

Liberty Charter School

STUDENTS

3300

Drug Free School Zone

The Board recognizes that the use of illegal drugs and misuse of legal drugs/prescription medications is a serious problem with legal, physical and social implications for the entire school community. As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive means.

For purposes of this policy, "Drugs" shall mean:

- A. all illegal drugs and/or substances prohibited by Idaho and/or federal law;
- B. all dangerous controlled substances as so designated and prohibited by Idaho law;
- C. all chemicals which release toxic vapors;
- D. all alcoholic beverages;
- E. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- F. "look-alikes"/ synthetics;
- G. anabolic steroids;
- H. any other illegal substances so designated and prohibited by law.

In accordance with Federal law, the Board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on School property, within the Drug-Free School Zone, or at any school-related event. Furthermore, the Administrator shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Idaho law within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

The Administrator shall prepare guidelines for the identification and regulation of drug use in the schools. Such guidelines shall emphasize the prevention of drug use and include a statement to students that use of illicit drugs and the unlawful possession of alcohol is harmful. The student handbook shall provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity.

Sanctions for violation of this or any other policy which addresses illegal drug and alcohol possession, use or distribution may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment.

Cross Reference: 3330 Student Discipline.

Legal Reference: 20 U.S.C. 3170 et. seq. Drug-Free Schools and Communities Act of 1986,

Policy History:

Adopted on: May 31, 2012

Revised on: 2015.06.11

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Prohibition of Tobacco Possession and Use

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

The Board prohibits tobacco use and possession by students at any time in a Charter School building or on any Charter School property, buses, vans, or vehicles that are owned, leased, or controlled by the Charter School. Tobacco use and possession by students is also prohibited at Charter School-sponsored activities that are held off School property.

The Charter School may initiate discipline according to the Charter School'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: 3300 Drug Free School Zone
 3330 Student Discipline

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

Policy History:

Adopted on: 2020.01.16

Revised on:

STUDENTS

3320

Substance and Alcohol Abuse

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. The Charter School wishes to help those in need of alcohol and drug intervention and, at the same time, to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the School relating to use, possession, and being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C

Voluntary Disclosure

The Charter School shall strive to create an environment free from alcohol and illicit drugs. In the case of students who come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the Charter School having reasonable suspicion, they will immediately notify the student's parent/guardian, and the Charter School will work with the parent in the establishment of a plan to assist the student in whatever means are deemed necessary and appropriate.

The mere fact that a student previously disclosed use of alcohol or a controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

Use of Alcohol/Drugs Not Disclosed Voluntarily

If the School has reasonable suspicion (based upon reliable information received or the personal observations of staff) to believe that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the School may take whatever action is deemed appropriate, including but not limited to, suspension, and/or expulsion. The school shall notify the student's parent/legal guardian as well as local law enforcement. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if they have used and/or are under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/legal guardian will be immediately called;
3. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
4. The student will be immediately suspended from School, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
5. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the

use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk, backpack, bag, or any other School property used by the student. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from School pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion may be made to the Board of Directors. The student will be entitled to full due process prior to being expelled from School

Only persons who have a "need to know" may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others.

Resources

When a student admits to using alcohol or drugs or is reasonably suspected of doing so, the student's parent/guardian will be notified of available opportunities for counseling for the student.

When a student is expelled for such substance use, the Board may require, as a condition of readmission, that the student undergo assessment and counseling for alcohol and/or drug use if qualified Charter School staff are available to provide these services.

The School shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

The Board shall review this policy annually.

Legal References

IC § 33-210

Description

Attendance at Schools —Students Using or Under the Influence of Alcohol or Controlled Substances

IC § 33-6000

Parental Rights

IC 37-2732C

Using or Being Under the Influence - Penalties

IDAPA 08.02.03.160

Safe Environment and Discipline

Pub. L. 101-226

The Anti-Drug Abuse Act of 1986, Title IV, Subtitle B: The Drug-Free Schools and Communities Act of 1986 (as amended)

Cross References

Code

3330

Description

Student Discipline

3340

Corrective Actions and Punishment

3370

Searches and Seizure

Policy History:

Adopted on: 2020.01.16

Revised on: 2021.11.11

Revised on: 2024.09.18

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3330

Student Discipline

Discipline Philosophy-The Harbor School Method™

Liberty Charter School is founded on the belief that when there is low threat and content is highly challenging, accelerated learning takes place. Each child has the right to come to school without the fear of taunting, teasing or violence. Each parent has the right to expect a school to provide a safe, kind environment for his/her child. Each staff member has the right to teach without the fear of violence.

Education is not only a right but also a privilege and must be guarded by appropriate behavior. We believe that no student has the right to interfere with another's educational opportunities.

Liberty Charter School is dedicated to providing a safe, kind environment for its students. Kindness is the number one expectation for Liberty students in the area of behavior. There will be an emphasis on politeness, honesty, and integrity and zero tolerance for unkindness. If students are kind, there will be no fights, no gangs, and no name calling. Kindness covers all areas that can potentially cause behavior problems in a school setting. Liberty recognizes that, in some circumstances, acts of unkindness outside of the School may have a negative effect on the safe learning environment of the School and, in those instances; the School will address the behavior and/or effect of the unkind behavior at school.

Student Discipline

A. Proactive Approach to Discipline

The purpose of discipline at Liberty is "to disciple" students. Kindness, politeness, honesty and integrity are character traits necessary for students to become competent, confident, productive and responsible young adults and to achieve success in all aspects of their lives. At a Harbor School, the approach to discipline is proactive.

Grades K-8:

1. Teachers will have a proactive approach to discipline which includes teaching "The Behaviors" and implementing the "40 Card" Program the initial week of school.
2. Teachers will inform students of the classroom rules and general school rules on the first day of class and will review the rules throughout the school year, and students will be expected to follow the rules from that time. The Administrator and /or teacher shall make a copy of the discipline plan for each student's parent upon request. Students who do not follow the rules will be corrected and will receive appropriate disciplinary action.

Grades 9-12:

1. Teachers will inform students of the classroom rules and general school rules on the first day of class and will review the rules throughout the school year, and students will be expected to follow the rules from that time.
2. Students will receive and be expected to read Student Handbook with school rules and procedures.

Student Discipline

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

- Habitual truancy.
- Incurability.
- Academic dishonesty.
- Conduct continuously disruptive of school discipline or of the instructional effectiveness of the Charter School.
- Conduct or presence of a student when the same is detrimental to the health and safety of other pupils.
- Using, possessing, distributing, purchasing, or selling tobacco products or look-alike products including e-cigarettes and/or any vaping product.
- 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.
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs 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.
- Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy.
- Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons in a School Building" section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Inappropriate behavior between students in bathrooms or other areas on school property, including but not limited to shared use of a bathroom stall.
- Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
- Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or disruptive to the educational environment.
- Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing – For purposes of this policy, the term "hazing" shall have the meaning set forth in Idaho Code.
- Initiations.

- 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.
- Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and Charter School policy.

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

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

Traditional disciplinary measures include, but are not limited to:

- Expulsion;
- Suspension;
- Detention, including Saturdays;
- Clean-up duty;
- Loss of student privileges;
- Loss of bus privileges;
- Notification to juvenile authorities and/or police;
- Temporary removal from the classroom;
- Meeting with the student and the student's parents; and
- Restitution for damages to school property.

No person who is employed or engaged by the Charter School may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and Charter School 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 Measure

Alternative disciplinary action is discipline other than traditional 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:

- Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
- Counseling;
- Anger management;
- Health counseling or intervention;
- Mental health counseling;
- Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
- Diversion or use of juvenile specialty courts;
- Behavioral management plan;
- Corrective instruction or other relevant learning or service experience;
- Community service; and
- In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

Consequences for Harassment, Intimidation, and Bullying

Students engaging in harassment, intimidation, or bullying will be subject to graduated consequences appropriate to the severity of the violation as determined by the Board, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences for bullying may include any of the above listed traditional or alternative disciplinary measures or a combination thereof in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. However, depending upon the nature of the act, the Charter School reserves the right to deviate from the process of graduated consequences to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings. Charter School personnel may also report the student's conduct to the appropriate law enforcement officials.

Disciplining Students on Individual Education or Section 504 Plans

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

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, shall be expelled for a definite period of time of at least one (1) calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. 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 hearing before the Board, in accordance with Idaho Code and Board policy.

Possession of a Weapon On School Property – Misdemeanor

No person shall 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:

- (a) "Deadly or dangerous weapon" means any weapon as defined in United States Code;
- (b) "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 for immediate prosecution, as well as face disciplinary action by the Charter School.

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. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a school building.

This section of this policy does not apply to:

1. law enforcement personnel;
2. 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 vehicle in an unobtrusive, nonthreatening 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 an employee of the school or Charter School who is authorized to carry a firearm with the permission of the Board of Directors of the Charter School.
- 5.

Delegation of Authority

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 Charter School 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 Charter School will endeavor to avoid, includes the following:

1. 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;
2. 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;
3. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
4. 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 Charter School. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

Cross Reference: 3295

3340

4320

Hazing, Harassment, Intimidation, Bullying, Cyber
Bullying
Corrective Actions and Punishment
Disruption of School Operations

Legal Reference: I.C. § 33-205 Denial of school attendance
I.C. § 18-917 Hazing
I.C. § 18-917A Student Harassment – Intimidation- Bullying
I.C. § 18-3302D Possession 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. § 33-1630 Requirements for Harassment, Intimidation, and Bullying
Information and Professional Development
20 U.S.C. § 7151 Gun-free requirements
20 U.S.C. § 8921, et seq. Gun Free Schools Act
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

Policy History:

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Revised on: 2014.11.14

Revised on: 2016.02.11

Revised on: 2016.05.12

Revised on: 2021.11.11

Liberty Charter School

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WEAPONS POLICY

The Board is committed to providing a safe and secure environment at Liberty Charter School. The Board has no tolerance for students who use, threaten to use, or possess weapons or other objects/substances which may pose a threat to the health and safety of students, staff and visitors, or could be used to disrupt the educational process. For the purposes of this policy, no tolerance means that consequences will occur if this policy is violated and that the consequences will be commensurate with the circumstances of each situation.

Prohibitions:

- A. No student shall possess, use or distribute a weapon on School premises or at any School sponsored activity, regardless of location.
- B. No student shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons, including but not limited to weapons as defined in this policy which are broken or non-functional, look-alike (i.e., toy guns, etc.), or any object that is a facsimile of a real weapon.
- C. No student shall use articles designed for other purposes (i.e., belts, combs, pens, pencils, files, scissors, tacks, etc.) to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

Definitions:

A. Weapon:

1. Any object, device or instrument as defined in 18 U.S.C. 930, 18 U.S.C. 921, and Idaho Code 18-3302D; and
2. Any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm whether loaded or unloaded; air guns, pellet guns; BB guns, all knives, blades, razor blades, clubs, metal knuckles, numb chucks, throwing stars, explosives, fireworks, mace and other propellants, cigarette lighters, stun guns, ammunition, poisons, chains, bows, arrows, laser pointers, and objects that have been modified to serve as weapons;

- B. On School premises or at any School sponsored activity, regardless of location:** Shall include, but not be limited to buildings, facilities, and grounds on the School campus, school buses, School parking areas; and the location of any School sponsored activity. This includes instances in which the conduct occurs off the School premises but impacts a School related activity.

C. Possession:

To bring an object, or cause it to be brought, onto School premises, or onto a vehicle used for school provided transportation, or to any School sponsored activity, regardless of location, or to exercise dominion and control over an object located anywhere on such premises, school transportation vehicles, and personal vehicles on School campus. A

student who finds a weapon on the way to school or in the school building, or a student who discovers that he/she accidentally has a weapon in his/her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon.

Consequences:

- A. Any student found to be in violation of this policy will be subject to disciplinary action by the Board, 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. Liberty Public Charter School takes a position of addressing each case individually in regard to the possession, use or distribution of weapons by students. The minimum consequence for student's possession, use or distribution of weapons may include (upon discretion of the Board):
- Confiscation of the weapon
 - Notification of Police
 - Notification of parents/guardians
 - Suspension
 - Hearing with the Governing Board
- B. A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, is in violation of the Gun-Free Schools Act and Idaho Code 18-3302D, and shall be immediately suspended, referred to the appropriate law enforcement agency, and, following due process, be expelled from school for a period of not less than one (1) year, twelve calendar months. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.
- C. The discipline of students with disabilities as defined by IDEA (Individuals with Disabilities Education Act), and subsequent amendments, and Section 504 of the 1973 Rehabilitation Act under this policy shall follow federal guidelines.

Application to Instructional Equipment/Tools:

While the Charter School wishes to address each case individually, it takes a firm position on the possession, use or distribution of weapons by students. Such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation. However, when authorized instructional and work equipment and tools are used or modified for use in a potentially dangerous or threatening manner, such possession and/or use will be treated as the possession and use of a weapon.

Policy History:

Adopted on:

Revised on: 05.24.12
Revised on: 11.09.17

STUDENTS

3335

Academic Honesty

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 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 the Administrator, 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 the Administrator.

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 the charter school's 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 this 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.

Consequences

The official school consequences are listed below. Additionally, the administration will refuse to write any letters of recommendation and will if necessary; notify the university if the incident should happen later in the academic year.

- First Offense – Student is given a zero on the compromised work. Student will be referred to administration for disciplinary action. Parent and student will sign a contract that notifies a second offense will lead to student being dropped from the course with an F.
- Second Offense – Student will fail the course and will be referred to administration for further disciplinary action with the possibility of expulsion.

Policy History:

Adopted on:

Revised on: 05.24.12

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Corrective Actions and Punishment

All students shall submit to the reasonable rules of the Charter School. 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 School's policies relating to corrective action or punishment:

1. "Temporary Suspension" is the exclusion from School or individual classes for a specific period of up to five school days.

The Administrator or the principal of the School may temporarily suspend any student 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 Administrator or principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any student who has been suspended may be readmitted to the School by the Administrator or principal who suspended them on reasonable conditions prescribed by the Administrator or principal. The Board of Directors shall be notified of any temporary suspensions, the reasons for them, and the response to them.

2. "Extended Temporary Suspension" is the exclusion from School or individual classes by the Administrator for an additional ten school days. Prior to suspending any student, the Administrator shall grant an additional informal hearing on the reasons for the extended temporary suspension and the opportunity to challenge those reasons. The student may still be readmitted to the school by the Administrator who suspended them on reasonable conditions prescribed by the Administrator. The Board of Directors shall be notified of any extended temporary suspensions, the reasons for them, and the response to the Administrator.
3. "Prolonged Temporary Suspension" is the exclusion from School or individual classes for an additional five school days. Only the Board can extend a temporary suspension for an additional five days and only upon a finding that immediate return to School attendance by the temporarily suspended student would be detrimental to other students' health, welfare, or safety.
4. "Expulsion" is the exclusion from School. Only the Board has the authority to expel or deny enrollment to any student who is an habitual truant, who is incorrigible, whose conduct is such as 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 students or who has been expelled from another charter school or school district in the State of Idaho or any other state. The School will provide written

notice of any student who is expelled or denied enrollment to the prosecuting attorney within five days of the Board's actions.

No student shall be expelled nor denied enrollment without the Board having first given written notice to the parent/guardian of the student stating 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. The notice shall also state the rights of the student to be represented by counsel, to produce witnesses and submit evidence on their own behalf, and to cross-examine any adult witnesses who may appear against them. Within a reasonable period of time following such notification, the Board of Directors shall grant the student and their parents/guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board shall allow a reasonable period of time between notification and the hearing to allow the student and their parents/guardian to prepare their response to the charge.

5. "Discipline" constitutes all 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 School. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

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.

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.

Discipline of Students with Disabilities

Additional requirements apply when suspending or expelling a student with a disability. The School shall comply with these requirements as outlined in Procedure 3340P.

Cross Reference:	3330	Student Discipline
Legal Reference:	20 USC §§ 1400 – 82	Individuals with Disabilities Education Act (IDEA)
	IC § 33-205	Attendance at Schools - Denial of School Attendance
	IC § 33-512	District Trustees - Governance of Schools
	IC § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development

Policy History:

Adopted on: 2012.05.24

Revised on: 2016.02.11

Revised on: 2020.01.16

Revised on: 2023.01.18

Reviewed on:

STUDENTS

3340P

Corrective Actions and Punishment

It is the intent of the Board to provide each student with those due process rights that are provided by law.

Suspension

In the event the proposed punishment of a student is to include denial of the right of School attendance from any single class or full schedule of classes for at least one day, the following procedure shall be used:

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given the opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent/legal guardian. A written notice of suspension shall state the reasons for the suspension, including any School rule which was violated, and a notice to the parent/guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Administrator.
4. Upon request of the parent/legal guardian, a review of the suspension shall be conducted by the Administrator. At the review, the student and parent/legal guardian may appear and discuss the suspension with the Administrator. After the meeting, the Administrator shall take such action as appropriate. That action is final.
5. **Work missed during the period of suspension cannot be made up for consideration for grading.**
6. The suspension of a student may be extended by the Administrator or the Board in accordance with State law. Written notice of the extension of a suspended student will be provided to the student's parent/legal guardian.

Expulsion

A student may be expelled from the Charter School only by the Board, and only after the following due process procedures have been followed:

1. The student and parent/legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five school days before the date scheduled for the hearing. The notice shall include the grounds for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.
2. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent/legal guardian by submitting a request showing good cause to the Administrator at least two school days prior to the date of the hearing as originally scheduled. The Administrator shall determine if the request shows good cause.
3. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.
4. To ensure student privacy, the Board must take action on expulsion in executive session. The student shall not be named in the minutes of the meeting, but a record of the decision will be placed in the student's educational record and in the official records of the Board.

Procedures for of Students with Disabilities

Students with disabilities are entitled to all of the due process rights set forth above. In addition, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) provide additional discipline procedures to a student with disabilities. The School shall comply with the provisions of the IDEA and Section 504 when disciplining students with disabilities.

Suspension of Students with Disabilities

The School may suspend a student with disabilities for up to ten cumulative or consecutive school days in a school year for violation of the code of student conduct and educational services may cease to the same extent educational services cease for students without disabilities. Cumulative suspensions, if over ten school days in a school year, must not constitute a significant change in placement.

A significant change in placement occurs when a student with a disability is removed for more than ten consecutive school days or is subjected to a series of suspensions or removals that constitute a pattern of exclusion because they are more than ten school days in a school year, and because the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another indicate a pattern of exclusion.

For a student with an Individualized Education Program (IEP) who is suspended for more than ten cumulative school days in a school year and a change in placement does not occur, educational services shall be provided to the extent necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals set out in the IEP, although in another setting, as determined by school personnel, in consultation with at least one of the student's teachers.

Expulsion of Students with Disabilities

A student with an IEP or 504 plan may not be expelled if the student's violation of the student code of conduct is a manifestation of the student's disability. Any student with an IEP or 504 plan whose violation of the code of conduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures to the same extent a nondisabled student would be expelled for the same violation.

If a student on an IEP is expelled for conduct not a manifestation of the student's disability the student shall continue to receive education services at an alternative setting, consisting of services necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals set out in the student's IEP during the period of expulsion. Additionally, the student must receive, as appropriate, a functional behavioral assessment (FBA) and behavior intervention services and modifications designed to address the behavior violation so that it does not recur.

If a student with a 504 plan is expelled for conduct not a manifestation of the student's disability, educational services may cease during the period of expulsion to the same extent educational services cease for students without disabilities.

Additional Provisions

A student on an IEP who has carried a weapon to school or to a School function, or who knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a School function may be removed from the student's current placement. Such a student may be placed in an appropriate interim alternative educational setting for no more than 45 school days in accordance with the IDEA.

A student who is not on an IEP and who has violated the code of student conduct may assert any of the protections provided by the IDEA if it is determined the School had knowledge that the student was a child with a disability before the behavior that precipitated the disciplinary action occurred. The School had knowledge if:

1. The parent expressed concern in writing to supervisory or administrative personnel, or to the student's teacher, that the student is in need of special education and related services; or
2. The parent requested an evaluation; or

3. The student's teacher, or other School personnel expressed specific concerns about a pattern of behavior by the student directly to the director of special education or other supervisory personnel.

Procedure History:

Promulgated on: 2012.05.24

Revised on: 2021.08.12

Revised on: 2023.01.18

Reviewed on:

Use of Restraint, Seclusion and Aversive Techniques for Students

Conduct of Employees Directed Toward Students:

It is the priority of Liberty Charter School to promote a safe learning environment for all students and staff. 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, and 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.

Any teacher employed by Liberty Charter School shall have the right to direct how and when each pupil shall attend to his appropriate duties and the manner in which a pupil shall demean himself while in attendance at the school. It is the duty of the teacher to carry out the rules and regulations of the School Board in managing classroom behavior, and a teacher shall have the power to adopt any reasonable rule or regulation to manage classroom behavior in, and otherwise govern, the classroom, not inconsistent with any statute, rule, or regulation of the School Board.

The Board does not condone the use of restraint or seclusion when responding to student behavior and prohibits the use of corporal punishment and unreasonable use of physical force against a student as forms of discipline or methods of classroom governance.

DEFINITIONS

"Aversive technique" means physical, emotional, or mental distress as a method of redirecting or controlling behavior.

"Chemical Restraint" means using drugs or medication to control behavior; not including those prescribed by and administered in accordance with the directions of a qualified health professional.

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

"Corporal punishment" means knowingly and purposely inflicting physical pain on a student as a disciplinary measure.

"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 in another person that the student's conduct has placed the student or a third person in imminent danger of serious physical harm. An emergency requires an immediate intervention.

“Functional behavioral assessment (FBA)” means the evaluation process of gathering information that can be used to hypothesize about the function of student behavior to develop a behavior intervention plan (BIP) for those students demonstrating, or at risk for demonstrating, challenging behavior.

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

“Mechanical Restraint” means the use of any device or equipment to restrict a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related-services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- a. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports
- b. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle
- c. Restraints for medical immobilization; or
- d. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm

“Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

“Physical Restraint” means personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort or behavioral interventions used as a response to calm and comfort an upset student.

“Life-threatening physical restraint” restricts airflow to a student’s lungs, whether by compressing the student’s chest or otherwise.

“Seclusion” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

PROHIBITED PRACTICES

The following are prohibited under all circumstances:

1. The use of restraint and seclusion, and corporal punishment, as a form of discipline, punishment, or as a method of managing classroom behavior.
2. Prone (lying face down) physical restraints.
3. The use of chemical restraints (i.e., drugs or medication) to control behavior or restrict freedom of

movement unless it is (1) prescribed by a qualified health professional, and (2) administered as prescribed by the qualified health professional.

4. School employees may not use a life-threatening physical restraint on a student.
5. The use of 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.

APPROPRIATE USE OF PHYSICAL RESTRAINT OR SECLUSION

Restraint or seclusion will only be implemented in situations where a student's behavior poses imminent danger of serious bodily harm to self or others, and efforts at de-escalation or interventions are ineffective.

Staff members are authorized to restrain a student or place a student in seclusion when an emergency, exists, or when a student's individualized education program (IEP), behavioral intervention plan (BIP), or crisis plan describes the specific behaviors and circumstances in which restraint and seclusion may be used as a response to imminent danger of serious physical harm to self or others.

The following applies to the use of physical restraint or seclusion:

1. Only trained personnel will employ physical restraint or seclusion interventions.
2. Staff members will utilize the least restrictive technique necessary to end the threat of imminent danger of serious bodily harm.
3. 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.
4. 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 bodily harm to self or others, or if the student is observed to be in severe distress, or when a parent or legal guardian has taken custody of the child.
5. 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.
6. Staff members will document in writing each incident requiring physical restraint or seclusion immediately and no later than 24 hours after the event.

NOTICE TO ADMINISTRATOR

Staff members must notify the building principal and, if appropriate, special education director, immediately when a student is physically restrained or placed in seclusion.

OBSERVATION OF STUDENT

Seclusion will not be used unless a staff member can continuously monitor and 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 access to the restroom and water upon request and will be escorted to and

from the restroom. If the student's level of escalation prevents the student from participating in planned mealtimes, the student will be permitted access to meals immediately as soon as the risk of serious physical danger to self or others has passed.

SECLUSION AREA

If seclusion is to be employed by the district, each school building must designate a clean and safe seclusion area intended for confining a student without causing or allowing the student to harm him- or herself or others, and must comply with state and federal fire safety requirements. Staff will maintain continuous visual and auditory monitoring of the student.

TIME AND DURATION

Physical restraint and seclusion will not be used any longer than necessary to allow a student to regain control of his/her behavior. If an emergency seclusion exceeds thirty (30) minutes, administration will determine appropriate next steps, and the following are required: additional support (e.g., change of staff or obtaining additional expertise) and documentation to explain the extension beyond the time limit.

REINTEGRATION INTO THE CLASSROOM

Staff members will follow the steps outlined in the student's BIP to determine when the student is ready to be reintegrated into the classroom or activities. If no Crisis Plan or BIP is in place, administration may make an independent judgment about when the student is ready to rejoin classmates or other activities.

INCIDENT REPORTING

The staff member(s) involved with the incident will complete a written incident report immediately and no later than 24 hours after the event. The building principal or designee will place a copy of the report in the student's education file.

Each staff member involved in an incident will engage in a debriefing session within two (2) days of the incident to determine what could have been done to prevent the need for the use of physical restraint or seclusion.

Incident Report Requirements

The following information will 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 start and end times of the restraint or seclusion.
4. The location of the incident.
5. A description of the incident:
 - Possible events that triggered the dangerous behavior that led to restraint or seclusion.
 - De-escalation strategies that were used during the incident.
 - A description of the dangerous behavior that resulted in the implementation of

- restraint or seclusion.
 - A description of the restraint or seclusion strategies that were used during the incident
 - A description of the student's behavior during physical restraint or seclusion.
 - A description of any injuries or physical damage (bodily or material) that occurred during the incident.
 - A description of how the student was monitored during and after the incident.
 - A description of behaviors displayed demonstrating the student's ability to return to the educational environment.
6. The staff member(s) who participated in the implementation, monitoring, and supervision of physical restraint or seclusion.
 7. The date and time the parent/guardian was notified will be added to the report once the building principle or designee has made contact.

FREQUENT USE OF RESTRAINT OR SECLUSION

Schools must follow these procedures in cases where a student is placed in physical restraint or seclusion four (4) or more times in 20 school days.

In cases where such a student requires, may require, or is being evaluated for special education services or a 504 plan, the student's planning and placement team must meet to (1) conduct or revise the student's functional behavioral assessment and (2) create or revise any applicable behavioral intervention plan, including the student's IEP or 504.

NOTICE TO PARENT/GUARDIAN

The building principal or designee 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 notice will be documented by the district.

Verbal notice will be provided via telephone or in person. In the event a staff member 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 staff member will send an e-mail to the parent, if the e-mail address is known.

CRISIS INTERVENTION TRAINING

The district will provide all staff directly assigned to students or classrooms with annual professional development training regarding positive behavior supports, de-escalation techniques, and classroom behavior management.

All staff directly serving students or classrooms with students who demonstrate aggressive or dangerous behaviors will receive annual professional development training in crisis management, de-escalation techniques, the correct use of restraints and seclusion when required, and the implementation of functional behavior assessment, behavior intervention plans, and crisis plans.

Restraint and seclusion techniques will only be utilized by a person who has been trained in crisis intervention.

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 principal or designee 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, not less than annually, review this policy and related procedures to determine the efficacy of the policy and procedures

In conducting this annual review, the district shall also review the reports of all events of seclusion or restraint that occurred with the district's students in the past school year. This review will include an analysis as to whether or not the district's personnel are following the terms of this policy and adjustments that may need to be implemented to promote school safety and learning.

Annually, the superintendent designee shall submit to the Board a report containing all the following disaggregated data:

- a. The total number of incidents of seclusion during the previous school year.
- b. The total number of students (i.e. students with and without disabilities) who were involved in incidents of seclusion during the previous school year;
- c. The number of students with disabilities who were involved in incidents of seclusion during the previous school year;
- d. The number of incidents of physical restraint during the previous school year;
- e. The total number of students (i.e. students with and without disabilities) who were involved in incidents of physical restraint during the previous school year; and
- f. The number of students with disabilities who were involved in incidents of physical restraint during the previous school year.

Policy History:

Adopted on: 2012.05.24

Revised on: 2014.11.14

Revised on: 2019.12.12

Revised on: 2023.09.20

Restraint and Seclusion Reporting Form

Student Details

Student Name	Grade	DOB
Parent Name	Parent Phone	Parent Email Address
Mark all that apply. <input type="checkbox"/> IEP <input type="checkbox"/> 504 Plan <input type="checkbox"/> Health Plan		<input type="checkbox"/> FBA <input type="checkbox"/> BIP <input type="checkbox"/> Crisis Plan
		Disability

Reporting Details

Name of Person Completing Form	Date and Time of Report	Date and Time of Incident
School	Name/s and Roles of Staff Involved in Restraint or Seclusion Incident	
Location of the Incident		

Incident Details

<i>Describe possible events that triggered the dangerous behavior that led to restraint or seclusion.</i>			
<i>Describe prevention, redirection, or pre-correction strategies that were used before and during the incident.</i>			
<i>Describe the dangerous behavior that resulted in the implementation of restraint or seclusion.</i>			
Start time	End time	Person implementing restraint or seclusion	Staff who monitored or observed
<i>Describe the restraint or seclusion technique or strategies used.</i>			
<i>Describe how the student was monitored during and after the incident.</i>			

Incident Log

<i>Provide a log of student behavior during restraint or seclusion.</i>		
Time	Student behavior	Adult response
Time	Student behavior	Adult response
Time	Student behavior	Adult response

Time	Student behavior	Adult response
Time	Student behavior	Adult response
Describe student behavior that demonstrated student's ability to return to the educational environment (recovery).		
Describe any injuries or physical damage that occurred during the incident.		
Other comments.		

Parent/Guardian Notification

This report and notification shall be provided to the parent/guardian as soon as possible and prior to the debriefing meeting referenced below.

Was the parent/guardian notified *immediately* following the incident, or at the latest, within 24 hours?

☐ Yes

☐ No

If No, Explain:

Date of notification	Time of notification	How much time had passed following the incident?
Person providing notification	Method of contact	Summary of notification

Debrief Meeting

When an incident of restraint or seclusion occurs, a debriefing session shall be convened within two (2) school days to review the incident's details and consider steps to prevent reoccurrence.

Date of meeting	Names and roles of attendees
Time of meeting	
Incident report reviewed during this meeting: <input type="checkbox"/> Yes <input type="checkbox"/> No Restraint or seclusion implemented according to state and district guidelines: <input type="checkbox"/> Yes <input type="checkbox"/> No If No, explain. Attendees in agreement with the report:	

- ☐ Yes
- ☐ No

If No, explain.

Summarize the discussion, including planned steps to prevent the reoccurrence of restraint or seclusion and review of positive behavior supports, functional behavior assessment, behavior intervention plan, and/or crisis plan. Describe the follow-up that will occur to review or modify support to avoid future use of restraint or seclusion.

Liberty Charter School

STUDENTS

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Detention

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students. Students may be required to attend Saturday School detention for up to four (4) hours.

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged, and/or the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member. Parents of elementary students must be notified prior to a student serving an after-school detention. High school students shall be responsible for notifying parents of an after-school detention.

Students detained for corrective action or punishment shall be under the supervision of the staff member or designee.

Policy History:

Adopted on: 05.24.12

Revised on:

Liberty Charter School

STUDENTS

3370

Searches and Seizure

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

School Property and Equipment and Personal Effects Left There by Students

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 students, without notice or consent of the student. This applies to student vehicles parked on School property. Building principals may require each 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 Administrator 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, and 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 are reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating the law or the School'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 School'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.

Policy History:

Adopted on: 2012.05.24

Revised on: 2022.02.10

Reviewed on:

Liberty Charter School

STUDENTS

3370P

Searches and Seizure

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

1. The Administrator, 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 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 School, 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 or her possession, which constitutes an imminent danger to the property of any person or the School, 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 authorized administrator shall 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 authorized administrator 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 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 Administrator 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.

Procedure History:

Promulgated on: 2012.05.24

Revised on: 2022.02.10

Revised on: 2022.07.14

Extracurricular and Co-Curricular Participation Policy

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.** I.C. § 33-512(12). As representatives of their school, students participating in such activities are expected to meet high standards of behavior, including positive attitude and effort. An important tenant of the Harbor Method is adult modeling of acceptable behavior. Therefore, Liberty Charter parents are expected to exhibit high standards of behavior modeling good sportsmanship and positive attitudes at team or group events and in all interactions with the coaching staff and/or teachers.

General Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

“Extracurricular Activities” means a Charter School authorized activities which take place outside of the regular school day and do not involve class credit, including, but not limited to athletics, student groups or organizations, and community activities for which high school letters are awarded.

“Co-Curricular Activities” are Charter School authorized activities held in conjunction with a accredited class, but taking place outside of the regular school day including, but not limited to, drama, band or choir.

“Activity Suspension or Suspension from Extracurricular or Co-Curricular Activities” means that suspended students shall not practice/meet with the team or group or travel, dress in uniform, associate or participate with the team or group at its scheduled event(s).

“Controlled Substances” include, but are not limited to opiates, opium derivatives, hallucinogenic substances, including cocaine, and cannabis and synthetic equivalents or 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.

“Drugs” include any alcohol or malt beverage, any inhalant, any tobacco product, any controlled substances, any illegal substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance which is tended to alter mood, and/or any substance which is misrepresented and sold or distributed as a restricted or illegal drug.

“Drug Paraphernalia” is defined as any or all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing,

packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in this policy.

“Emergency Activity Suspension” is defined as imposition of an activity suspension by a Administrator or his designee prior to an informal hearing when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

“Event” is defined as a match, game, meet, or other competitive event, including regional and/or state tournaments, competitions. “Event” is also defined as any band or choir performance(s).

“Knowingly Present” shall mean that a student attended a gathering of two (2) or more individuals at which one or more of the attendees (other than the student at issue) were using or are in possession of drug paraphernalia, controlled substances, drugs, pornography, or alcohol or tobacco and the student knew or reasonably should have known that such use or possession was occurring.

“Minor Infraction” shall mean a minor deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity and which is not material or substantial. Students will be given notification of the first minor infraction. Students and parents will be given notification of the second minor infraction through a conference and will be informed that a third minor infraction may result in activity suspension.

“Major Infraction” shall mean a material or substantial deviation for acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity, including but not limited to insubordination toward or non-compliance with the person in charge of the activity, verbal or physical abuse (hazing, fighting), refusal of a student to identify him/herself to school personnel upon request.

“On any school premises or at any school sponsored activity, regardless of location” includes, but not be limited to buildings, facilities, and grounds on the school campus, school buses, school parking areas; and the location of any school sponsored activity. “On any school premises or at any school sponsored activity, regardless of location” also includes instances in which the conduct occurs off the school premises but impacts a school related activity.

“Scholastic Year” is defined as the period of time beginning with the first day of the fall extracurricular and co-curricular activities season and ending with the last day of school.

“School Days” include only those days when school is in session.

Eligibility Requirements for Extracurricular and Co-Curricular Participation

To take part in any extracurricular or co-curricular activity students must maintain a 2.0 GPA. If they do not have a 2.0, they are on probation for 2 weeks and can bring up their work and receive a written slip from the teacher or teachers of their passing work. If after the probationary period they do not have their work up to 2.0, they are not allowed to take part in any extracurricular or co-curricular activity until their work is up to 2.0 GPA.

Extracurricular or Co-curricular activity Suspension

The Board believes that the safety and welfare of other students may be adversely affected when students who are involved in extracurricular or co-curricular activities commit major infractions or repeated minor infractions at school or during school activities, and/or are involved in criminal conduct or drug use in any location.

At the beginning of each semester, teachers or coaches of co-curricular courses will identify for 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 the co-curricular course grade affected only if the reason for the suspension was related to course work 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.

I. Activity Suspension as a Result of a School Suspension

A student will be immediately suspended from all extracurricular and co-curricular activities when he/she receives a suspension (not including an in-school detention) from school for any reason.

Consequences:

1. The activity suspension is automatic, is for the duration of the school suspension, and runs concurrent with the school suspension.
2. This type of activity suspension cannot be appealed.

II. Activity Suspension for Criminal Conduct or Drug Use in Any Location During the Scholastic Year

A student may be suspended from extracurricular and co-curricular activities when he/she has been arrested or it reasonably appears to the Charter School that he/she has violated criminal law, other than infractions or minor traffic violations; or has been involved with drug paraphernalia, controlled substances, or drugs, including alcohol or tobacco, **in any location, either on or off campus**, during the scholastic year, in any of the following ways: attempting to secure or purchase; using or having reasonable suspicion of having used; possession; intending or attempting to sell or distribute; selling or giving away; or being knowingly present when any of the above are used, possessed, or consumed.

III. Infractions Which Occur in Out-of-School Trips

During an out-of-school trip, if the authorized person in charge of the activity determines that a student should be sent home early because of criminal conduct, drug use or a major infraction, the authorized person will notify the parent/guardian, and ask him/her to take charge of the return of the student. The parent/guardian will assume any expenses incurred for the return of the student.

IV. Suspension for Unsportsmanlike Conduct

Students may be suspended from extracurricular activities for exhibiting unsportsmanlike conduct. Students may also be suspended if their parent behaves in an unsportsmanlike manner or fails to model positive attitudes and behaviors in interactions with coaches, officials or other staff.

V. Informal Hearing Process

Prior to giving an activity suspension to a student, the Administrator or athletic director shall grant the student an informal hearing on the reasons for the activity suspension and the opportunity to challenge those reasons unless an emergency activity suspension is necessary. If an emergency activity suspension is necessary, an informal hearing will be held as soon as possible after the emergency ceases to exist.

VI. Student travel to or from an extracurricular or co-curricular activity

Unless other travel arrangements are authorized, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is the release of students to parents in a face-to-face situation at the close of the activity before buses begin the return trip. Such release will require a signed, dated note from the parent.

The activity must provide at least one instructor\coach\ or adult sponsor for each bus on a special trip. The bus driver will be responsible for the safe operation of the bus. The sponsor will be responsible for supervision of students and enforcement of bus rules. Any adult designated by the Administrator as a sponsor will have such authority.

Students must follow all school bus rules with this exception: Food and drink not in glass containers will be allowed on the bus with permission of the Administrator. However, any debris must be cleaned up at the end of the trip and before students leave the bus.

If a student causes a disruption or hazard on the bus, the Administrator will investigate the incident. If the Administrator finds that there has been an infraction of bus rules, he or she may declare the student ineligible for transportation to extracurricular or co-curricular activities for a specific number of events or for the remainder of the semester or season. If the Administrator determines that the disruption or hazard is significant, the Administrator may suspend the student from the co-curricular or extracurricular activity for any specified time .

Policy History:

Adopted on: 05.24.12

Revised on:

STUDENTS

3390

Extra- and Co-Curricular Chemical Use Policy

Extracurricular and Co-curricular activities are subject to the supervision and regulation of the Charter School. Participation in extracurricular or co-curricular activities is considered a privilege; not a right.

Students participating in extra- and co-curricular activities, whether sponsored by the IHSAA or not, shall not use, have in possession, sell, or distribute alcohol, tobacco, or illegal drugs, or abuse prescription or non-prescription drugs during their extracurricular seasons. These rules are in effect twenty-four (24) hours a day. If a student is charged with possession, or is seen using tobacco, alcohol, or illicit drugs, the student will forfeit the privilege of participating in accordance with the activities and student handbooks.

Policy Coverage

This policy applies to middle and high school students who are involved in the extra- and co-curricular activities program.

Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Violations are cumulative, through the student's period of attendance in grades 7-8 and in grades 9-12. The Administration shall publish the participation rules annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

If a determination is made that a student has violated this policy, the student and parent or guardian shall be notified of the violation by telephone where possible, and also by mail. Also at this time, the student and parent or guardian shall be notified of the type of discipline that will be administered.

APPEAL PROCESS: Any parent or legal guardian and student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the Administrator, for the purpose of resolving the grievance. At such a conference, the student and the parent shall be subject to questioning by the Administrator, and shall be entitled to question staff involved in the matter being grieved.

Legal Reference: I.C. § 33-512 Governance of schools

Policy History:

Adopted on: 05.24.12

Revised on: