

Student Discipline

Disciplinary action may be taken against any student guilty of disobedience or misconduct, including, but not limited to:

1. Habitual truancy;
2. Incurability;
3. Academic dishonesty;
4. Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District;
5. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils;
6. Using, possessing, distributing, purchasing, or selling tobacco products;
7. Using, possessing, distributing, purchasing, or selling vape products;
8. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession;
9. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession;
10. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons in a School Building" section of this policy;
11. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
12. Assembly of or public expression advocating for the use of substances that are illegal to minors or otherwise prohibited within this policy;
13. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct;
14. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;
15. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;

16. Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or which is disruptive to the educational environment;
17. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
18. Initiations;
19. Hazing (as defined in District Policy 3295P);
20. Harassment (as defined in District Policy 3295P);
21. Bullying (as defined in District Policy 3295P);
22. Cyberbullying Harassment (as defined in District Policy 3295P);
23. Harassment, intimidation, cyberbullying, or bullying (as defined in District Policy 3295P);
24. Use of an electronic communications device in violation of District Policy 3265;
25. The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school;

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

1. 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;
2. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school
3. Traveling to and from school or a school activity, function, or event; or
4. 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.

Powers and Duties of a Teacher

A teacher shall have the power to adopt any reasonable rule or regulation to control and maintain discipline in, and otherwise govern, the classroom, not inconsistent with any statute or rule or regulation of the board of trustees.

Disciplinary Measures

Disciplinary measures are designed to correct and address the student's misbehavior and include, but are not limited to, the following:

1. Expulsion;
2. Temporary Suspension;
3. Detention;

4. Clean-up duty;
5. Loss of student privileges;
6. Loss of bus privileges;
7. Notification to juvenile authorities and/or police;
8. Temporary removal from the classroom;
9. Meeting with the student and the student's parents;
10. Restitution for damages to school property
11. Reflective activities; and
12. Community service activities within the school building.

In the event a student is removed from the classroom:

- A. For an extended period of time, or
- B. For the duration of the class period, or
- C. If administration is involved regarding the disciplinary measures,

Then the child's parent(s) or guardian(s) shall be contacted and made aware of the circumstances and situation.

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.

Temporary Suspension

The superintendent or building principal may temporarily suspend any student for disciplinary reasons, including student harassment, intimidation, bullying, or cyberbullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school.

Prior to temporarily suspending any student, the superintendent or principal shall hold an informal hearing on the reasons for the suspension. During an informal hearing, parents and students have the opportunity to challenge the reasons for a temporary suspension.

Due process procedures are as follows:

No or Low Level Threat: Principal shall take a written statement from the student, any witnesses, and all other parties involved. After the written statements are collected, the Principal shall determine if a threat assessment investigation is needed. If a threat assessment investigation is not needed, then parents shall be contacted for an informal hearing. The informal hearing may take place in person or over the telephone, and shall discuss the occurrence and situation and the consequences to be implemented.

Mid Level Threat: Principal shall take a written statement from the student, any witnesses, and all other parties involved. After the written statements are collected, the Principal shall determine if a threat assessment investigation is needed. If a threat assessment investigation is not needed, then parents shall be contacted for an informal

hearing. The informal hearing shall take place in person, discussion shall be regarding the occurrence and situation, the consequences to be implemented, and a behavioral support plan shall be created and agreed to by all parties.

High Level Threat: Principal shall take a written statement from the student, any witnesses, and all other parties involved. After the written statements are collected, the Principal shall determine if a threat assessment investigation is needed. If a threat assessment investigation is determined, then parents shall be contacted informing them of (1) the threat assessment investigation occurring involving their student and (2) the student's temporary suspension. The Principal shall notify the Superintendent of the occurrence and threat assessment investigation. The Superintendent shall notify the Board of the threat assessment investigation, and a formal hearing date shall be determined.

A temporary suspension shall not exceed five (5) school days. The superintendent may extend the temporary suspension an additional ten (10) school days. The Board may extend the temporary suspension for five (5) more additional school days upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other students' health, welfare, or safety.

Any student who has been temporarily suspended may be readmitted to the school pursuant to the terms of a behavioral support plan. The board of trustees shall be notified of any temporary suspensions, the reasons therefore, and the response, if any.

Harassment, Intimidation, Bullying and Cyberbullying

Students engaging in harassment, intimidation, bullying, and/or cyberbullying shall be subject to Policy 3295 and Policy 3295P. The District reserves the right to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, (a) while on school property or in those portions of any building, stadium, or other structure on school grounds, (b) at an activity sponsored by or through a school in this State, (c) while riding school provided transportation, or (d) while attending or participating in any school sponsored activity, program, or event regardless of location, may be expelled for a period of not less than one (1) year.

The Board may modify the expulsion period, on a case-by-case basis, as determined by the outcome of an expulsion hearing. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

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 formal hearing before the Board, in accordance with Idaho Code and Board policy.

Exceptions to Gun-Free Schools

1. A firearm that is lawfully stored inside a locked vehicle on school property is an exception for any adult over eighteen (18) years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, non-threatening manner.
2. Possession of firearms and dangerous weapons in Federal facilities shall not apply to the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes is an exception. (Pursuant to 18 U.S.C. § 930 (d) (3))

Possession of a Weapon on School Property

It shall be unlawful for any person to possess a firearm or other deadly or dangerous weapon while on school property or in those portions of any building, stadium, or other structure on school grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program, or event regardless of location.

As used in this section of this Policy only:

1. "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
2. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement and face disciplinary action by the District.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building shall present this request to the Board in a regular meeting. Granting permission is at the sole discretion of the Board.

In the event a deadly or dangerous weapon, firearm, and/or other harmful objects are brought to school, or found on school property but not reported, the Principal shall proceed with the investigative processes identified under the temporary suspension section to determine the level of threat assessment to proceed with.

This section of this policy does not apply to:

1. Law enforcement personnel;

2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, non-threatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or school employees to and from school or a school activity;
4. A person or persons protecting him or herself and/or family by reasonable means necessary (defense of self or of another), or when coming to the aid of another whom he or she reasonably believes to be in imminent danger of or the victim of aggravated assault, robbery, rape, murder or other heinous crime; or
5. A person or an employee of the school or District who is authorized to carry a firearm with the permission of the Board of Trustees.

Nondiscrimination

The District will ensure student discipline is enforced in a nondiscriminatory manner.

Notification

This policy shall be provided in writing at the beginning of each school year to the school personnel, parents, and students in the District.

The Board shall review this policy annually.

Cross References:	3265 3295 3295F 3295P 3330F-1 3330F-2 3330F-3 3340 3360 4320	Electronic Communications Devices Hazing, Harassment, Intimidation, Bullying, Cyber Bullying Complaint Form for Hazing, Harassment, Intimidation, Bullying, Cyber Bullying Procedures on Hazing, Harassment, Intimidation, Bullying, Cyber Bullying Written Statement Form LJSD Behavioral Support Plan Notice of Temporary Suspension Corrective Actions and Punishment Discipline of Students with Disabilities Disruption of School Operations
Legal References:	I.C. § 33-205 I.C. § 33-1612 2B I.C. § 18-917 I.C. § 18-917A	Denial of School Attendance Thorough Systems of Public Schools-Courses of Instruction Hazing Student Harassment - Intimidation - Bullying

I.C. § 18-3302D	Possessing Weapons or Firearms on School Property
I.C. § 18-3302I	Threatening Violence on School Grounds
I.C. § 33-1224	Powers and Duties of Teachers
I.C. § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development
IDAPA 08.02.03.109.05	Special Education
IDAPA 08.02.03.160	Safe Environment and Discipline
18 U.S.C. § 930	Possession of Firearms and Dangerous Weapons in Federal Facilities
18 U.S.C. § 921	Firearms - Definitions
20 U.S.C. § 7961	Gun-Free Requirements
29 U.S.C. § 701, <i>et seq.</i>	Section 504 of the Rehabilitation Act of 1973

Other Reference: Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline

Policy History:

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