officer in matters of student expulsion. I have been designated by School District #411 Board of Trustees to serve as the hearing officer in these cases. The hearing officer has the responsibility to compile the facts of the situation and make written findings of fact and recommendations to the Board of Trustees.

As the hearing officer, my findings and recommendations must be derived from the evidence presented at this hearing.

Technical rules of evidence will not be followed. Witnesses should, however, confine their testimony to personal knowledge. Other evidence of a type commonly relied upon by reasonable people in the conduct of their serious affairs will be admitted. Repetition should be avoided.

My findings and recommendations will be submitted to the school Board, the proponent of expulsion, the student, and the student's parents or guardians.

My findings and recommendations will be immediately effective at the time they are reviewed by the school Board and affirmed, modified, or reversed. Are there any questions from either party concerning the role and responsibilities as the hearing officer?

The basic outline of procedure to be followed during this hearing will be as follows:

1. Compiling of the basic record
2. Opening statements
3. Proponent's evidence
4. Student's evidence
5. Summation
6. Advisement

Does the proponent have any questions concerning the procedures to be followed?

Does the student or his/her parents have any questions concerning the procedure to be followed?

I will at this time, direct you that evidence and testimony be presented to the hearing officer and that all questions, comments, and statements be directed to the hearing officer, except those questions and responses that occur under cross-examination.

Before we proceed, I will state my intention to complete, if possible, this hearing by ____ today. Should that not occur, I will decide, at that time, upon the time and date for a continuation.

To both parties I ask, are you prepared to proceed with the hearing?

Both parties are prepared to proceed with the hearing.

1. BASIC RECORD: I will now ask the proponents to identify and submit to the hearing officer, any exhibits they wish to be included in the basic record of jurisdictional documents. (Mark the exhibits by number.)

To both parties, let me say that I reserve the right to collect additional informational exhibits, testimony, transcripts, or the like as items to include in the basic record at points later during the course of the hearing.

2. OPENING STATEMENTS: (Proponent first, respondent second)

3. PROPONENT'S EVIDENCE

4. STUDENT'S EVIDENCE

5. SUMMATION (Proponent first, respondent second, proponent rebuttal third)

At this point, the procedures set forth at the beginning of the hearing have been followed and concluding summations have been made. It has been the main intent of this hearing to assure that the highest degree of due process has been afforded to all parties.

It is now the responsibility of the hearing officer to deliberate upon and determine facts as they relate to the proposed expulsion of _____. These matters are never simple, as they involve both the immediate and the future education of this young person. Consideration must be given to the student and at the same time, to the patrons, other students, faculty, and administration of this school district.

I will not attempt to render my recommendation at this time. With fairness to all, I will make every attempt to complete my fact finding at the earliest time possible. Upon making my decision, I will send written copies of the findings and recommendations to the Board of Trustees, the proponent, the student, and the student's parents or guardians.

The Board of Trustees will act upon my recommendation: to affirm, modify or deny the recommendation at the next Board meeting. That meeting is scheduled for _____, 20____, at _____ p.m. _____, Twin Falls, Idaho. You will receive notification by mail of the recommendation and the time that this matter will be considered by the Board of Trustees.

SENT TO SUPERINTENDENT'S SECRETARY FOR BOARD OF TRUSTEES

EXPULSION OFFICER'S EXPULSION SUMMARY

SCHOOL DISTRICT #411
EXPULSION SUMMARY

STUDENT NAME

DATE

BOARD ACTION: AFFIRM _____ MODIFY _____ DENY _____
BOARD COMMENTS:

STUDENT INFORMATION

Date-of-Birth:

Gender:

Grade:

School:

No. of Credits:

Grade Average:

ATTENDANCE INFORMATION

PRESENT

ABSENCES

TARDIES

TRUANT

IN SCHOOL SUSPENSIONS

OUT OF SCHOOL SUSPENSIONS

CHARGES AGAINST STUDENT (INFRACTION):

HEARING DESCRIPTION:

HEARING OFFICER FINDINGS:

HEARING OFFICER RECOMMENDATION:

Hearing Officer

LETTER #5 OR #6 SENT TO PARENT WITH SUMMARY LETTER #4
EXPULSION HEARING OFFICER RECOMMENDING NO EXPULSION TO BOARD

*[Place on **District** Letterhead]*

Dear : Parent or guardian,

This letter is written to inform you that the Expulsion Hearing Officer will recommend to the School District #411 Board of Trustees that your son/daughter, NOT be expelled from school at this time. This recommendation is to be delivered to the Board at its next regularly scheduled meeting on date, and is based on the evidence presented by all parties at your recent expulsion hearing.

Attached is a copy of the Expulsion Summary, illustrating the recommendation resulting from the hearing. Please take a few minutes to review it.

You need to be aware that this recommendation does not eliminate any record of past discipline policy violations committed by your son/daughter, but simply signifies that the Expulsion Hearing Officer has not found said infractions to warrant expulsion at this time. Additional violations by _____ in the future will be grounds for the immediate initiation of expulsion proceedings.

If you would like to discuss the matter further, please get in touch with me at 733-6900.

Sincerely,

Superintendent of Schools

Enclosures

cc: Board of Trustees
School File

LETTER #5 OR #6 SENT TO PARENT WITH SUMMARY LETTER #4

Letter #6

EXPULSION HEARING OFFICER RECOMMENDING EXPULSION TO BOARD

*[Place on **District** Letterhead]*

Dear: Parent or guardian

This letter is written to inform you that the Expulsion Hearing Officer will recommend to the School District #411 Board of Trustees that your son/daughter, be expelled from school for an indefinite period for continued violation of school district policies. This recommendation is to be delivered to the Board at its next regularly scheduled meeting on date, and is based on the evidence presented by all parties at your recent expulsion hearing.

Attached is a copy of the Expulsion Summary, illustrating the recommendation resulting from the hearing. Please take a few minutes to review it.

If you feel that the hearing held was not fair and impartial, you have the right to appeal the Expulsion Hearing Officer's recommendation to the school Board. This process, however, is limited to the Board conducting a review of the hearing officer's recommendation, and offering you an opportunity to present your criticism of that recommendation. It will not be another hearing at which evidence supporting or refuting the charges against your child is gathered and presented.

If you decide to appeal, please notify me so that I can place you on the agenda. It is indeed unfortunate that it has been necessary to take this action.

Sincerely,

Superintendent of Schools

Enclosures

cc: Board of Trustees
School File

SENT TO PARENT ALONG WITH LETTER #6 ONLY

Letter #7

SCHOOL DISTRICT #411 EXPULSION PROCEDURE BOARD OF TRUSTEE

APPEALS

The School District #411 Board of Trustees has given full authority to an expulsion hearing officer to conduct a hearing at which a student may oppose any attempt to deny said student the right to attend school. Once the hearing has been held, the expulsion hearing officer submits to the Board of Trustees a recommendation advocating or opposing the student's expulsion. In the event the school administration, the student, or the student's representative opposes the hearing officer's recommendation, the school administration, student, and/or representative may appeal the action to the Board of Trustees. However, it is important to note that any appeal must be undertaken on the basis that you feel the hearing officer's procedure was incorrect, incomplete, or in some manner inappropriate. This is not another attempt to rehear all the evidence presented at the hearing, and thus, neither you nor the hearing officer should expect to present such evidence.

The Board of Trustees may ask you the following questions:

1. Were you given notice before the hearing that the student in question had certain rights, among which were
 - a. Knowledge of the grounds for the expulsion
 - b. the time and place you could appear to contest the action
 - c. the right of the student to be represented by council
 - d. the right of the student to submit evidence on his/her behalf
 - e. the right of the student to produce witnesses on his/her behalf
 - f. the right to cross-examine any adult witness who may appear against him/her.
2. Were you asked if you had received such notification in sufficient time to allow you to prepare your response to the charges?

If the answer to any question was no, the Board of Trustees may ask you, "Were you told you could request a delay in the expulsion procedure in order for you to prepare your response?"

If the answers to all of these questions were yes, the Board of Trustees may ask you the following questions:

3. What specifically do you feel that the expulsion hearing officer did incorrectly, incompletely, or inappropriately in conducting the hearing?

Letter #7 Continued

4. Is there anything else you would like to discuss with the Board about the manner in which the hearing officer conducted the hearing?

Once you have had the opportunity to state that which you wish to discuss, the Board of Trustees may ask certain questions of you or the hearing officer, or they may ask you to leave. They will deliberate on the question of the student's expulsion and will make a decision later in the evening. You will be notified of that decision within the next twenty-four hours.

The Board of Trustees does not allow electronic recording devices in its executive session. Please respect this prohibition.

If you have questions about any part of the expulsion process, please discuss them with the administrator who will escort you into the Board hearing room.

**SEND TO PARENT FROM DISTRICT OFFICE AFTER BOARD APPEAL (IF
EXPULSION RECOMMENDED)**

Letter #8

BOARD RECOMMENDING EXPULSION

[Place on **District** Letterhead]

Dear _____:

This letter is to inform you that the School District #411 Board of Trustees confirmed the Expulsion Hearing Officer's recommendation that your *son/daughter*, _____, be expelled from school for violation of the school district policies.

Since _____ is under the age of 16, his name and information will be remanded to the custody of the courts in the manner prescribed by law.

If _____ wishes to earn *his/her* way back into public school, *he/she* should meet with me to discuss *his/her* options. Please call my office and speak to my secretary to set up an appointment for an entry interview.

_____ should make arrangements with the school principal to check in *his/her* books and get *his/her* personal property checked out of _____ School. In the meantime, _____

should not visit _____ School or be on the campus of any other school in the district unless given permission by the school principal. _____ will not be allowed to participate in any school activities during the term of the expulsion from school. A violation of this directive could have a definite bearing on _____'s reinstatement at a later date.

If you have any questions about the expulsion or the possibility of reinstatement, please feel free to call this office at 733-6900.

Sincerely,

Superintendent of Schools

cc: Principal
Student File

**SEND TO PARENT FROM DISTRICT OFFICE AFTER BOARD APPEAL (IF NO
EXPULSION RECOMMENDED)**

BOARD RECOMMENDS NO EXPULSION

Letter #9

*[Place on **District** Letterhead]*

Dear _____:

This letter is to inform you that the School District #411 Board of Trustees denied the Expulsion Hearing Officer's recommendation that your *son/daughter*, _____, be expelled from school for continued violation of school district disciplinary policies.

Denying the Expulsion Hearing Officer's request does not excuse any violation recorded for your *son/daughter*. It simply means that due to circumstances related to the situation, the violations do not warrant expulsion from school at this time.

_____ should return to *his/her* school by _____, 20__ to continue his/her studies. If you have any questions about the expulsion process or the consequences of future violations, please feel free to call this office at 733-6900.

Sincerely,

Superintendent of Schools

cc: Board of Trustees
School File

SENT TO PROSECUTING ATTORNEY (FOR STUDENTS UNDER THE AGE OF 16)

Letter # 10

[Place on **District** Letterhead]

(Date)

(Prosecutor Name)

County Prosecutor
Twin Falls County
P.O. Box 126
Twin Falls, Idaho 83303

Dear (Prosecutor):

At the (Month/Day/Year) Board of Trustee's meeting, the Board expelled ____ (#) students for violation of school district policies. This letter is to officially notify you of this proceeding. The expelled students are:

Name	DOB	Gender	Parent/ Address	Length of Expulsion	Reason for Expulsion	School

If you have any questions about the proceedings, please contact us. Thank you for your help.

Sincerely,

Superintendent of Schools

cc: Chief Juvenile Probation Officer
TFSD Dropout Prevention Coordinator

Any student who steals, destroys, or defaces School District property, or the property of another individual located at a school site, will receive prompt and decisive disciplinary action, which may include, but is not limited to, suspension or expulsion. If circumstances warrant, the student may be referred to the local law enforcement agency.

The student and his or her parent/guardian will be held responsible for restitution to the full extent of the laws for any damage to School District property.



Legal Reference: Idaho Code Section 6-210

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14

This District prohibits students from committing acts of violence against other students, District personnel, or other persons. Any assault or battery by a student on an employee of this District, another student, or other person, occurring on or near the school grounds or at a school sponsored event will result in the student being disciplined in accordance with Procedure.

Further, any person, including a student, who, while on school grounds, willfully threatens, by word or act, to use a firearm or other deadly or dangerous weapon to do violence to any other person on school grounds will be referred to law enforcement for prosecution and shall be disciplined in accordance with Policy 3730 as appropriate.

DEFINITIONS

“Assault” is defined as any willful attempt or threat to inflict injury upon another person, when coupled with an apparent present ability to do so, and any intentional display of force such as would give the individual reason to fear or expect immediate bodily harm. An assault may be committed without actually touching, or striking, or doing bodily harm to another person.

“Battery” is defined as the willful and unlawful use of force or violence, or the actual, intentional, and unlawful touching or striking against the will of another, or unlawfully and intentionally causing bodily harm.

“Deadly and dangerous weapon” means a weapon, device, instrument, substance, or material that is used for, or capable of causing serious bodily injury or death.

“Firearm” means any firearm as defined in 18 U.S.C. Section.

“On school grounds” means in, or on the property of, a public or private elementary or secondary school or at an event sponsored by the District.



Legal References: Idaho Code Section 18-901, *et seq.*
BLACK’S LAW DICTIONARY 105 (5th ed. 1979)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 10/12/15

This District has a statutory duty to protect the health, welfare, and safety of all students enrolled in the District. Medical personnel who are employed by the District or whose medical services are contracted by the District also have statutory duties to adhere to certain protocols. This District's medical personnel or health care providers will not honor a student's Do Not Resuscitate Order, Living Will, Durable Power of Attorney, "consent to care", or other similar document refusing medical care.

The District does not follow and will not assume any responsibility for failure to follow any document refusing medical care, whether by the District or emergency medical personnel. The District bears no responsibility or liability if the emergency medical personnel are not made aware of the existence of such a document.

In the event a parent/guardian wishes to place such a document in their child's student file, they shall present it to a District administrator. Such administrator shall inform the parent/guardian of this policy and advise the parent/guardian that such document will not be honored by the District. A copy of the document(s) will be placed in the student's educational record. Nursing staff will also be notified and provided a copy of such document(s).

The parent/guardian shall also be informed that if he or she wishes such document to be shared with any medical personnel in the case of an emergency, the document on file with the District must be updated at the start of each school year and every six months thereafter, or at the start of every semester thereafter. Additionally, the parent/guardian shall provide school officials with written permission to release such document to emergency medical personnel each time an update to the document is provided.

In the event emergency medical services personnel are called by this District to assist a student, District personnel who are present and knowledgeable of a current written document refusing medical care will make a reasonable effort to inform the medical services personnel of the document and provide them with a copy of such document. Whether the document will be followed is at the discretion of the emergency medical services personnel.

Medical treatment that is medically inappropriate or futile is not required.

No health care provider shall be civilly or criminally liable or subject to discipline for unprofessional conduct for acts or omissions carried out or performed in good faith pursuant to the directives in a facially valid POST form or living will or the holder of a facially valid durable power of attorney or a directive for health care.

DEFINITIONS

"Cardiopulmonary resuscitation" or "CPR" means measures to restore cardiac function and/or support ventilation in the event of cardiac or respiratory arrest.

"Emergency medical services personnel" means the personnel of a service engaged in providing

initial emergency medical assistance, including, but not limited to, first responders, emergency medical technicians, advanced emergency medical technicians, and paramedics.

“Health care provider” means any person or entity licensed, certified, or otherwise authorized by law to administer health care in the ordinary course of business or practice of a profession, including emergency or other medical services personnel.

“Persistent vegetative state” means an irreversible state that has been medically confirmed by a neurological specialist who is an expert in the examination of nonresponsive individuals in which the person has intact brain stem function but no higher cortical function and no awareness of self or environment.

“Physician orders for scope of treatment (POST) form” means a standardized form containing orders by a physician that states a person’s treatment wishes.

“Physician orders for scope of treatment (POST) identification device” means standardized jewelry that can be worn around the wrist, neck, or ankle, and which has been approved by the Department of Health and Welfare.

“Terminal condition” means an incurable or irreversible condition that, without the administration of life-sustaining procedures, will, in the opinion of a physician, result in death if it runs its usual course.



Legal Reference: Idaho Code § 33-512(4)
Idaho Code § 39-4501 through 39-4515
Czaplicki v. Gooding Joint School District No. 231, 775 P.2d 640 (1989)

Policy History

ADOPTED: 8/11/14

EMT

REVISED: 10/12/15
6/11/18
11/12/18

The District will provide transportation to all school-sponsored activities for students participating as individuals or team members representing the District that are scheduled at a location outside this District. Any out-of-state transportation must have prior approval by the School Board. In accordance with Idaho Code, at any time that School District approved transportation is being driven by a coach or other authorized individual, the driver must possess a valid Idaho Commercial Driver's License when the occupant load, including the driver, is 16 or more individuals.

All student participants are required to ride the bus to and from these scheduled events, unless alternative transportation is pre-approved by the coach/advisor. If a student participant wishes to ride with his/her parent/guardian, arrangements must be made by the parent/guardian with the coach/advisor in writing. Riding with a parent or guardian to an event is discouraged and will only be permitted in extenuating circumstances. Parents wishing to transport their student(s) to activities should utilize form 3780F.

Under no circumstances will student participants be allowed to transport themselves or other students to or from the activity, except in the presence of his or her parent/guardian.

This policy does not apply to activities, in which student participation is optional, or attendance as a spectator at an event.



Cross Reference: 3780F School Sponsored Activities Transportation Agreement and Liability Waiver

Legal Reference: Idaho Code Section 33-512(12)

Policy History

ADOPTED: 12/08/08

EMT

REVISED: 8/11/14
12/13/21
1/9/23

Twin Falls School District #411**School Sponsored Activities Transportation Agreement and Liability Waiver**

I, _____, parent or guardian of _____ (student) hereby have chosen to provide transportation for this child _____ (TO and/or FROM) _____ (name of activity or event) extracurricular activity or event on _____ (date) for which District transportation is provided.

I understand that by signing this waiver, I take full responsibility for the transportation of this child to and from the above-mentioned activities for which District transportation is provided. I also understand that this waiver releases the District from any and all liability or claims regarding the transportation of this child to and/or from extracurricular activities or events for which District transportation is provided.

IF TRANSPORTING TO THE EVENT:

I understand that I will be responsible to have my child arrive at the activity at the expected arrival time as prescribed by the coach/advisor/teacher.

_____ Arrival Time (to be completed by the coach/advisor/teacher.)

_____ Departure Time (to be completed by the coach/advisor/teacher.)

Signature of Parent/Guardian

Date

Signature of Coach/Advisor/Teacher

Date



Cross Reference: 3780 Transportation to School-Sponsored Activities
3381 Extracurricular and Co-Curricular Participation Policy
8105 Extracurricular Transportation

Policy History

ADOPTED: 12/13/21

TFSD

REVISED: