

The Board recognizes the necessity of fair and judicious rules and guidelines to aid in the positive conduct of students resulting in the benefit of all students. As described herein, the Board authorizes the Principal or designee of any school to detain any student for disciplinary reasons or for other conduct disruptive of good order or of the instructional effectiveness of the school. This policy applies while a student is on all school district provided transportation and time on any campus which includes the regular school day as well as school sponsored activities.

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.

Each building principal shall be responsible for overseeing and implementing student discipline in their buildings as outlined in their student handbooks and the procedures of this policy.

Disciplinary action may be taken, as outlined in the procedures of this policy, against any student guilty of disobeying directives from staff members or school officials and/or rules and regulations governing student conduct, including, but not limited to:

**Conduct:**

- a. Incurability.
- b. Cheating, plagiarizing, or otherwise knowingly attempting to commit academic dishonesty
- c. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- d. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
- e. Conduct continuously disruptive to the educational environment or to the instructional effectiveness of the classroom.
- f. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils.
- g. Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or disruptive to the educational environment.
- h. The forging of any signature, or the making of any false entry, or the inappropriate authorization of any document used or intended to be used in connection with the operation of the school.

**Attendance:**

- a. Habitual truancy – parents of a child between the ages of seven (7) and sixteen (16) years who has “failed, neglected or refused to place the child in school or knowingly have allowed a pupil to become repeatedly absent.”
- b. Unexcused absenteeism; however, the truancy statutes and Policy 320.00
- c. Attendance Board policy will be utilized for chronic and habitual truants Policy 320.00.

**Illegal Substances:**

- a. Using, possessing, distributing, purchasing, or selling tobacco, e-cigarettes, vapes, alcoholic beverages, illegal or prescription [over-the-counter] drugs or controlled substances, look-alike drugs and drug paraphernalia is strictly prohibited on all school district property and/or school events.
- b. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession.
- c. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy.

**Weapons**

- a. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon. See Policy 952.00 Possession of Weapons in a School Building "Deadly or dangerous weapon" means any weapon as defined in United States Code. Such term does not include a pocket knife with a blade of less than 2½ inches in length. and
- b. "Firearm" means any firearm as defined in United States Code.

**Bullying**

- a. Hazing, harassment, intimidation, bullying, or cyber bullying, as defined in Idaho Code and Policy 372.00 Hazing, Harassment Intimidation, Bullying, Cyber Bullying.

Grounds for disciplinary action apply whenever the student’s conduct is reasonably related to school or school activities, including, but not limited to:

- a. On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
- b. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
- c. Traveling to and from school or a school activity, function or event in a District authorized vehicle; or
- d. Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with the education environment.

**Traditional Disciplinary Measures**

All classroom discipline shall be handled starting at the classroom level, followed by possible removal to the principal's office should the behavior persist.

**Corporal Punishment**

No person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

**Alternative Disciplinary Measures**

Alternative disciplinary action is discipline other than traditional detention, suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

Alternative discipline includes, but is not limited to:

- a. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- b. Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
- c. Counseling;
- d. Anger management;
- e. Health counseling or intervention;
- f. Mental health counseling;
- g. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
- h. Diversion or use of juvenile specialty courts;
- i. Behavioral management plan;
- j. Corrective instruction or other relevant learning or service experience; and
- k. Community service.

**Disciplining Students on Individual Education Plan or Section 504s -**

The District shall comply with the procedural safeguards enumerated in state and federal law and rule when disciplining students with individualized education plans or 504 plans.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Policy 390.30 Student Discipline - Expulsion.

### **Chain of Command**

Each teacher, and any other school personnel when students are under his/her charge, is authorized to impose any disciplinary measure, other than suspension, or expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

### **Nondiscrimination**

The District will ensure that student discipline is enforced in a nondiscriminatory manner to avoid subjecting similarly situated students to different treatment without a legitimate reason for doing so, or when such a reason is merely a pretext for discrimination. Such discrimination, which the District will endeavor to avoid, includes the following:

- a. Adopting discipline rules which treat students differently based on 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;
- b. Adopting any rule with the intention of targeting students based on the personal characteristics listed above, rather than for a legitimate purpose, regardless of whether the phrasing of the rule appears neutral with regard to students' personal characteristics;
- c. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
- d. Discipline of any student when it is motivated by intentional discrimination.

### **Notification**

A summarized version of this policy shall be provided in writing at the beginning of each school year to the school personnel, parents, and students in the District. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

### **LEGAL REFERENCE:**

<b>I.C. § 33-205</b>	<b>Denial of school attendance</b>
<b>I.C. § 18-917</b>	<b>Hazing</b>
<b>I.C. § 18-917A</b>	<b>Student Harassment – Intimidation- Bullying</b>
<b>I.C. § 18-3302D</b>	<b>Possession Weapons or Firearms on School Property</b>
<b>I.C. § 18-3302I</b>	<b>Threatening Violence on School Grounds</b>
<b>I.C. § 33-1224</b>	<b>Powers and duties of teachers</b>
<b>I.C. § 33-1630</b>	<b>Requirements for Harassment, Intimidation, and Bullying Information and Professional Development</b>
<b>20 U.S.C. § 7151</b>	<b>Gun-free requirements</b>
<b>20 U.S.C. § 8921, et seq.</b>	<b>Gun Free Schools Act</b>

**29 U.S.C. § 701**

**Rehabilitation Act of 1973**

**IDAPA 08.02.03.109.05**

**Special Education**

**I.D.A.P.A. 08.02.03.160**

**Safe Environment and Discipline Office of Civil Rights  
Dear Colleague Letter on the Nondiscriminatory  
Administration of school Discipline**

**ADOPTED: May 21, 2018**

**AMENDED/REVISED: July 20, 2020; September 27, 2021**

**CROSS REFERENCE: Policy 342.00 Assault, Battery and Corporal Punishment  
Policy 342.10 Theft or Destruction of School Property  
Policy 342.20 Student Drug, Alcohol, and Tobacco Use**