

*****566 – Student Suicide Prevention.** This policy is updated to reflect the addition of a new statute that becomes effective July 1, 2018. The new law is Idaho Code §33-136 – Suicide Prevention in Schools, which requires the State Board of Education to adopt rules supporting suicide awareness and prevention training each year for public school personnel; requires school districts to adopt a policy on student suicide prevention, which must, at a minimum, address procedures relating to suicide prevention, intervention and postvention; and provides that the State Department of Education will develop a model policy to serve as a guide to school districts for adopting a suicide prevention policy. Despite these requirements, the statute includes a provision that no person will have a cause of action for any loss or damage resulting from any training provided under the new law, or lack thereof, and that the requirement for training does not impose any specific duty of care.

The Soda Springs School District recognizes its obligation to protect the health and safety of all students attending its schools. School staff is responsible for following the accompanying procedures relating to suicide prevention, intervention and postvention in the event it is suspected that a student may have suicidal tendencies, or in the event a student suicide occurs. As used in this policy, “postvention” means counseling or other social care given to students after another student’s suicide or attempted suicide.

The legal duty to warn of a student’s suicidal tendencies occurs whenever this school district or any teacher has knowledge of direct evidence of a student’s suicidal tendencies, as determined by a court as a matter of law. ~~The legal duty to warn of a student’s suicidal tendencies occurs whenever this school district or any teacher had knowledge of direct evidence, as determined by the court as a matter of law, of a student’s suicidal tendencies.~~

For the purposes of this policy, “direct evidence” is defined as evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact. Direct evidence includes unequivocal and unambiguous oral or written statements by the student which would not cause a reasonable teacher to speculate regarding the existence of the fact in question. Direct evidence does not include equivocal or ambiguous oral or written statements by a student which would cause a reasonable teacher to speculate regarding the existence of the fact in question.

No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of this policy or resulting from any training received by district employees as required by Idaho Code §33-136, or lack thereof. Additionally, the training required by Idaho Code §33-136, or lack thereof, shall not be construed to impose any specific duty of care upon the district or any of its employees.



LEGAL REFERENCE:

Idaho Code Sections

33-136 – Suicide Prevention in Schools
33-512(4) – Governance of Schools
33-512B – Suicidal Tendencies – Duty to Warn
IDAPA 08.02.02.076.10(c) – Principle IX – Duty to Report – Duty to Warn
IDAPA 08.02.03.160 – Safe Environment and Discipline
Stoddart v. Pocatello School Dist. #25, 149 Idaho 679, 239 P.3d 784 (Idaho 2010)
Brooks v. Logan, 127 Idaho 484, 903 P.2d 73 (Idaho 1995)
Carrier v. Lake Pend Orielle School Dist., 142 Idaho 804, 134 P.3d 655 (Idaho 2006)

ADOPTED:

AMENDED: