

*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 in the event it is suspected that a student may have suicidal tendencies, or in the event a student suicide occurs.*

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. 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.



**LEGAL REFERENCE:**

Idaho Code Sections

33-512(4) – Governance of Schools

33-512B – Suicidal Tendencies – Duty to Warn

IDAPA 08.02.02.10(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)

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