LEGACY PUBLIC CHARTER SCHOOL
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Legacy Charter School

STUDENTS **3005**

Entrance, Placement, and Transfer

Entrance, Date, and Age

No pupil may be enrolled in kindergarten or first grade whose fifth or sixth birthday respectively does not occur on or before the first day of September of the school year in which the child registers to enter school.

Initial Enrollment

Immunization records or an appropriate waiver and birth certificate are required for admission to the Charter School, subject to provisions of the McKinney Homeless Assistance Act.

If a birth certificate is not provided upon enrollment of a student for the first time, the Charter School shall notify the person enrolling the student in writing that they must provide, within 30 days, either a certified copy of the student's birth certificate or other reliable proof of the student's identity and birth date, which proof shall be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate.

Other reliable proof of the student's identity and birth date may include a passport, visa, or other governmental documentation of the child's identity. If the person enrolling a student fails to provide the information within the requested 30 days, the Charter School shall immediately notify the local law enforcement agency of such failure and again notify the person enrolling the student, in writing, that they have an additional ten days to comply.

If any documentation or affidavit received pursuant to this section appears inaccurate or suspicious in form or content, the Charter School shall immediately report the same to the local law enforcement agency.

Consistent with Policy 3340, the Board has the authority to deny enrollment to any student if they were expelled from a previous school in any state, including if they were disenrolled in lieu of discipline. The Board may also deny enrollment if the student has a conviction or adjudication of offenses outlined in IC 20-525A(5) or other criminal offenses listed in chapter 9, 61, or 66 in Title 18 Idaho Code. Such convictions or adjudications are required to be disclosed by the student's parent/guardian at the time of initial enrollment, and failure to disclose will result in a denial of enrollment to the student.

Placement

The goal of the Charter School shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, may be considered in

the placement of all students. Final disposition of all placement decisions rests with the Administrator or his or her designee, subject to review by the Board.

Transfer

Charter School policies regulating pupil enrollment from other accredited elementary OR secondary schools are designed to protect the educational welfare of the child and of other children enrolled at the School.

Any new student transferring into the Charter School (at a grade level other than Kindergarten) will be admitted and placed on a probationary basis for a period of two (2) weeks. During the two-(2)-week probationary period, the student will be subject to observation by the teacher and administrator. Should any doubt exist with teacher and/or Administrator as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement. Upon the conclusion of such assessments, a meeting shall be held with the parent/legal guardian of the student to address the appropriate grade placement for the student. At that meeting the Administration shall make an appropriate determination as to grade placement. The wishes of the parent/legal guardian will be considered but the ultimate decision shall be with the administration. Placement in such a situation may be dependent upon there being an appropriate and available seat for the student in the newly assigned class.

It is not the intention of this two (2) week probationary period to allow for a student to try or test out a higher-grade level for a "test period" and then to be subsequently stepped back into the appropriate grade placement. If a change in placement does occur after the two (2) week probationary period such will be done only in conjunction with educational assessments.

Cross References:	3060	Education of Homeless Children
	3340	Corrective Actions, Punishment, and Denial of Enrollment
Legal References:	20 U.S.C. § 7912	Unsafe School Choice
	20 U.S.C. § 6313	Eligible School Attendance Areas
	42 U.S.C. § 11432	Grants for State and Local Activities for the Education of Homeless Children and Youths
	Id. Const. art. IX, § 9	Compulsory Attendance at School
	I.C. § 18-4511	School Duties — Records of Missing Child — Identification upon Enrollment — Transfer of Student Records
	I.C. § 33-201	Attendance at Schools - School Age
	I.C. § 33-209	Attendance at Schools —Transfer of Student Records — Duties
	I.C. § 39-4801	Immunization Required
	I.C. § 39-4802	Immunization Exemptions
	I.C. § 33-5210	Application of School Law – Accountability – Exemption from State Rules

Policy History:
Adopted on: 2012.04.19
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Revised on: 2021.11.18
Revised on: 2022.02.17
Revised on: 2025.01.16
Revised on: 2025.09.18

Legacy Charter School

STUDENTS **3045**

Readmittance of Students

The teachers and staff have encountered substantial difficulties with the reintegration into Legacy's curriculum and culture of students who had attended Legacy and subsequently disenrolled. The Board finds that the readmittance of such students is frequently disruptive and demands an inordinate amount of staff and faculty time. The Board has determined that the adoption of the following policy is in the best interest of the school and in maintaining a positive learning atmosphere.

Any student who has attended Legacy Charter School, subsequently disenrolled, and then applies for readmittance into the school curriculum may not be readmitted unless and until the Board reviews the applications and in light of all the relevant facts and circumstances, including the reason for disenrollment, and determined that the readmittance of the student would not be unduly disruptive of the school's discipline or instructional effectiveness, that readmittance is not detrimental to the health and safety of other students, that the student has not subsequently been expelled at any other public school and that readmittance would be in the best interests of Legacy Charter School and the learning experience of the student body.

Policy History:
Adopted on: May 16, 2019
Revised on:
Revised on:

Legacy Charter School

STUDENTS **3047**

Promotion/Retention: 8th Grade

Our school is grounded in the belief that social promotion does not prepare students for the future. If students are unable to produce passing grades, they will not be promoted to the next educational level.

Retention may not be possible at the school as attendance figures are determined by the school's enrollment cap with the Charter Commission. For the promotion of 7th/8th grade, if a student is retained, consideration shall have to be given as to whether or not there is class size room for such student associated with Charter Commission approved grade level enrollment caps. It is highly probable that room will not be available for a retained student. In such a circumstance, a conference may be held between the school's administration and the parent/legal guardian of the student to address other enrollment options. If room is available for the retained student the student may continue on in the educational process.

Prior to any decision of retention or nonpromotion of a pupil, substantial contact shall be made with parents/legal guardians in an effort to prevent the pupil from failure or retention. Substantial contact with parents may include face-to-face meetings at the school or telephone/electronic communications. The school's goal is to notify parents of possible retention in the spring of the school year, prior to any determination having been made.

Additionally, the decision with regard to promotion or retention of a student will be made by the administration. While the teacher recommendation, student performance and parent desires will be weighed heavily, ultimately, the decision needs to be based upon the best long-term educational interests of the child. Final disposition of all such placement decisions will rest with the administration, subject to review by the Governing Board.

Interventions provided to help avoid student failure:

- On-going parent, teacher, student collaboration
- Multiple opportunities for catch up and review
- Frequent progress reports
- Organizational tools such as homework logs
- Parent notification that the student's seat at Legacy is "at risk"

Student failure consists of:

- A failing average of core classes during the four quarters of 8th grade
    - Core classes include Science, Math, Reading, Language/Writing, Social Studies, Attitude, Effort
- Or by scoring below "Proficient" on the approved test. Charter School Approved Test is: The Idaho Standard Achievement Tests (I-SAT).

In the event that a student is identified as "at risk":

- A meeting with the teacher, parents, student and administrator will take place by April 30th to determine which approved online courses should be taken.

Special Note: Students will not be given credit or partial credit for late work the 2nd semester of 8th grade.

Exception to this policy are referenced in policy 2600.

Policy History:
Adopted on: January 18, 2018
Revised on: May 16, 2024
Revised on:

Legacy Charter School

STUDENTS **3050**

At Legacy Public Charter School regular attendance and punctuality are a vital part of a student's education. Teachers implement a high level of direct teaching and interactive learning and both students and teachers are held accountable to complete a set of standards and benchmarks. These teaching techniques do not allow students to simply make up concepts missed. Additionally, Legacy's mission is to develop students who will become exceptional employees, and incorporates a school-to-work emphasis in all we do. As attendance and punctuality are essential qualifications for individuals in the workforce, so they will be for those who attend Legacy. In accordance with our charter, Legacy Public Charter School has a 96% attendance standard. Every effort and commitment should be made by students, parents and administration to ensure that students are in attendance and punctual every day. A year-round school calendar is provided well in advance to allow families to schedule activities during breaks. Students are expected to attend classes regularly.

ELEMENTARY (K-8) ATTENDANCE POLICY

TARDY/EARLY RELEASE POLICY

A Tardy is: Whenever a student arrives to class more than 5 minutes late.

An Early Release is: Whenever a student leaves the class more than 5 minutes early.

Tardy and Early Release will be known as an Occurrence within the following section regarding attendance.

Any and all occurrence(s) must be signed in/out by an adult at the office to ensure accurate records and lunch counts. Students leaving and returning during the school day must be signed in and out by an adult.

Four (4) unexcused occurrences in any combination will be considered an unexcused absence. Four (4) excused occurrences in any combination will be considered an excused absence.

ABSENCE POLICY

Excused absences – The Administration and Governing Board recognize that there are special circumstances when a student may need to participate in another event or activity rather than attend class. An absence will be considered "excused" if the student could not attend class because he/she is ill. Up to two (2) excused absences will be allowed if the student is attending a funeral or wedding of an immediate family member (father, mother, brother, sister, or grandparent), and the student's parent/guardian provides reasonable evidence that this was the cause of the absence. However, the cumulative effect of regular class attendance is critical to the learning experience that Legacy Public Charter School offers, which the student misses even when the absence is excused.

Unexcused absences are absences due to non-school related activities, unapproved club or family events, trips or vacations, and any absences not reported to the school by a parent/guardian within two school days of the student's return to school. Parents should schedule doctor, dentist and orthodontist appointments after school hours or during breaks. Absences for non-emergency or routine dental, medical and orthodontic appointments are considered unexcused. Off-campus lunches with parents, family or friends are unexcused.

Sanctions

A student receiving an unexcused absence will not be eligible to receive Citizen of the Month for the twelve-month period following the date of the absence. Any student in 6th through 8th grade receiving three (3) unexcused absences will have the grade he or she would otherwise receive reduced by one full letter grade. Students who accrue five (5) or more unexcused absences or nine (9) excused and unexcused combined absences in a school year will lose their seat.

TRUANCY

Truancy is defined as a student being absent for all or any part of the school day without the approval of the parent, guardian or school authorities. This includes students who are on the campus, but not in their assigned classroom. Truancies accrue for the entire year.

ABSENCE VERIFICATION

When a student has not arrived by 9:00 a.m., and no contact from a parent has been received, a school representative will attempt to contact parent/guardian. To have an absence excused, a parent/guardian must call or send a signed note stating the reason for the absence upon the student's return to school. A doctor's note is required for extended absences due to medical reasons. Three (3) or more consecutive absences will require a note from a physician, (M.D, O.D). If appropriate notification has not been received within 2 days of student's return to school, the absence be considered an unexcused absence. Parents whose work schedule prevents them from contacting the school during the normal school hours are strongly urged to send a note with the student, leave a phone message after hours, or email the school with an urgent message.

Number of Daily Absences Per Year	**Sanction**
3 unexcused absences	Grades 6 – 8 The semester grade that the student would otherwise receive in all classes will be reduced by one full letter grade at the third unexcused absence.
5 unexcused absences or any combination of 9 excused and unexcused absences.	The student will lose his or her seat.

STUDENTS WITH A HISTORY OF POOR ATTENDANCE

If a student accumulates an excessive number of absences over two or more years, the student may lose his or her seat.

Policy History:
Adopted on: March 2010
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Revised on: November 18. 2021
Revised on: May 18, 2023
Revised on: April 17, 2025

Legacy Charter School

STUDENTS **3051**

Homework and Promotion Policy

The education of today's youth must be considered a team effort involving parents, students and teachers. Research shows that the most successful students, regardless of family income or ethnic background, are those who have regularly structured homework time. Homework allows additional practice and reflection, reinforces skills, and provides practical application and time for additional research. Homework helps establish a basis for independent and life-long learning while the discipline of nightly homework creates a habit that will be beneficial throughout life.

- Homework assignments are required and will apply to the student's grade.
- Late assignments will be awarded a lower grade.
- Assignments more that one day late may or may not be accepted at the teacher's discretion.
- Homework due during an unexcused absence will receive a failing grade at the teacher's discretion. (Teachers will establish specific policies for their classes and will share those with their students.)

Legacy Public Charter School does not embrace the philosophy of social promotion. Each student is responsible for his/her own learning and must master the required subjects before being promoted to the next grade.

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012

Legacy Charter School

STUDENTS **3060**

Education of Homeless Children

It is the policy of the Charter School to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;

2. Homelessness does not in any way separate homeless students from the mainstream school environment; and

3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Charter School enrolls children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. Homeless children shall be granted the same rights and opportunities as other students to enroll and/or submit an Enrollment Application. Any such Enrollment Application shall not be denied based on lack of records or information. If the Enrollment Application window occurs during any period of homelessness, the School will waive the Enrollment Application deadline and place the student's name in the lottery, and the student shall be granted the same priority as students who reside within the applicable attendance area, unless they otherwise qualify for a higher priority. If the student seeks enrollment after the lottery has occurred, the student shall be placed on the waiting list. The Charter School and employees of the school shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The School will also strive to prevent stigma against students who are homeless.

Definitions

For the purposes of this Policy, the following definitions shall apply.

The terms "enroll" and "enrollment" includes attending classes and participating fully in all school activities.

The terms "homeless," "homeless individual," and "homeless person" include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

4. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses 1 through 3 above; and

5. An unaccompanied student living in any of the circumstances described in clauses 1 through 3 above.

"Children and youth in transition" is defined as children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence.

"Unaccompanied youth" is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

The term "school of origin" is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the student's school of origin, the school of origin shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school to the extent applicable to the Charter School.

<u>In General</u>

The Charter School shall ensure the following is provided according to the homeless student's best interest:

1. That the homeless student's education continues in the school of origin for the duration of homelessness:

    A. In any case in which a family becomes homeless between academic years or during an academic year; and

B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or

2. That the homeless student is eligible to enroll in the same schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

Placement Choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

When addressing school placement, the Charter School's liaison shall work with the family to address the student's transportation needs.

School Stability

In determining the best interest of the homeless student the Charter School shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent/guardian, or (in the case of an unaccompanied youth) the student;

2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent/guardian or (in the case of an unaccompanied youth) the student;

3. If, after conducting the best interest determination based on consideration of the above presumptions, the Administrator or his or her designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent/guardian, or (in the case of an unaccompanied student) the student, provide the student's parent/guardian or the unaccompanied student with a written explanation of the reasons for their determination, which will be provided in a manner and form understandable to such parent/guardian or unaccompanied student, including information regarding the right to appeal under "Enrollment Disputes", below; and

4. In the case of an unaccompanied student, ensure that the School's liaison designated under "Charter School Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Disputes," below.

Immediate Enrollment:

1. Below Capacity: If the Charter School is below the class size limits set forth in the Charter, the School, in accordance with this policy, shall immediately enroll the homeless student, even if the student:

    A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;

    B. Has missed application or enrollment deadlines during any period of homelessness; or

    C. Has outstanding fees or fines, including fees associated with extracurricular activities.

2. **At Capacity**: If the Charter School has met the class size limits established in the Charter, the School is not required to immediately enroll a homeless student. A homeless student who seeks enrollment after the lottery has occurred for the ensuing school year shall be placed on the waiting list.

3. **Relevant Academic Records**: The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

4. **Relevant Health Records**: If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to the School's liaison designated under "Charter School Liaison," below, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with "Records," below. Additionally, exemption from these immunization requirements is available as described in IC 39-4802.

Records

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and

2. In a manner consistent with FERPA, applicable Idaho law, and Charter School policy.

When a student transfers schools, the Charter School shall help to keep the student academically on track by providing appropriate credit for full or partial coursework satisfactorily completed while attending a prior school or when transferring to a new school.

Disputes

If a dispute arises over eligibility, school selection or enrollment, or any other issue addressed in this policy:

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals, unless the Charter School has met its class size limits established by the Charter. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities;

2. The parent/guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by the Charter School, or other entity, including the rights of the parent/guardian or unaccompanied student to appeal such decisions;

3. The parent, guardian, or unaccompanied student shall be referred to the local educational agency liaison designated under "Charter School Liaison" below, and upon being informed of the dispute, the liaison shall, within 10 days, initiate an appeal with the Charter School and, if unsuccessful, to the state coordinator of the dispute regarding the educational placement of the homeless student; and

4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student's dispute except when established class size limits have been met and/or lottery situations prevent immediate enrollment.

5. If an agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the Charter School shall seek further assistance from the State Coordinator of Homeless Education to review and determine within ten business days how the student's best interests will be served. The decision of the State Department of Education shall constitute final resolution.

Privacy

Information about a homeless student's living situation shall be treated as a student education record, and shall not be deemed to be disclosable "directory information" under the Family Education Records

Privacy Act ("FERPA").

Contact Information

Nothing in this policy shall prohibit the Charter School and/or the enrolling school from requiring the parent or guardian of a homeless student to submit contact information.

Comparable Services

Each homeless student in the Charter School shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including but not limited to the following:

1. Transportation services. Students may be provided with additional transportation services if needed to ensure the student's full participation in the School's education program;

2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or Charter School sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;

3. Programs in career and technical education;

4. Programs for gifted and talented students; and

5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the Charter School's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

Charter School Liaison

For purposes of this policy, the Administrator shall designate a Charter School employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Administrator shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;

2. The Charter School tracks academic and enrollment data on homeless students;

3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of the Charter School;

4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the Charter School;

5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

6. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an "independent student" for purposes of the student's Free Application for Federal Student Aid ("FAFSA"). The Liaison shall also provide the required "verification" of the student's status in connection with their application for Federal Student Aid.

8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents/guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;

9. Eligibility, school selection, or enrollment disputes are mediated in accordance with "Disputes," above;

10. The parent/guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student's school of origin, and is assisted in accessing transportation to the student's assigned school;

11. School personnel receive annual professional development and other support; and

12. Unaccompanied homeless students:

A. Are enrolled in school;

B. Have opportunities to meet the same challenging state academic standards the State establishes for other students; and

C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from the Charter School Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

Local and State Coordination

The Charter School's liaison(s) for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

Homeless Status

The Charter School's Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the Charter School, or the immediate family of such student, who otherwise meets the eligibility requirements for Federal Housing Assistance (see 42 USC §§ 11360 et. seq.), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

Title 1, Part A

Any student who is homeless and attends the Charter School is eligible for Title 1, Part A services. The School shall set aside funding to provide these students who attend the Charter School

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Legal References	**Description**
20 USC § 6311, et seq.	Improving Basic Programs Operated by Local Educational Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act)

20 USC §§ 1400 – 82	Individuals with Disabilities Education Act (IDEA)
42 USC § 11301, et seq.	McKinney-Vento Homeless Assistance Act of 1987
42 USC § 1758	School Lunch Programs – Program Requirements
IC § 39-4802	Immunization Exemptions
Pub. L. 110–134	Improving Head Start for School Readiness Act of 2007

Cross References

Code	**Description**
3000	Entrance, Placement, and Transfer
4120	Uniform Grievance Policy

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Reviewed on: 2025.09.18

Legacy Charter School District #478

STUDENTS **3085**

Sexual Harassment, Discrimination and Retaliation Policy

Policy Purpose

The purpose of this policy is to promote working and learning environments that are free from sex and gender-based harassment, discrimination, and retaliation, and to affirm Legacy Charter School's commitment to non-discrimination, equity in education and equal opportunity for employment.

Scope of Policy

This policy applies to all members of Legacy Charter School's community, including students, employees, and other members of the public including guests, visitors, volunteers, and invitees.

Policy Statement

Legacy Charter School is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, the Charter School prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment and discrimination, file a formal complaint, or participate in a grievance process.

Students, employees, or other members of the Charter School community who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance process(es). Violations of this policy may result in discipline for both students and Legacy Charter School employees.

Title IX Coordinator

The Federal Programs/Community Outreach Coordinator, or the Coordinator's designee, which shall be a State-approved, contracted Title IX coordinator, serves as Legacy Charter School's Title IX Coordinator and oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating the Charter School's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sex and gender-based harassment, discrimination, and retaliation prohibited under this policy. The Title IX Coordinator acts with independence and authority and is free from bias and conflicts of interest.

To raise any concern involving bias, conflict of interest, misconduct or discrimination committed by the Title IX Coordinator, contact the clerk of the board at schoolclerk32@gmail.com.
If the Charter School's Title IX Coordinator is the subject of any complaint regarding sex or gender-based harassment or has an apparent bias or conflict of interest regarding such a case, another person shall be appointed to act as the Title IX Coordinator for handling that case. Such appointees may include, but are not limited to:

1. The Title IX Coordinator of another school Charter School which the Charter School has an agreement with;
2. Another employee of the Charter School who is qualified and trained to address the matter, such as a deputy Title IX Coordinator;
3. A qualified and trained individual who enters into a professional services contract with the Charter School; including but not limited to the Charter School's legal counsel and/or contracted Human Resources or Title IX professionals.

Concerns of bias, conflict of interest, misconduct, or discrimination committed by any other official involved in the implementation of this policy or related grievance processes should be raised with the Title IX Coordinator.

Mandatory Reporters

Legacy Charter School has classified all employees as mandatory reporters of any knowledge they have that a member of the Charter School community experienced sex or gender-based harassment, discrimination, and/or retaliation. Accordingly, all Charter School employees must promptly report actual or suspected sex and gender-based harassment, discrimination, and/or retaliation to the Title IX Coordinator. Charter School employees must share with the Title IX Coordinator all known details of a report made to them in the course of their employment, as well as all details of behaviors under this policy that they observe or have knowledge of. Failure of a Charter School employee to report an incident of sex or gender-based harassment, discrimination, or retaliation to the Title IX Coordinator of which they become aware is a violation of this policy and can be subject to disciplinary action for failure to comply.

In addition, Charter School employees must also report allegations of suspected child abuse and/or neglect to either law enforcement or the Idaho Department of Health and Welfare as described in the Board's policy on reporting suspected abuse, abandonment, or neglect.

Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and related procedures, may be made internally to Legacy Charter School Title IX Coordinator using the contact information below:

Mrs. O'Donahue
Legacy Charter School Title IX Coordinator
4015 S Legacy Way, Nampa, ID 83686
208-467-0947
godonahue@Legacycharterschool.net
www.Legacycharterschool.net

Legacy Charter School's Title IX team members include:

1. **Investigator(s):** person or persons assigned to gather facts during the formal grievance process, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report: State-approved contracted investigator.
2. **Decision-maker(s):** Those who have decision-making and sanctioning authority within the Charter School's formal grievance process. Decision maker has had no previous involvement with the investigation. They read investigation report, come to a finding, present to administration. Decision makers are used when complaint is not resolved through informal resolution: Mr. Stallcop or State-approved contracted decision-maker.
3. **Appeal Decision-maker(s):** Those who will serve if an appeal is filed. Person cannot have had any previous involvement in investigation. In other words, if a Decision-maker the first time around, he or she can't be the appeal decision-maker the second time around: Mr. Stallcop or State-approved contracted appeal decision-maker.
4. **School Attorney:** The school's attorney may also serve in any of the Title IX capacities listed above, as necessary.

External inquiries can be made to the U.S. Department of Education, Office for Civil Rights, Region 10, using the contact information below:

Seattle Office
Office for Civil Rights
U.S. Department of Education
915 Second Avenue, #3310
Seattle, WA 98174-1099
OCR.Seattle@ed.gov
1-800-877-8339

Notice/Formal Complaints of Sex and Gender-Based Harassment, Discrimination, and/or Retaliation

Notice or formal complaints of sex or gender-based harassment, discrimination, and/or retaliation may be made using any of the following options:

1. File a complaint with, or give verbal notice to, the Title IX Coordinator. Such a report may be made at any time, including during non-business hours, by using the telephone number, email address, or by mail to the office address listed for the Title IX Coordinator (or any other official as listed above).
2. Report by phone at 208-467-0947.

When notice is received regarding conduct that may constitute Title IX sexual harassment, Legacy Charter School shall provide information about supportive measures and how to file a formal complaint, as described in Policy 3085P, found at http://Legacycharterschool.net/school information-policies/, 3000 Series document.

A formal complaint means a document filed/signed by the alleged victim or signed by the Title IX Coordinator alleging an individual violated this policy and requesting that the Charter School investigate the allegation(s). As used in this paragraph, the phrase "document filed/signed by the alleged victim" means a document or electronic submission (such as by electronic mail) that contains the alleged victim's physical or digital signature, or otherwise indicates that the alleged victim is the person filing the complaint. For example, an alleged victim may send an email to the Title IX Coordinator, identify herself/himself as the alleged victim and the one sending the email, to file a formal complaint. If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the alleged victim to ensure that it is filed correctly.

Parents and legal guardians of primary and secondary school students who have the legal authority to act on their child's behalf may file a formal complaint on behalf of their child.

Grievance Processes

When a formal complaint is made alleging that this policy was violated, the allegations are subject to resolution using one of Legacy Charter School's grievance processes noted below, as determined by the Title IX Coordinator. All processes provide for a prompt, fair, and impartial process.

1. For formal complaints regarding conduct that may constitute Title IX sexual harassment involving students or employees, the Charter School will implement procedures detailed in Procedure 3085P.

2. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where students are the accused party, and that do not constitute Title IX sexual harassment, the Charter School will implement procedures described in the applicable procedures, which may include: Uniform Grievance Procedure, General Bullying, Harassment and Intimidation procedures, Relationship Abuse and Sexual Assault Prevention and Response procedures.

3. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where employees are the accused party, and that do not constitute Title IX sexual harassment, the Charter School will implement procedures described in applicable procedures, which may include: Uniform Grievance Procedure, Certificated/Non-certificated Staff Grievance Procedure, Sexual Harassment/Sexual Intimidation in the Workplace, Adult Sexual Misconduct, among others listed at end of this policy.

Cross References:	3270	Student Records
	3270P	Student Records
	3285	Relationship Abuse and Sexual Assault Prevention and Response
	3290	Sexual Harassment/Intimidation of Students
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3295P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3330	Student Discipline
	4120	Uniform Grievance Procedure
	5240	Sexual Harassment/Sexual Intimidation in the Workplace
	5250	Certificated Staff Grievances
	5500	Personnel Records
	5500P	Procedures for Releasing Personnel Records to Hiring School Charter Schools

Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Policy History:
Adopted on: 2020.11.19
Revised on: 2024.09.19
Reviewed on: 2025.07.17
Reviewed on: 2025.09.18

Legacy Charter School District #478

STUDENTS **3085F1**

Notice of Investigation & Allegation Template

Note: May also be used for initial Interview Request

[DATE]

[ADDRESSEE (RESPONDENT AND PARENT/LEGAL GUARDIAN]
[MAILING ADDRESS OR (IF DELIVERED VIA EMAIL) EMAIL ADDRESS]

Dear **[ADDRESSEE]**:

On **[DATE]** the **[NAME OF OFFICE]** received a formal complaint from **[COMPLAINANT]** ("complainant") alleging that you may have engaged in behavior that potentially violates Charter School policy, including misconduct alleged on **[DATE(S)]** at **[LOCATION(S)]**.

Specifically, it is alleged that you **[APPROPRIATELY DETAILED DESCRIPTION]**.

This letter serves as formal notice that the Charter School will be conducting a prompt, thorough, and impartial investigation of these allegations pursuant to the procedures detailed in the Policy 3085: **[LINK]**. The Charter School's Title IX Sexual Harassment Grievance Procedure is compliant with applicable federal and state law, including the 2020 Title IX implementing regulations. A copy of this notice has also been provided to the complainant.

Specifically, you are alleged to have violated the following provision(s) of the Policy 3085 Sexual Harassment, Discrimination and Retaliation Policy:

[ALL POTENTIALLY APPLICABLE POLICY SECTIONS]

[ALL POTENTIALLY APPLICABLE SANCTIONS THAT COULD RESULT]

You are considered "not responsible" for violating Charter School policy, unless and until a preponderance of the evidence proves that a violation of policy has occurred. The burden is on the Charter School to gather evidence, investigate the allegations, summarize all relevant evidence in a final investigation report, and make a final determination of responsibility (subject to appeal). No determination of responsibility will be made until the conclusion of the process and after the parties have been given an opportunity to inspect, review, and respond to all directly related and/or relevant evidence obtained by the Charter School.

Should the allegations need to be modified, or if additional allegations emerge over the course of this investigation, this office will provide you with an updated and revised Notice of Investigation and Allegations.

Below, you will find details included to ensure that the Charter School process is transparent to you, so that you fully understand your rights and the Charter School's procedures.

1. The Charter School's applicable procedures can be found online at http://www.legacycharterschool.net/policies.html (3000 Series). If you need a hardcopy or accessible copy of these procedures, you should direct a request to the Charter School's Title IX Coordinator, **[NAME]**, at **[Title IX coordinator contact information]**, with your contact information.

2. You are expected to preserve any evidence in your possession related to the allegations. Examples include, but are not limited to, screenshots of social media posts or electronic conversations (e.g., Snapchat, Facebook Messenger, WhatsApp, TikTok, text messages, etc.), written communication, audio or video recordings, photos, receipts, call logs, or any other relevant information.

3. Please plan to bring all evidence, documents, and items that you believe will be helpful to the investigator(s) to your interview or provide them beforehand. Originals are preferred to copies, and all materials should be in unaltered form. Expect that you will be asked to verify the accuracy and authenticity of evidence you provide. If information is stored on an electronic device (e.g., cell phone) it is recommended that you be able to show the device itself to the investigator(s) during the interview.

4. You may not record any meetings pursuant to this process. Doing so is a violation of Procedure 3085P. The Charter School will record or transcribe proceedings, and those recordings or transcriptions will be made available to you.

5. Breaks are permitted during the interview, upon request.

6. You should plan to be available for the interview for at least one hour.

7. You may bring materials into the interview that are relevant to the investigation, but no other materials, bags, backpacks or personal items are permitted. Your phone should be silenced if you will have one with you.

8. You will be permitted to ask questions of the investigator(s), and should be prepared for them to ask many questions of you. Your honesty and cooperation are expected. You are expected to maintain decorum during the interview and to respect the serious nature of the proceedings.

9. The Charter School cannot obligate you to participate in the interview. If you do not intend to attend, please notify the Title IX Coordinator, **[NAME],** at **[Title IX coordinator contact information]** or by calling the school office.

10. Your rights in the process are detailed throughout the Charter School's procedures.

Investigation and Interview

Investigator(s) has/have been assigned to this matter. Investigators are neutral professionals whose role is to objectively collect and compile all available information relevant to the allegations and compose a thorough, detailed investigation report. They will be taking notes and recording during the interview. A summary or transcript of your interview will be provided to you following the interview and you will be asked to verify its accuracy, in writing, to the investigator(s).

If you have any questions regarding the qualifications or training of an investigator, please feel free to contact me directly. Similarly, if you have a concern that an investigator is potentially biased or has a conflict of interest, you must raise that issue with me prior to your scheduled interview.

At this time, we ask you to schedule an interview with the Charter School's investigator(s). Two suggested times that work for an appointment to interview you are below, and we have already checked to make sure that these times work with your class schedule. Please contact the investigator at **[CONTACT INFORMATION]** to confirm which of these times work best for you.

1. **[OPTION 1]**
2. **[OPTION 2]**

[SPECIFY ANY MEETING PROCEDURES OR CONDITIONS IF THE STUDENT/EMPLOYEE HAS BEEN SUBJECT TO EMERGENCY REMOVAL.]

[ONLY INCLUDE IF ISSUING A NO CONTACT ORDER BETWEEN THE PARTIES:

No Contact Order

Effective immediately, I am instituting a no contact order that prohibits you and the complainant from having direct or indirect contact with one another. This information will also be provided to the complainant and other appropriate officials as needed. This order is not a determination that Policy 3085 has been violated. If you have questions or concerns about the no contact order, please contact me.]

Advisors

You have the right to an advisor of your choosing, who can be an attorney, to accompany you to all meetings, interviews, and hearings and to assist you in this process. Upon request, a pre-interview meeting between you, your advisor, and the investigator(s) to explain the Charter School process and answer any questions may be arranged by contacting the investigator.

Retaliation

This letter also serves as a reminder that Charter School policy prohibits retaliation, as defined in Procedure 3085P. Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a person because of that person's participation in an investigation or because of their support of someone involved in an investigation.

The Charter School will impose sanctions on any faculty, student, or staff member found to be engaging in retaliation, and on individuals who encourage third parties to retaliate on their behalf.

If you experience any retaliation, please contact me immediately.

False Statements and/or False Information

Please also be reminded that Procedure 3085P prohibits making false statements and knowingly providing false information in the course of a Charter School grievance process.

To ensure that the investigator(s) can obtain as much accurate and objective information about this matter as possible, please do not suggest to any witness that they distort or align their accounts.

Should it be alleged that you have violated these rules, the Charter School reserves the right to address those allegations inside of this process or to address the allegations as a separate matter.

Confidentiality

You have the right to discuss this matter with your advisor and others, but the Charter School will conduct this investigation confidentially, meaning that it will only share information as permitted or required by law. The Charter School asks for your discretion in what you choose to share and hopes that you will respect the private and sensitive nature of these allegations. The complainant has been provided with the same information.

Campus Resources

I understand that receiving this notice may result in many questions and potential distress. I encourage you to avail yourself of any of the following resources that you may find helpful as you work to resolve this matter.

[OPTIONAL: Counselor]

{SERVICES PROVIDED AND CONTACT INFORMATION}

{ANY OTHER INTERNAL OR EXTERNAL APPLICABLE SUPPORTIVE SERVICES}

{DESCRIPTION OF SERVICES PROVIDED AND CONTACT INFORMATION}]

Disability Services

If you or another individual needs reasonable accommodations due to a qualifying disability in order to fully and meaningfully participate in this process, please contact **[OFFICE]** at **[PHONE NUMBER]** prior to any meeting or interview in which reasonable accommodations may be needed.

Should you have any questions about the process and/or the interview, please contact your investigator(s) for this matter at **[PHONE NUMBER]** or **[EMAIL ADDRESS]**.

Sincerely,

[NAME]
Title IX Coordinator
[CONTACT INFORMATION]

Policy History
Adopted on: 2020.11.19
Reviewed on: 2025.09.18

Legacy Charter School District #478

STUDENTS **3085F2**

Sexual Misconduct Reporting Form for Students

Legacy Charter School Date _____

Student's Name_____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? _____

_____

Describe the incident(s): _____

_____

_____

Date(s), time(s), and place(s) the incident(s) occurred: _____

_____

_____

Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles: _____

_____

_____

_____

Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses: _____

_____

_____

Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take? _____

_____

_____

Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents: _____

_____

_____

Signature of complainant_____

Signatures of parents/legal guardian_____

Legacy Charter School District #478

STUDENTS **3085P**

Title IX Sexual Harassment Grievance Procedure, Requirements, and Definitions

Scope of Procedure

This Title IX Grievance Process applies to all members of Legacy Charter School's community, including students, employees, and Board members as well as Charter School patrons, guests, visitors, volunteers, and invitees.

Purpose of This Policy and Procedure

Legacy Charter School is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, the Charter School prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment and discrimination, file a formal complaint, or participate in a grievance process.

Students, employees, or other members of the Charter School community who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance procedure. Violations of this Charter School procedure or its related policy may result in discipline to either students or employees.

Guiding Principles

Title IX requires school Charter Schools to put into place policies and procedures that promote the goal of Title IX, specifically, to prohibit discrimination based on sex, and to respond appropriately if and when sex discrimination occurs or may occur. Title IX explains that when an appropriate official at the Charter School has "actual knowledge" of "sexual harassment" of a student or employee that occurs in one of its educational programs or activities, the Charter School must respond promptly and in a manner that is not "deliberately indifferent." This standard does not require a perfect response; rather, it requires a response that is not "clearly unreasonable" in light of the known circumstances over which the Charter School exercises control.

Grievance Procedure

1. **Receipt of a Complaint, Report, or Information Alleging Sexual Harassment**

   Upon receipt of a complaint or report (whether verbal or written) of possible sexual harassment, the Charter School shall first determine whether to initiate a formal or informal response. Thus, any and all complaints, reports, or information received by any Charter School employee that sexual

harassment is occurring or has occurred shall be immediately forwarded to the Charter School's Title IX Coordinator or other designated employee for review and action as appropriate.

The Title IX Coordinator (Coordinator) shall promptly contact the complainant or reporting party and discuss with them the availability of supportive measures, and will consider the complainant's wishes with respect to the provision of supportive measures. The Coordinator shall explain the availability of these measures to the complainant with or without the filing of a "formal complaint." During this initial meeting, the Coordinator or designee shall explain to the complainant the process for filing a written formal complaint, and shall provide assistance to the complainant to ensure the written formal complaint is properly prepared and submitted.

Emergency Removal (of students): Nothing in this procedure prevents the Charter School from removing a respondent from a Charter School education program or activity on an emergency basis, provided that an individualized safety and risk analysis is performed by the Coordinator and Administrator who determine that an immediate threat to the physical health or safety of any student or other individual arise from the allegations of sexual harassment that justify removal. The Coordinator and Administrator shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights and requirements under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Administrative Leave (of employees). Nothing in this procedure precludes the Charter School from placing a non-student employee respondent on administrative leave during the pendency of a grievance investigation under this procedure. Notwithstanding the above, prior to placing an employee respondent on administrative leave, the Coordinator or designee shall ensure any rights provided by Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act are not impaired or violated.

2. Providing Supportive Measures

If an informal complaint is filed, (for instance, because the complainant does not wish to file a written formal complaint,) as well as during the pendency of the investigation and the decision concluding a formal complaint, the following supportive measures may be implemented to restore or preserve the complainant's access to the Charter School's educational programs without unreasonably burdening the other party (also referred to herein as respondent).

Supportive measures may include actions taken to protect the safety of all parties or the Charter School's educational environment, or which otherwise deter sexual harassment from occurring in the future. Additional supportive measures may include, but are not limited to: counseling, the availability of a safe place or person in the event complainant feels threatened or uncomfortable, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services at school, mutual restriction of contact between the parties, changes in work locations, leaves of absence, increased security and/or monitoring of locations where prohibited conduct has occurred or may occur in the future, as well as additional measures to protect the complainant, provided the supportive measures initiated are not punitive to the respondent.

3. Filing a Written Formal Complaint

Upon receipt of a written formal complaint, the Coordinator or designee is required to provide written notice to all known complainants and respondents of the allegations and the resulting investigation.

A. General Notice Requirements: The notice will include the Charter School's Title IX grievance process as well as information regarding the Charter School's informal resolution process.

B. Specific Notice Requirements: The written notice shall include the following information:

i. Information describing the alleged conduct potentially constituting sexual harassment, including sufficient details known at the time the notice is prepared to allow the parties to prepare a response prior to the investigator's initial interview.This notice shall be delivered to the parties in enough time to allow their preparation for the initial interview.

ii. Sufficient details include but are not limited to the identities of the parties involved, the conduct allegedly constituting sexual harassment, the date(s), and location(s) of the incident(s).

iii. A statement that the respondent is presumed to not be responsible for the alleged conduct, and that a determination of responsibility will not be made until the conclusion of the grievance process.

iv. A statement informing the parties that they are entitled to have an advisor or representative of their choosing who may be, though is not required to be, an attorney, and that the advisor is authorized to review all evidence submitted in the matter.

v. The notice must inform the parties that Charter School policy and procedure prohibit knowingly making false statements or knowingly submitting false information to the investigator or at any other time during the grievance process.

vi. The notice must warn the parties that retaliation is prohibited. Accordingly, the parties must by informed that no Charter School employee or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this procedure. Retaliation includes circumstances where intimidation, threats, coercion, or discrimination are made for the purpose of interfering with any right or privilege secured by Title IX or this procedure. This includes threatening charges against an individual for code of conduct violations that do not involve sex

discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment. The Charter School shall keep confidential the identity of:

a. Any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment;
b. Any complainant;
c. Any individual who has been reported to be the perpetrator of sex discrimination;
d. Any respondent; and
e. Any witness

except:

a. As may be permitted by FERPA (20 U.S.C. § 1232g) or a FERPA regulation (34 CFR Part 99);
b. As required by law; or
c. To carry out the purposes of this procedure, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed as an additional charge or counter-charge under these procedures.

C. Additional Charges: If, during the course of the investigation, it is determined based on the information gathered that additional allegations or charges are warranted, an amended notice shall be prepared and submitted to the parties including the new allegations and charges as appropriate.

D. Consolidation: The Coordinator may consolidate two or more formal complaints into a single action provided that the allegations of sexual harassment and retaliation arise out of a common set of facts or circumstances and if in the course of an investigation, it is determined that:

i. There is more than one respondent and/or more than one complainant; or
ii. There are cross-complaints, or additional complaints raised by the original complainant against the original respondent (such as retaliation), or by the respondent against any other party.

4. Conduct of the Investigation, Informal Resolution

In the course of their investigation, the Charter School's Coordinator and designees shall comply with the following requirements.

Investigation

A. Burden of Investigation: The burden of gathering evidence sufficient to make a determination of responsibility is the responsibility of the Charter School's investigator(s) and not the parties. However, the Charter School's investigator is not authorized to access a party's records that are made or maintained by a health care provider such as a physician, psychiatrist, psychologist, or other recognized health care provider, if the record was made in the course of providing treatment to the party, unless and until written consent from an authorized person is provided to obtain such privileged records for purposes of investigating and resolving the allegations of the formal complaint.

B. Evidence Offered by Parties: The parties shall be provided an equal opportunity to call witnesses, including fact and expert witnesses, as well as other inculpatory and exculpatory evidence.

C. No Restrictions: The ability of the parties to discuss the allegations under investigation or to gather and present evidence shall not be restricted.

D. Equal Representation Rights: All parties shall have the same opportunity to have others present, or to be represented by the advisor of their choice throughout the grievance process, including attendance at related meetings or proceedings. If the Charter School limits access to representation in any way at any time during the proceedings, such limitation shall be equally applied to all parties in the same manner. Access to representation may be limited only where a party is already represented as authorized by this procedure, and the additional representation will unduly increase the cost to the parties, and/or will not otherwise serve to significantly promote a legitimate purpose under this procedure.

E. Notice of Interviews and Hearings: Adequate notice of the purpose, date, time, place, and the identities of all participants involved shall be provided to any party whose participation at a hearing, interview, or meeting is invited or expected, and allowing sufficient time for the party to prepare and fairly participate.

F. Evidentiary Considerations: The investigation shall not consider:

    i. Incidents not directly related to the possible violation, unless they evidence a pattern;

    ii. The character of the parties; or

    iii. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

G. Right to Inspect Evidence: All parties shall be provided equal access to inspect and review any or all evidence gathered during the investigation related to the allegations of the formal complaint, whether or not relied upon or referred to in the investigator's report. This will ensure that the parties can respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigation report, the investigator shall provide the parties and their respective advisors, when advisors are identified, a secured electronic or hard copy of the evidence subject to inspection. The parties must have at least ten school days to submit a written response which the investigator shall consider prior to completion of the investigative report. All such evidence shall be made available to all parties at any hearing to give the parties equal opportunity to refer to such evidence during the hearing, including cross-examination of adult parties.

H. Investigative Report: At least ten school days prior to a hearing, or other time of determination regarding responsibility, the investigator shall send to all parties and their advisors, if any, by electronic format or hard copy, a copy of the investigative report for the parties' review and written response. The parties' responses shall be made part of the record.

Informal Resolution: The informal resolution process may include mediation, or other meeting of the parties that does not involve a full investigation and adjudication of the complaint. The Charter School may not require the parties to participate in an informal resolution process. Informal resolution is available only if a written formal complaint was submitted to the Coordinator. If these conditions are satisfied, then at any time during the course of an investigation, but prior to the time of the Decision-Maker's final determination of responsibility, the parties may request the Coordinator to initiate the informal resolution by process. In so doing, the Coordinator is required to comply with the following:

A. Provide the parties with written notice informing them of the allegations at issue and the requirements of the resolution process. These requirements include the fact that a written agreement signed by the parties that resolves the allegations at issue will preclude the parties from resuming the formal complaint process that arose from the same allegations. The parties will also be informed that at any time prior to reaching a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and will be notified that the records submitted or discussed during the informal process will be maintained by the Charter School as part of the record, and may be used by the Decision-Maker to determine responsibility.

B. Require the parties submit voluntary, written consent to participate in the informal resolution process.

C. Ensure that the informal resolution process is not made available to resolve allegations that an employee sexually harassed a student.

D. An informal resolution, signed and agreed to by the parties thereto, is not appealable.

Dismissal of a Formal Complaint: A written formal complaint may be dismissed by the Coordinator under any of the following circumstances, and prior to a finding of responsibility:

A. After investigating the allegations of the written formal complaint, dismissal is required if:

    i. The Coordinator or designee determines that the conduct alleged in the complaint, even if proven, would not constitute sexual harassment as defined herein; or
    ii. The alleged conduct did not occur in a Charter School education program or activity; or
    iii. The alleged conduct did not occur against a person in the United States.

    Dismissal of the Title IX formal complaint, however, does not preclude action under another provision of the Charter School's Code of Conduct or other Charter School Policy.

B. If the Complainant notifies the Coordinator in writing they would like to withdraw the formal complaint or any allegations contained therein.
C. If the respondent is no longer enrolled or employed by the Charter School.
D. If specific circumstances exist which prevent the investigator from gathering evidence sufficient to reach a determination regarding the merits of the formal complaint or allegations therein.

Upon dismissing a formal complaint, the Coordinator shall simultaneously inform the parties in writing that the complaint has been dismissed, and shall identify the reason(s) for the dismissal. This decision may be appealed in accordance with the Appeals portion of this procedure, below.

5. Decision-Maker's Participation

If the matter is not dismissed for one of the reasons set forth above and is not resolved by the parties through the informal resolution process then, (following completion of the investigation, including issuance of the investigator's final investigation report,) the matter shall be submitted to the Decision-Maker for review and issuance of a determination of responsibility. The Decision-Maker cannot make a determination regarding responsibility until ten school days after the date the final investigation report is transmitted to the parties and the Decision-Maker, unless all parties and the Decision-Maker agree to an expedited timeline.

The Coordinator shall designate a single Decision-Maker and inform the parties and their advisors.

The Decision-Maker may not have had any previous involvement with the investigation. Those who have served as investigators in the investigation cannot serve as Decision-Makers. Those who are serving as advisors for any party cannot serve as Decision-Makers in that matter. The Coordinator is also prohibited from serving as a Decision-Maker in the matter.

All objections to any Decision-Maker must be raised in writing. Any written objection must detail the rationale for the objection and must be submitted to the Coordinator no later than two school days after being notified of the Decision-Maker's identity. A Decision-Maker shall not be removed

unless the Coordinator concludes that the Decision-Maker's bias or conflict of interest precludes a fair and impartial consideration of the evidence.

The Coordinator shall give the Decision-Maker a list of the names of all parties, witnesses, and advisors. Upon review thereof, if the Decision-Maker believes he/she cannot make an objective determination, they must recuse themselves from the proceedings. If a Decision-Maker is unsure whether a bias or conflict of interest exists, they shall immediately disclose their concern(s) to the Coordinator and simultaneously inform the parties and their advisors.

No less than ten school days prior to any meeting or the decision-making phase of the process, the Coordinator or the Decision-Maker shall send notice to all parties. Once mailed, emailed, or received in-person, Notice will be presumptively delivered.

The Notice shall contain the following:

A. A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions that could result.
B. The time, date, and location of any meeting.
C. Any technology that will be used to facilitate the meeting.
D. The name and contact information of the Decision-Maker, along with an invitation to object to any Decision-Maker on the basis of demonstrated bias. Such objections must be raised with the Coordinator at least two school days prior to the meeting.
E. Information on whether the meeting will be recorded and, if so, information on access to the recording for the parties after the meeting.
F. A statement that if any party does not appear at the scheduled meeting, the meeting will only be rescheduled for compelling reasons.
G. Notification that the parties may have the assistance of an advisor of their choosing at the meeting.
H. A copy of all the materials provided to the Decision-Maker about the matter.
I. An invitation for the parties to review and submit a written response to the final investigation report within ten school days of the date of the notice.
J. An invitation to each party to submit to the Decision-Maker any written, relevant questions they want the Decision-Maker to ask of any other party or witness within ten school days of the date of the notice.
K. An invitation to each party to submit to the Decision-Maker an impact statement, pre-meeting, that the Decision-Maker will review during any sanction determination.
L. An invitation to contact the Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at any meeting or in the decision-making process, at least five school days prior to the meeting/final determination.
M. Whether parties can or cannot bring mobile phones or devices into the meeting.

Meetings for possible violations that occur near or after the end of a school year, assuming the respondent is still subject to Policy 3085 and Procedure 3085P, and are unable to be resolved prior to the end of the school year will typically be held as soon as possible given the availability of the parties, but no later than immediately upon the start of the following school year. The Charter School

will implement appropriate supportive measures intended to correct and remediate any hostile environment while the resolution is delayed.

A. **Evidentiary Consideration by the Decision-Maker:** Whether at a hearing or through an exchange of questions, only relevant, credible evidence will be admitted into evidence and considered by the Decision-Maker. Any evidence that the Decision-Maker determines is relevant and credible may be considered. The Decision-Maker will not consider:

   i. Incidents not directly related to the possible violation, unless they evidence a pattern;

   ii. The character of the parties; or

   iii. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

   Previous disciplinary action of any kind involving the respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information may only be considered at the sanction stage of the process and cannot be shared with the Decision-Maker until that time.

   The parties may each submit a written impact statement for the consideration of the Decision-Maker at the sanction stage of the process when a determination of responsibility is reached.

B. **Hearing Procedure and Exchange of Questions Procedure:** At the time the matter is referred to the Decision-Maker, the Coordinator shall determine, based on the parties involved and the circumstances of the alleged sexual harassment, whether to hold a hearing or to initiate an exchange of questions procedure, and shall so inform all parties and their advisors. Both of these decision-making procedures are discussed below. Upon their selection, the Decision-Maker shall review the evidence and issue a determination of responsibility based on the following circumstances and procedures.

C. **Exchange of Questions Procedure:** Where a party involved is an elementary student, or where the Coordinator otherwise determines that a hearing is not appropriate under the circumstances, the Coordinator will initiate the Exchange of Questions Procedure, which provide as follows.

   After the Coordinator or designee has submitted the investigative report to the parties pursuant to this procedure and before reaching a determination regarding responsibility, the Decision-Maker shall provide each party an opportunity to submit written, relevant questions that party desires to ask of any party or witness, and shall subsequently provide each party with the answers. The Decision-Maker will also allow for additional, limited follow-up

questions from each party to the other, and provide both with complete copies of the answers. Upon receipt of the proposed questions, the Decision-Maker will review the proposed questions and determine which questions will be permitted, disallowed, or rephrased. The Decision-Maker shall limit or disallow any questions that are irrelevant, repetitive (and thus irrelevant), or abusive. The Decision-Maker shall have full authority to decide all issues related to questioning and determinations of relevance. The Decision-Maker may ask a party to explain why a question is or is not relevant from their perspective. The Decision-Maker shall explain any decision to exclude a question as not relevant or to reframe it for relevance. Whether a hearing is held or not, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant:

i. Unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or

ii. If the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. This basis for asking questions or presenting evidence shall not be allowed if the respondent is an adult, non-student employee, because consent is not a recognized defense in cases where the complainant is a student and the respondent is an employee.

The Decision-Maker, after any necessary consultation with the parties, investigator(s), and/or Coordinator, shall provide the parties and witnesses with:

i. The relevant written questions to be answered; and
ii. A deadline for the parties and witnesses to submit written responses to the questions and any appropriate follow-up questions or comments by the parties.

The exchange of questions and responses by the parties and witnesses shall be concluded within 10 school days.

D. Hearing procedure: Where both parties are adult employees, or a mature secondary school student, the Coordinator may initiate the live Hearing Procedure. If either party, however, objects and requests the Exchange of Questions Procedure, then the Exchange of Questions procedure shall be followed by the Decision-Maker. The Hearing Procedure shall include the following:

At the live hearing, the decision maker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the Charter School to restrict the extent to which advisors may participate in the proceedings, as long as the restrictions apply equally to all parties. At the request of either party, the Charter School must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision-Maker and parties to simultaneously

see and hear the party or the witness answering questions. Only relevant cross-examination and other relevant questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the Charter School shall provide without fee or charge to that party, an advisor of the Charter School's choice to conduct cross-examination on behalf of that party. The advisor may be, but is not required to be, an attorney.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

i. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
ii. If the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Live hearings pursuant to this paragraph may be conducted with all parties physically present in the same geographic location or, at the Charter School's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. The Charter School shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

At the hearing, the Decision-Maker shall have the authority to hear and make determinations on all allegations of Title IX sexual harassment and may also hear and make determinations on any additional alleged violations of policy or procedure that have occurred in concert with the Title IX sexual harassment, even though those collateral allegations may not specifically fall within the definition of sexual harassment set forth in these procedures.

Any witness scheduled to testify before the Decision-Maker must have been first interviewed by the investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Decision-Maker agree to the witness's participation.

If the parties and Decision-Maker do not agree to the admission of evidence newly offered at the hearing, the Decision-Maker may delay the meeting and instruct that the investigation needs to be re-opened to consider that evidence.

If the parties raise an issue of bias or conflict of interest of an investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, and/or refer them to the Coordinator, and/or preserve them for appeal. If bias is not

in issue during the hearing, the Decision-Maker shall not permit irrelevant questions regarding bias.

6. Decision Making Process and Determination Requirements

Following its review of the evidence submitted by the investigator and the parties, the Decision-Maker, (who cannot be the Coordinator) shall issue a written determination of responsibility. To reach this determination, the Charter School's burden of proof —**preponderance of the evidence --** must be described, and the burden satisfied, before the respondent can be found responsible for sexual harassment in violation of Title IX.

The written determination of responsibility shall include the following information:

A. Identification of the allegations potentially constituting sexual harassment in violation of Title IX.

B. A description of the procedural steps taken from receipt of the written formal complaint through the determination, including notifications to the parties, interviews of the parties and witnesses, site visits, methods used to obtain other evidence, and hearings used.

C. Findings of fact supporting the determination.

D. Conclusions regarding application of the Charter School's code of conduct to the facts.

E. A statement of and rationale for the determination as to each allegation, including any determination regarding responsibility, any disciplinary action to be imposed on the respondent, and identification of remedies and measures, if any, that will be provided to restore or preserve equal access to the Charter School's educational programs and activities to be provided to the complainant.

F. Considerations for disciplinary action. Factors considered when determining discipline may include, but are not limited to:

i. The nature, severity of, and circumstances surrounding the violation(s);
ii. The respondent's disciplinary history;
iii. Previous allegations or allegations involving similar conduct;
iv. The need for discipline to bring an end to the Title IX sexual harassment;
v. The need for discipline to prevent the future recurrence of Title IX Sexual harassment;
vi. The need to remedy the effects of the Title IX sexual harassment;
vii. The impact on the parties; and
viii. Any other information deemed relevant by the Decision-Maker.

G. The discipline imposed shall be implemented as soon as is feasible, either upon the outcome of any appeal or upon the expiration of the window to appeal if no appeal is requested. The sanctions described in this process are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

H. Identification of the procedures for filing an appeal and the permissible grounds for complainant or respondent to base their appeal.

The Decision-Maker shall simultaneously provide their written determination to all parties. The determination becomes final either, (where an appeal is filed,) on the date the parties are provided copies of the written determination of the result of the appeal; or, (if no appeal is filed,) the date on which an appeal would no longer be considered timely.

The Coordinator is responsible for the effective implementation of any and all remedies set forth in the written determination of responsibility. In the event a student expulsion is recommended, pursuant to and in accordance with the requirements of Idaho Code § 33-205, the Coordinator shall ensure that an expulsion hearing is scheduled and heard by the Board of Trustees.

7. Appeals

Any party may file a request for appeal in writing with the Coordinator within seven school days of the delivery of the notice of a final decision.

A single appeal decision-maker shall chair the appeal. No appeal decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The request for appeal shall be forwarded to the appeal chair for consideration to determine whether the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is filed in a timely manner.

Appeals shall be limited to the following grounds:

A. Procedural irregularity that affected the outcome of the matter;

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

C. The Coordinator, investigator(s), or Decision-Maker had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter;

Appeal procedure: Upon receipt of a valid appeal, the Coordinator shall:

A. Notify the other party in writing that an appeal has been filed, and implement the appeal procedure fairly and equally for both parties.

B. Ensure the appeal Decision-Maker is not:

   i. The same person(s) as the Decision-Maker that issued the written determination of responsibility;
   ii. The person who issued the dismissal;
   iii. The investigator; or
   iv. The Coordinator.

C. Ensure the appeal decision-maker has been trained in accordance with the requirements of this grievance procedure.

D. The appealing party shall have ten school days following the delivery of the notice of the appeal to submit a written statement in support of the appeal and challenging the outcome. The responding party shall have ten school days following the delivery of the appealing party's statement in support of appeal to submit the responding party's written statement in opposition to the appeal (and supporting the outcome that is the subject of the appeal). In the event the parties and the appeal decision-maker agree to a different briefing schedule (whether allowing more or less time), the time allowed to prepare a written statement shall be the same for all parties.

E. Issue a written decision describing the result of the appeal and identifying the bases and rationale for the decision.

F. Provide the written decision simultaneously to all parties.

Requirements of the Title IX Grievance Procedure

The following requirements apply to the conduct of the Title IX Grievance procedure set forth above.

1. **Equitable treatment of the parties:** At all times, both complainants and respondents shall be equitably treated by providing remedies to a complainant until a determination of responsibility for sexual harassment has been made against the respondent. No sanction or discipline may be imposed against the respondent unless and until the process required by this procedure has been completed. Until a final determination of responsibility has been issued only "supportive measures" may be initiated that are non-disciplinary or non-punitive and avoid burdening the respondent. Any and all final remedies, however, must be designed to restore or preserve equal access to the Charter School's education program or activity. Such remedies may include the same individualized services described as ''supportive measures;'' however, following the decision, such remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent

2. **Objective evaluation of the evidence:** The formal grievance process involves an objective evaluation of all relevant evidence obtained, including evidence that supports the conclusion the respondent engaged in a violation of policy or procedure and evidence that supports the conclusion the respondent did not. Credibility determinations may not be based solely on an individual's status or participation as a complainant, respondent, or witness.

3. **Lack of bias:** Any individual materially involved in the administration of the formal grievance process including the Coordinator, investigator(s), Decision-Maker and appeal Decision-Maker may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific complainant or respondent.

4. **Title IX training of Charter School participating staff:** Any individual designated by the Charter School as a Coordinator, investigator, decision-maker, or any person designated by the Charter School to facilitate an informal resolution process, cannot have a conflict of interest or bias for or against complainants or respondents generally, or against any individual complainant or respondent. The Charter School shall ensure that Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of "sexual harassment" set forth in this procedure, the scope of the Charter School's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Charter School shall ensure that Decision-Makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as required by this procedure. The Charter School shall also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in this procedure. All materials used to train Coordinators, investigators, decision-makers, and any persons facilitating an informal resolution process, shall not rely on stereotypes based on gender, and must promote impartial investigations and adjudications of formal complaints of sexual harassment, and provide guidance therefor.

5. **Presumption of innocence:** The Charter School presumes that the respondent is not responsible for the reported misconduct unless and until a final determination is made, in accordance with this procedure, that Policy 3085 or procedure 3085P prohibiting sex discrimination and sexual harassment has been violated.

6. **Promptness:** Investigations are completed promptly, normally within 30 school days, though some investigations may take longer, depending on the nature, extent, and complexity of the allegations; availability of witnesses; police involvement; and other factors.

   The Charter School shall make a good faith effort to complete the investigation as promptly as possible and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Notwithstanding the above, the Charter School may undertake a delay in its investigation, lasting from several days to a few weeks, if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or a need for accommodations for disabilities or health conditions.

The Charter School shall communicate in writing the anticipated duration of the delay and the reason for it to the parties and provide the parties with status updates if necessary. The Charter School will promptly resume its investigation and formal grievance process as soon as feasible. During such a delay, the Charter School will implement supportive measures as deemed appropriate.

Charter School action(s) or processes may be delayed, but are not stopped by, civil or criminal charges involving the underlying incident(s). Dismissal or reduction of those criminal charges may or may not impact on the Charter School's action(s) or processes.

7. **Description of sanctions.** The following describes the range of sanctions that may be implemented following a finding of responsibility.

Student Discipline: The following are the usual sanctions that may be imposed upon students singly or in combination:

A. A warning;
B. Required counseling;
C. A required substance abuse treatment program;
D. Exclusion from participating in extracurricular activities or other Charter School programs/activities;
E. Suspension, which may be in-school, out-of-school, long-term, short-term, extended, or other suspensions;
F. Expulsion (in compliance with I.C. § 33-205); and
G. Other actions: In addition to or in place of the above sanctions, the Charter School may assign any other sanctions deemed appropriate.

Employee Sanctions: Sanctions for an employee may include:

A. A verbal or written warning;
B. A performance improvement plan or management process;
C. Enhanced supervision, observation, or review;
D. Required counseling;
E. Required training or education;
F. Probation;
G. Denial of pay increase or pay grade;
H. Loss of oversight or supervisory responsibility;
I. Demotion;
J. Reassignment;

K. Restriction of professional development resources;
L. Suspension with pay;
M. Suspension without pay;
N. Termination (in compliance with I.C. § 33-513(5), in the case of certificated employees);
O. Other actions: In addition to or in place of the above sanctions, the Charter School may assign any other sanctions as deemed appropriate.

8. Burden of proof. When determining whether the respondent is responsible for violating Policy 3085 or Procedure 3085P by discriminating based on sex and/or for sexual harassment as defined herein, the decision-maker shall apply the preponderance of the evidence standard, which means the evidence proves on a more likely than not basis that respondent violated the policy or procedure.

9. **Appeals.** Any party may file a request for appeal in writing to the Coordinator within seven school days of the delivery of the notice of a final outcome.

10. **Supportive measures:** Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties. Supportive measures are designed to restore or preserve access to the Charter School's education program or activity, including measures designed to protect the safety of all parties or the Charter School's educational environment, and/or deter Title IX sexual harassment. Examples of supportive measures may include, but are not limited to:

    A. Referral to counseling, medical, and/or other healthcare services;
    B. Referral to community-based service providers;
    C. Visa and immigration assistance;
    D. Education of the school community or community subgroup(s);
    E. Altering work arrangements for employees;
    F. Safety planning;
    G. Providing school safety escorts;
    H. Providing transportation accommodations;
    I. Implementing contact limitations, such as no contact orders, between the parties (note: allegations of violations of a no contact order will be investigated as collateral misconduct under this process);
    J. Academic support, extensions of deadlines, or other course or program-related adjustments;
    K. Emergency warnings;
    L. Class schedule modifications, withdrawals, or leaves of absence;
    M. Increased security and monitoring of certain areas of the school;
    N. Any other actions deemed appropriate by the Coordinator.

11. **Recognition of privileges:** At no time during this grievance procedure may any evidence (whether through testimony or documents) be required, admitted, relied upon, or otherwise obtained by asking questions or admitting evidence that constitutes, or seeks disclosure of,

information protected by a legally recognized privilege, unless the person holding the privilege has knowingly and freely waived the privilege.

12. **Recordkeeping;**

    A. The Charter School shall maintain for a period of seven years records of:

        i. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required where a hearing is held, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Charter School's education program or activity;

        ii. Any appeal and the result therefrom;

        iii. Any informal resolution and the result therefrom; and

        iv. All materials used to train Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Charter School shall make these training materials publicly available on its website.

    B. For each response to a report of harassment or discrimination based on sex, the Charter School shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the Charter School shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it took measures designed to restore or preserve equal access to the Charter School's education program or activity. If the Charter School does not provide a complainant with supportive measures, then the Coordinator must document the reasons why such a response was not clearly unreasonable in light of the known circumstances (i.e., was not a result of sex discrimination). The documentation of certain bases or measures does not limit the Charter School in the future from providing additional explanations or detailing additional measures taken or to be taken.

<u>Title IX Grievance Procedure Definitions</u>

The following definitions apply to the identified terms used in this procedure:
"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to:

1. The Charter School's Coordinator; or
2. Any Charter School official possessing the authority to institute corrective measures on behalf of the Charter School; or
3. Any employee of the Charter School.

Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the Charter School with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the Charter School. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Coordinator as set forth in this procedure.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Under circumstances where a sexual assault is alleged by a student against an adult, non-student employee, the Charter School does not recognize the defense of "consent," however it is defined. Where the parties are both adults, however, the following definition of **"consent"** will apply: Consent occurs where there is a knowing, voluntary, and clear grant of permission, by word or action, to engage in sexual activity. Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. Consent may be withdrawn. A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. It is a violation of policy if a respondent engages in sexual activity with someone who is incapable of giving consent, or is otherwise incapacitated.

"Incapacitation" occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing, informed consent. For example, they cannot understand the "who, what, when, where, why, or how" of their sexual interaction.

"Formal Complaint" means a document filed by a complainant, or signed by the Coordinator, alleging sexual harassment against a respondent and requesting that the Charter School investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the educational programs or activities of the Charter School. A formal complaint may be filed with the Coordinator in person, by mail, or by email, or by using the contact information listed on the Charter School's website. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission, (such as by email or through an online portal provided for this purpose by the Charter School,) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Coordinator signs a formal complaint, the Coordinator is not a complainant or otherwise a party to this grievance procedure, and must otherwise comply with the requirements of this procedure.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. "Quid pro quo" harassment, which occurs when a Charter School employee conditions the provision of a Charter School benefit, service, or assistance on an individual's participation in unwelcome sexual conduct;

2. "Hostile Environment," which is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Charter School education program or activity; or

3. Physical threats and attacks, including "sexual assault," defined as forcible and non-forcible sex offenses as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent in cases where either no formal complaint has been filed, or both before and/or after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to the Charter School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Charter School's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Charter School shall maintain as confidential any supportive measures provided to the complainant or respondent, provided that maintaining such confidentiality will not impair the ability of the Charter School to provide the supportive measures. The Coordinator is responsible for coordinating the effective implementation of all supportive measures.

"Elementary school" and **"secondary school"** as used in this procedure refer to a local educational agency, as defined in the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, a preschool, or a private elementary or secondary school, and include this Charter School.

Revision of These Procedures

The Charter School reserves the right to make changes to these procedures as necessary. If laws or regulations change or court decisions alter the requirements in a way that impacts these procedures, this document shall be construed to comply with the most recent government regulations or holdings.

Legal References	**Description**
20 USC §§ 1681 - 1682	Title IX of the Education Amendments of 1972
34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance
Other References	**Description**
ISBA Policy Services	https://www.idsba.org/member-services/policy/

Cross References

Code	Description
3270	Charter School-Provided Access to Electronic Information
3285	Relationship Abuse and Sexual Assault Prevention and Response
3290	Sexual Harassment/Intimidation of Students
3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
3297	Names, Pronouns, and Titles
3330	Student Discipline
4110	Public Complaints and Suggestions
4120	Uniform Grievance Policy
4130	Public Access to Charter School Website
4600	Volunteer Assistance
5240	Sexual Harassment/Sexual Intimidation in the Workplace
5250	Certificated Staff Grievances
5275	Adult Sexual Misconduct
5500	Personnel Files
5800	Classified Employment, Assignment, and Grievance

Procedure History:
Adopted on: 2020.11.19
Reviewed on: 2025.09.18
Revised on: 2026.04.16

Legacy Charter School

STUDENTS **3200**

Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate Charter School policies or rules will be subject to disciplinary measures.

Cross Reference:	3370	Searches and Seizure
	3330	Student Discipline

Legal Reference: I.C. § 33-205 Denial of school attendance
Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3210**

Civil Rights Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy.

The Charter School will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal

An individual with a complaint is encouraged to first discuss it with the teacher, or administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Administrator

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the Administrator within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Administrator shall investigate and attempt to resolve the complaint. If either party is not satisfied with the Administrator's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the Administrator's decision. This request must be submitted to the Board within fifteen (15) days of the Administrator's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Administrator shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The Charter School has appointed a Nondiscrimination Coordinator to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Administrator within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Administrator agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Administrator rejects the recommendation of the Coordinator, and/or either party is not satisfied with the

recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

Level 3: The Board

Upon receipt of a written appeal of the decision of the Administrator, and assuming the appeal alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Records

All records compiled pursuant to the grievance shall be maintained by the Charter School, separate and apart from student records or personnel records, for a period of not less than three (3) years. In sexual harassment cases, the records shall not be purged.

Timelines

The timelines set forth in this policy may be waived at the discretion of the Facilitator or designee if such waiver is determined to be in the best interest of the individuals involved.

Employee Actions

All employees of the Charter School shall be responsible for acting in accordance with this policy.

Procedure History:
Promulgated on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3220**

Student Use of Buildings: Equal Access

Non-curriculum related secondary school student organizations may conduct meetings on Charter School premises without intervention on the basis of the religious, political, philosophical, or other content of the meeting.

The following criteria must be met:

1. The meeting is voluntary and student-initiated;
2. There is no sponsorship of the meeting by the School, the government, or its agents or employees;
3. The meeting must occur during non-instructional time on regular school days;
4. Employees or agents of the School or government are present only in a non-participatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the School; and
6. Non-School persons may not direct, conduct, control, or regularly attend activities.

Although the School assumes no sponsorship of these kinds of meetings, all meetings held on School premises must be scheduled and approved by the principal.

This policy pertains to student meetings. The Charter School has the authority, through its agents or employees, to maintain order and discipline on School premises and to protect the well-being of students and faculty.

Legal References: 20 U.S.C. § 4071, *et seq.* Equal Access Act
Westside Community Board of Education v. Mergens, 496 U.S. 226 (1990).

Policy History:
Adopted on: April 19, 2012
Revised on: February 20, 2020
Reviewed on:

Legacy Charter School

STUDENTS **3225**

Student Clubs: Equal Access

The Board of Directors regards student clubs and organizations as an important part of the education and development of students.

Definitions

As used in this policy:

1. "School" shall mean the Legacy Charter School;

2. "Club" shall mean a sponsored club or a non-sponsored or non-curriculum group of students of the school who wish to organize and meet to form common goals, objectives, or purposes, but do not include school activities;

3. "Sponsored Club" shall mean a club which is directly under the sponsorship, direction, and control of the School;

4. "Non-sponsored or non-curriculum club" shall mean a student initiated club which is not under the sponsorship, direction, or control of the School or any student initiated club that does not directly relate to the body of courses offered by the School;

5. "Non-participating capacity" shall mean a person may not promote, lead, or participate in any meeting.

The School shall provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Sponsored clubs shall be sponsored by a member of the faculty, staff, or administration of the School. The Charter School shall not sponsor clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-sponsored or non-curriculum, and must engage a School employee to monitor their activities while on the premises. The School shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored or non-curriculum clubs or its members. Any club whose activities are deemed by the Administrator to be disruptive of the everyday operations of the School will not be allowed to initiate meetings, nor continue to meet on school premises.

Equal Access Regulations

The following general guidelines will be observed in approving, establishing, and operating student clubs at the Legacy Charter School.

1. Each proposed club must complete and submit a request form to the Administrator or designee stating the name, specific purpose of the club, the membership requirements, the activities of the club, and meeting dates and times. Each proposed club shall have the student group perform a risk management assessment of the proposed club activities. The Administrator or designee will forward the request to the Board. The Administrator or designee, with Board approval, shall respond to the request, accept or reject the application, and designate the club as either a sponsored club or non-sponsored or non-curriculum club.

2. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in the School. All student groups meeting on School premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises from 7:00 AM to 8:00 PM, during the noon hour, and from 3:30 PM. to 5:00 PM on days when school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Students shall be responsible for ensuring the presence of a faculty sponsor or monitor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the Administrator or designee.

3. All clubs must comply with the provisions of the School's student constitution, if applicable.

4. No hazing of students shall be permitted.

5. The Administrator or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.

6. The Administrator, designee, or student council (if appropriate) may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.

For sponsored clubs, the following guidelines will apply:

1. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the Administrator or designee;
2. All activities of the club must have prior approval of the sponsor;
3. Club funds shall be subject to deposit, audit, and disbursement in accordance with the regulations of the Charter School; and
4. The content and placement of club posters or advertisements shall be approved by the club sponsor.

For non-sponsored or non-curriculum clubs, the following guidelines will apply:

1. The formation of non-sponsored or non-curriculum clubs shall be student initiated. Non-School persons may not direct, conduct, control, or regularly attend activities;

2. Recognition by the Legacy Charter School of a non-sponsored or non-curriculum club is not an endorsement of the aims, policies, or opinions of the student organization or its members;

3. The School's name will not be identified with the aims, policies, or opinions of the student organization or its members;

4. Notices of meetings of non-curricular student organizations may be posted only on a designated bulletin board used by all nonschool-sponsored organizations. No announcements shall be made over the public address system or in any School-sponsored publications;

5. No funds will be expended by the School for any such meeting beyond the incidental cost associated with providing a meeting place;

6. Every club must have a School employee volunteer as a monitor to the club. The monitor shall be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the School, and to assure that order and discipline are maintained. Monitors shall attend the meetings of non-sponsored or non-curriculum clubs that are political or religious in nature in a non-participatory capacity;

7. No School employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club;

8. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the Administrator or designee; and

9. The Legacy Charter School shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-sponsored or non-curriculum clubs to raise money.

Legal References: 20 U.S.C. § 4071, *et seq*. The Equal Access Act
Policy History:
Adopted on: April 19, 2012
Revised on: February 20, 2020
Reviewed on:

Legacy Charter School

STUDENTS **3250**

Distribution and Posting of Materials

The distribution of materials from outside the school system uses a considerable amount of valuable educational time. This time is taken away from students, teachers, and the clerical staff. It is the Charter School's policy to limit the distribution of materials to parent and student organizations sponsored by the Charter School or other governmental agencies. Materials that provide information valued or needed by the Charter School may also be distributed.

No staff member, student, parent or patron may distribute any materials on school property without prior approval of the school administrator. All materials distributed will clearly indicate their source. Non-school-related materials will be plainly labeled, including a disclaimer that the activity is "not a school-sponsored activity."

All organizations must have the approval of the Administrator before materials may be distributed.

Policy History:
Adopted on: April 19, 2012
Revised on: May 21, 2015

Legacy Charter School

STUDENTS **3260**

Student Dress

Selecting the correct dress for the setting is a lifelong skill. Student dress should reflect the notion that school is a place of business where students are learning both academic and social skills. In an effort to maintain a safe and orderly school environment for students, the following dress guidelines have been established. It is the opinion of the administration and the governing board that student attire has a direct effect upon the instructional effectiveness of the School and upon the individual student's ability to function at an optimum level. Appropriate clothing for class or any school activity must be reasonable, non-political, safe, clean, and non-revealing. An individual's dress and personal appearance should reflect a sensitivity and respect for others as well as be appropriate in a professional work environment. The following guidelines are to be followed by students of VCS during the school day and at any school-sponsored activity or any event in which students are serving as representatives of the school.

- Midriffs, cleavage and underclothing must be concealed at all times.
    - Pants are to be worn at the waist covering underwear.
    - Shirts and tops must cover the shoulders. No tank tops, or shirts with armholes open below the armpit area.
    - Tops must cover cleavage (Neckline should be higher than the straight line from underarm to underarm).
    - Shirts and tops must reach below the belt line to cover the stomach.
    - Tops must conceal undergarments, e.g. no bra straps showing and no sheer or see-through tops.
- Grades 5 – 8 shorts, dresses, and skirts must be no more than 3 inches above the top of the knee and provide coverage when the student bends over at the waist.
  Grades K – 4 modest shorts, dresses, and skirts.
- Footwear must be worn at all times for health and safety. Flip flops may be worn before fall break and after spring break.
- Students will refrain from wearing gang attire of any kind. Garments that advertise inappropriate or illegal substances, include sexually suggestive or obscene statements, or political statements of any type (VCS is a closed forum) are prohibited.
- Hats, bandanas, and stocking caps are prohibited during school instructional hours. Hairnets are prohibited.
- Hair color will be within the natural hair color spectrum (brown, black, blonde or auburn). Hair styles should be kept to a single, solid hair color. Conservative transitions in hair color may be allowed, subject to the approval of the administrator. Patterns, shapes, words, or other designs are not permitted.
- Facial piercing will be limited to small stud (no larger than 2.5mm) in the nose only.
- No facial rings of any kind will be allowed.
- Earrings are acceptable with the exception of ear gauges. **EAR GAUGES ARE NOT ACCEPTABLE**.
- Temporary and permanent tattoos must be concealed during school hours. (Medical tattoos may be allowed with approval by the administrator).

- Pajamas and loungewear are not allowed.

Interpretation and Implementation of Policy

The administrator or his or her designee shall determine whether clothing violates any of the above standards. If a conflict arises in the interpretation of this policy, the interpretation of the Administrator/designee shall be final. Administrators and teachers shall use reasonable discretion in enforcing this policy.

Enforcement

Students wearing attire deemed inappropriate will be provided alternative clothing to cover up (i.e. large t-shirts or sweatpants). This clothing must be laundered and returned to the school the following day.

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. All time missed from classes for failure to adhere to this policy will be deemed unexcused absences. Parents or guardians will be notified each time a student is provided alternative clothing because of inappropriate attire. Students who are insubordinate or refuse to change the improper attire, or who repeat dress code violations shall be subject to disciplinary action up to and including suspension or expulsion, depending on all the facts and circumstances, for violating the standards of student conduct.

Exceptions

Exceptions to this policy based upon religious, medical or other legally protected grounds will be addressed by school administration on an individual basis.

Policy History:
Adopted on: March 2010
Revised on: 2012.04.19
Revised on: 2015.05.21
Revised on: 2015.06.18
Revised on: 2016.06.21
Revised on: 2021.11.18
Revised on: 2024.09.19
Revised on: 2026.01.15

Legal Reference: I.C. 33-506
I.C. 33-512(6)

Legacy Charter School

STUDENTS **3265**

Electronic Communication Devices

Students, with permission of their parent(s)/guardian(s), may be in possession of an electronic device (i.e. cellular telephone, smart watch, gizmo) on school property. The devices must be turned off and kept in a student's locker or cubby during the school day. Use of devices shall be limited to the period before classes begin in the morning and after the student's last class in the afternoon.
Students are responsible for safeguarding the electronic devices they bring to school. The Charter School shall not be responsible for loss, theft, damage or destruction of electronic devices brought onto school property.

Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

Legacy Charter School does not consent to nor does it authorize the recording or photographing of any student, staff member, meeting, class, or discussion without prior authorization, or as detailed in policy 4305.

Students who violate this policy, including but not limited to students who have an electronic device on their person, or in their backpack, or bag, students who have an electronic device which isn't turned off, students who use an electronic device in a manner which violates confidentiality or privacy rights of another individual, (See policy 4305), will be required to turn in their electronic device when they enter the school, at the front office each day school is in session for the remainder of the school year. Students who have violated this policy, and fail to turn in their electronic device, when they enter the school, and are unable to have the device brought to the school within one hour of school start time, will be suspended for the day, and will be suspended until the phone is brought to school and turned in.

Students who are required to turn in their phone, but instead turn in a second phone, a dummy phone, or anything else to give the appearance they have turned in their phone, when they have not will be immediately suspended.

Students who violate this policy a third time will be required to come before the Governing Board for an expulsion hearing. Where appropriate, police authorities may be contacted.

Policy History:
Adopted on: April 19, 2012
Revised on: February 25, 2019
Revised on: April 18, 2024
Revised on: May 16, 2024
Revised on: September 19, 2024

Legacy Charter School

STUDENTS **3270**

Charter School Provided Access to Electronic Information, Services, and Networks

Internet access and interconnected computer systems are available to the Charter School's students and faculty. Electronic networks, including the internet, are a part of the School's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

In order for the School to be able to continue to make its computer network and internet access available, all users, including students, must take responsibility for appropriate and lawful use of this access. Students utilizing School-provided internet access are responsible for good behavior online. The same general rules for behavior apply to students' use of School-provided computer systems. Students must understand that one student's misuse of the network and internet access may jeopardize the ability of all students to enjoy such access. While the School's teachers and other staff will make reasonable efforts to supervise use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access and students must be held responsible and accountable for their own conduct.

Curriculum

In accordance with this policy and the Board's philosophy to ensure the safety of all students, the Charter School shall provide an appropriate planned instructional component for internet safety which shall be integrated into the School's regular instructional program. In compliance with the Children's Internet Protection Act this instruction will include information on the safe use of social networking sites and instant messaging, the characteristics of cyber-bullying, and recommended responses.

The use of the School's electronic networks shall be consistent with the curriculum adopted by the School, as well as the varied instructional needs, abilities, and developmental levels of the students, and shall comply with the selection criteria for instructional materials and library-media center materials. Staff may, consistent with the School's educational goals, use the internet throughout the curriculum.

The School's electronic network is part of the curriculum and is not a public forum for general use.

Internet Safety

Each Charter School computer with internet access shall have a filtering device as described in Procedure 3270P.

The School shall require that any vendor, person, or entity providing digital or online library resources to the School for use by students verify they have policies and technology protection measures:

1. Prohibiting and preventing users from sending, receiving, viewing, or downloading materials

that are deemed to be harmful to minors, as defined by section 18-1514, Idaho Code; and

2.Filtering or blocking access to obscene materials, materials harmful to minors, and materials that depict the sexual exploitation of a minor, as defined in chapter 15, title 18, Idaho Code.

The School will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate or harmful to minors as defined in section 18-1514 Idaho Code or as defined in 47 USC Section 254.

Filtering should also be used in conjunction with:

1. Educating students on appropriate online behavior;
2. Requiring students review and sign Form 3270F Internet Access Conduct Agreement;
3. Using behavior management practices for which internet access privileges can be earned or lost; and
4. Appropriate supervision, either in person and/or electronically.

The system administrator shall monitor student internet access.

The Internet Safety Coordinator shall set a process for reviewing student claims that access has been denied to internet material that is not within the prohibitions of this policy and for unblocking such materials when appropriate.

Review of filtering technology and software shall be done on a periodic basis and is the responsibility of the Internet Safety Coordinator. It shall be the responsibility of the Internet Safety Coordinator to bring to the Administrator or designee any suggested modification of the filtering system and to address and assure that the filtering system meets the standards of Idaho Code 18-1514 and any other applicable provisions of Chapter 15, Title 18, Idaho Code.

Internet Access Conduct Agreements

Each student and their parent(s)/legal guardian(s) will be required to sign and return to the School at the beginning of each school year the Internet Access Conduct Agreement prior to having access to the School's computer system and/or internet service.

Warranties/Indemnification

The Charter School makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The School is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the internet. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the internet is at the user's own risk. The School specifically denies any responsibility for the accuracy or quality of information obtained

through its services. The School will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the School and shall indemnify and hold the School, its Board Members, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user and attorney fees. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the School in the event the School initiates an investigation of a user's use of their access to its computer network and the internet.

Violations

If any user violates this policy, the student's access to the Charter School's internet system and computers will be denied, if not already provided, or withdrawn and they may be subject to additional disciplinary action. The administrator will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with their decision being final. Actions which violate local, State, or federal law may be referred to the local law enforcement agency.

If the actions of the individual are also in violation of other School discipline policies, said student shall be subject to additional possible disciplinary action based upon these policies.

Internet Safety Coordinator

The Administrator shall serve, or appoint someone to serve, as "Internet Safety Coordinator" with responsibility and authority for ensuring compliance with the requirements of federal law, State law, and this policy. The Internet Safety Coordinator shall develop and maintain administrative procedures to enforce the provisions of this policy and coordinate with the appropriate Charter School personnel regarding the internet safety component of the School's curriculum. The Internet Safety Coordinator shall handle any complaints about the enforcement of this policy or refer them to other appropriate personnel depending on the nature of the complaint.

The Internet Safety Coordinator shall maintain documentation evidencing that instruction by School personnel on internet safety is occurring School wide.

Public Notification

The Internet Safety Coordinator shall inform the public via the main Charter School web page of the School's procedures regarding enforcement of this policy and make them available for review at the School office.

Submission to State Department of Education

This policy shall be filed with the State Executive Director of Public Instruction every five years after initial submission and subsequent to any edit to this policy thereafter.

Cross References:	2335	Digital Citizenship and Safety Education
	3330	Student Discipline
Legal References:	20 USC § 7131	Internet Safety
	20 USC § 9134(f)	State Plans - Internet Safety
	IC § 18-6726	TikTok Use by State Employees on a State-Issued Device Prohibited
	IC § 18-1514(6)	Obscene Materials — Definitions
	IC § 33-132	Local School Boards — Internet Use Policy Required
	IC § 33-137	Digital and Online Library Resources for K-12 Students
	Idaho Executive Order 2022-06	

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012
Revised on: February 16, 2017
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Revised on: September 17, 2020
Reviewed on: May 18, 2023
Revised on: April 19, 2012
Revised on: February 16, 2017
Revised on: February 20, 2020
Revised on: September 17, 2020

Legacy Charter School

STUDENTS **3270F**

INTERNET ACCESS CONDUCT AGREEMENT

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of Legacy Charter School's policy regarding School-provided Access to Electronic Information, Services, and Networks (Policy No. **3270/3270P**). Should I commit any violation or in any way misuse my access to the Charter School's computer network and/or the Internet, I understand and agree that my access privilege may be revoked and school disciplinary action may be taken against me.

User's Name (Print)_____ Home Phone:_____
User's Signature: _____ Date: _____
Address:_____

Status: Student ____ Staff ____ Patron ____ I am 18 or older _____ I am under 18 ____

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

Parent or Legal Guardian. (If applicant is over 18 years of age and living with a parent/legal guardian, that parent/legal guardian must also read and sign this agreement.) As the parent or legal guardian of the above named student, I have read, understand and agree that my child shall comply with the terms of the Charter School's policy regarding School-Provided Access to Electronic Information, Services and Networks for the student's access to the Charter School's computer network and/or the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless the Charter School, the Board Members, Administrators, teachers and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child's use of his/her access to such networks or his/her violation of the Charter School's policy. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting. I hereby give my child permission to use the building-approved account to access the Charter School's computer network and the Internet.

Parent / Legal Guardian (Print): _____
Signature: _____
Home Phone: _____ Address: _____
Date: _____

This Agreement is valid for the _____ school year only.

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3270P**

Acceptable Use of Electronic Networks

All use of electronic networks shall be consistent with the Charter School's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behaviors by users. However, some specific examples are provided. **Failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. All use of the School's electronic network must be either in support of education or research and in furtherance of the School's stated educational goals; or for a legitimate school business purpose. Use is a privilege, not a right. Students have no expectation of privacy in any materials that are stored, transmitted, or received via the School's electronic network or School computers. The School reserves the right to access, monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage, including email and other messages.-

2. Privileges: The use of the School's electronic networks is a privilege, not a right, and inappropriate use of the School's electronic networks may result in cancellation of those privileges. The Administrator will make all decisions regarding whether or not a user has violated these procedures, and may deny, revoke, or suspend access at any time. An appeal of such decisions may be made to the Executive Director within seven days. Their decision is final.

3. Unacceptable Uses: The user is responsible for their actions and activities involving the network. Some examples of unacceptable uses are the following:

    A. Using the network for any illegal activity, or to access websites encouraging illegal activity including violation of copyright or of contracts, or transmitting any material in violation of any U.S. or State law;
    B. Accessing sites which allow or promote online gambling;
    C. Accessing information pertaining to the manufacture of weapons or the promotion of illegal weapons;
    D. Downloading the TikTok app or visiting the TikTok website;
    E. Uses that cause harm to others or damage property;
    F. Unauthorized downloading, installation, or copying of software, regardless of whether it is copyrighted or checked for viruses;
    G. Downloading copyrighted material or trade secret information;
    H. Viewing, transmitting, or downloading pornographic materials, materials harmful to minors, or other sexually explicit materials;
    I. Using the network for private financial or commercial activities;

J. Wastefully using resources, such as file space or a printer;
K. Hacking, attempting to bypass security systems, or gaining unauthorized access to files, resources, or entities;
L. Uploading a worm, virus, or other harmful form of programming and other uses that jeopardize the security of the network;
M. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
N. Using another user's account or password or some other user identifier that misleads message recipients into believing that someone other than you is communicating;
O. Posting material authored or created by another person, or pictures of another person, or another person's private information or messages without his or her consent;
P. Posting anonymous messages or messages using a name other than one's own;
Q. Using the network for commercial or private advertising;
R. Uses that are commercial transactions;
S. Accessing, submitting, posting, publishing, sending, or displaying any inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material;
T. Accessing sites which promote violence or depict or describe graphic violence. This includes promotion of self-harm;
U. Accessing sites which advocate discrimination or which promote intolerance.
V. Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying;
W. Uses that cause harm to others or damage their property, person, or reputation, including but not limited to engaging in defamation;
X. Using the network while access privileges are suspended or revoked;
Y. Promotion of political, personal, or religious causes in a way that presents such opinions as the view of the School;
Z. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications; and
~~AA.~~ Students are prohibited from using e-mail unless authorized to do so by School staff. Students are prohibited from joining chat rooms or using school equipment or school systems for any such activity, unless it is a teacher-sponsored activity.

4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

   A. Be polite. Do not become abusive in messages to others.
   B. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
   C. Do not reveal personal information (including the addresses or telephone numbers) of students or staff.
   D. Recognize that School e-mail is not private. People who operate the system have access to all

mail. Messages relating to or in support of illegal activities may be reported to the authorities.

E. Do not use the network in any way that would disrupt its use by other users.

5. No Warranties: The Charter School makes no warranties of any kind, whether expressed or implied, for the service it is providing. The School will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the internet is at the user's own risk. The School specifically denies any responsibility for the accuracy or quality of information obtained through its services.

6. Security: Network security is a high priority. If the user can identify a security problem with the School's electronic devices or services, the user must notify the system administrator, Internet Safety Coordinator, or building principal. The user shall not demonstrate the problem to other users. Users shall keep their account and passwords confidential. Users shall not use another individual's account. Attempts to log on to the internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.

7. Telephone Charges: The Charter School assumes no responsibility for any unauthorized charges or fees, including telephone charges.

8. Copyright Web Publishing Rules: Copyright law and Charter School policy prohibit the republishing of text or graphics found on the internet or on School websites or file servers, without explicit written permission.

    A. For each republication on a website or file server of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the website address of the original source.

    B. Students engaged in producing website pages must provide library media specialists with e-mail or hard copy permissions before the website pages are published. Evidence of the status of "public domain" documents must be provided.

    C. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the website displaying the material is not necessarily authorized to act as a source of permission.

    D. The "fair use" rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.

    E. Student work may only be published if there is written permission from both the parent/guardian and the student.

    F. Violation of the copyright web publishing rules may result in denial of access to the network.

9. Use of Email.

    A. The Charter School's email system, and its constituent software, hardware, and data files, are owned and controlled by the School. The School provides e-mail to aid students in fulfilling their duties and responsibilities and as an education tool.

    B. Email could be subject to public records requests and disclosures depending upon the subject matter of the contents of the email.

    C. The School reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student to an electronic mail account is strictly prohibited.

    D. Each person should use the same degree of care in drafting an electronic mail message that would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or memorandum.

    E. Email sent from a School account includes an identification of the user's internet "domain." This domain identifies the author as being with the School. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this School. Users will be held personally responsible for the content of any and all email messages transmitted to external recipients.

    F. Any message received from an unknown sender should treated with caution and handled as directed by the system administrator. Downloading any file attached to any internet-based message is prohibited unless the user is certain of the message's authenticity and the nature of the file so transmitted.

    G. Use of the Charter School's email system constitutes consent to these regulations.

<u>Internet Safety</u>

1. Internet access is limited to only "acceptable uses," as detailed in these procedures.

2. Staff members shall supervise students while students are using Charter School internet access at School, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.

3. Each Charter School computer with internet access shall be equipped with a filtering device that blocks materials entry to visual depictions that are obscene, pornographic, or harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Executive Director or designee. The filter may also block other materials students are prohibited from accessing by School policy or procedure. The Executive Director or designee shall enforce the use of such filtering devices. Students must use the School's filtered network for all online activities on School grounds or using School equipment. Such filter shall also block access to the TikTok

website. Measures shall also be undertaken to prevent the downloading of TikTok onto any School device or via the School's electronic network.

4. The system administrator, Internet Safety Coordinator, and/or building principals shall monitor student internet access.

Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media locations and are responsible for complying with Charter School policy and procedures for content posted using a School computer, network, or software or when posted during school hours when the student is in attendance at School. Student posts on social media locations outside of school hours and School grounds using a personal computer, network, and software shall be private as long as they do not enter into the educational setting and interfere with the orderly operation of the School. Posts to social network sites using a School computer, network, or software may be subject to public records requests. Students may not disrupt the learning atmosphere, educational programs, School activities, or the rights of others.

All of the requirements and prohibitions in School policy and procedure apply to the use of social media on School grounds, through the School network or using School equipment, or as part of a class assignment.

Procedure History:
Promulgated on: April 19, 2012
Revised on: September 17, 2020
Revised on: May 18, 2023

Legacy Charter School

STUDENTS **3275**

Charter School Provided Mobile Computing Devices

The Legacy Charter School is committed to providing a safe, rigorous, and engaging learning environment that prepares all students to be career and college ready. Accessing and using technological resources is one of the cornerstones of a 21st century education. This document describes the rules for acceptable use of School-issued mobile computing devices on and off School premises. Using these resources responsibly will promote educational excellence by facilitating resource sharing, fostering creativity, and promoting communication in a safe, secure environment for all users.

Distributing Mobile Computing Devices

Before they are issued a mobile computing device, each student must submit an executed Student Agreement for Mobile Computing Device Use and a copy of the Internet Access Conduct Agreement. Each form must be signed by the student and by their parent/guardian if they are less than 18 years of age.

The Charter School may provide parent orientations on the mobile computing device program. A student's parents/guardians are encouraged to attend an orientation before the student takes a device home with them.

Parents/guardians of students may use the School-issued device, and their involvement in student learning through technology is strongly encouraged. However, use of School-issued technology outside of this purpose, such as for personal gain or activities unrelated to student learning, is prohibited. Both parent and student use of the School's device, network, and software may be subject to a public records request depending upon the content of the document or communication, including email.

Students may take the devices out of Idaho at the discretion of the building principal. The School directs the Administrator to establish procedures for students to request permission to take the device with them.

At the end of the school year, the School will collect all devices from students. At the School's discretion, students may be issued devices to support summer school programs.

The Administrator shall establish procedures for the maintenance of records regarding the devices, including tracking device inventory and which device is issued to which student.

Care and Safety

Students are responsible for the general care of the device they have been issued by the Charter School and are expected to observe the following precautions:

1. No food or drink is allowed next to a device while it is in use;
2. Insert and remove cords, cables, and removable storage devices carefully;
3. Shut down the device when not in use to conserve battery life;
4. Stickers, drawings, or permanent markers may not be used on the device;
5. Do not vandalize the devices or any other School property;
6. Devices must never be left in any unsupervised area.
7. Students are responsible for keeping their device's battery charged for School each day;
8. Do not place anything near the device that could put pressure on the screen;
9. Clean the screen with an anti-static cloth or any other soft, dry cloth;
10. Devices should not be stored in a student's vehicle, or anyplace else subject to extreme temperatures;

The Administrator will designate an individual or office where the devices must be taken if they break or fail to work properly.

Use at School

Devices are intended for use at the School each day. Students are responsible for bringing their device to all classes, unless specifically advised not to do so by their teacher. Devices must be brought to school each day in a fully charged condition. Power cords must stay with the device at all times. Repeated failures to comply with these requirements will result in disciplinary action.

If students leave their device at home, they may phone their parent/guardian to bring it to the School. Students without a device will use a computer in the classroom or a device from the lending pool depending upon availability and at the administrator's discretion. This includes students whose devices are undergoing repair.

Sound must be muted or headsets must be used at all times unless the teacher directs otherwise.

Students may use printers in classrooms, the library, and computer labs with a teacher's permission during class or breaks. All printing should be limited to educational purposes.

Personalizing Mobile Computing Devices

Students may not add options or upgrades to the device, change the operating system, or add unauthorized software or safety controls.

Should students or parents/guardians place personalized items on the device in violation of this policy such items may be accessed or viewed by School staff at any time, for any reason, including randomly selected device reviews. No content placed on School provided devices is privileged or confidential.

Managing Files

Once details are known about the availability of file space that is shared or is backed up automatically, the Administrator will set a procedure for where students and teachers should save important documents.

Students should also back up their work. It is the student's responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Device malfunctions are not an acceptable excuse for not submitting work.

Software

The software originally installed by the Charter School must remain on the device in usable condition and be easily accessible at all times.

From time to time the School may add or update software applications. The licenses for this software sometimes require that the software be deleted from devices at the completion of a course. Periodic reviews of devices will be made to ensure that students have deleted software that is no longer required in class and that the School has not exceeded its licenses.

All devices will be equipped with anti-virus protection software which will be upgraded regularly.

It is the responsibility of individual students to be aware of additional software programs and files loaded onto their device which are required for classes or School activities.
Students wishing to load additional software onto a device must first obtain the permission of the School's technology department. Any additional software must be appropriate for the School environment and comply with the Internet Access Conduct Agreement. Violent games and device images containing obscene or pornographic material are banned. The technology department shall determine whether a game is violent, and the student may appeal this decision to the principal. Each student is responsible for ensuring that only licensed software is loaded onto their device.

Students shall refrain from downloading the TikTok app onto any School issued device. If TikTok has already been downloaded onto a device issued to a student, the student shall delete the app or seek assistance from school technology personnel in deleting it.

Inspection and Filtering

Filtering software will be used to prevent access to material considered inappropriate or harmful to minors.

Students may be selected at random or for cause to provide their device for inspection. If technical difficulties occur or unauthorized software or any other violation of Charter School policy is discovered, all files and the hard drive may be reformatted. Only authorized software will be installed. The School does not accept responsibility for the loss of any software or other materials deleted due to a reformat and reimage.

Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated School staff to ensure appropriate use. The School will cooperate fully with local, State, or federal officials in any investigation concerning or relating to violations of law.

Remote Access of Devices

Devices may be equipped with the ability to be accessed remotely in the case of technical problems requiring remote assistance, missing or stolen devices, or other for any other appropriate Charter School purpose. A student does not need to be asked for permission prior to remote software maintenance.

Acceptable Use

Access to the devices is a privilege and not a right. Each employee, student, and parent will be required to follow the Internet Access Conduct Agreement and the Acceptable Use of Electronic Networks Policy. Violation of these policies, whether by the student or another party, while the device is in student custody may result in disciplinary action for the student, possible revocation of device privileges, and/or contacting law enforcement authorities.

Protecting and Storing Devices

Students are expected to password protect their devices and shall keep their password confidential.

When students are not using their devices, the devices should be stored in their lockers. Students are encouraged to take their devices home every day after School.

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the School grounds, the cafeteria, computer lab, locker rooms, library, unlocked classrooms, dressing rooms, and hallways. Unsupervised devices will be confiscated by staff and taken to the building principal's office. Disciplinary action may be taken for leaving a device in an unsupervised location.

Repair of Devices

Students are to report all device problems to the front office 208-467-0947.

The Administrator will issue a document clarifying student or parent responsibility for lost and damaged devices when the details of the School's insurance policy are known.

Cross References:	3270F	Internet Access Conduct Agreement
	3270P	Acceptable Use of Electronic Networks
Legal References:	Pub. L. 106-554	CIPA Public Law Number
	47 USC § 254(h)	Telecommunications Services for Certain Providers
	47 USC § 254(l)	Internet Safety Policy Requirement for Schools and Libraries

IC § 18-6726 TikTok Use by State Employees on a State-Issued Device Prohibited

Idaho Executive Order 2022-06

Other References: Technology Task Force Final Task Force Recommendations

Policy History:
Adopted on: April 16, 2020
Revised on: May 18, 2023
Reviewed on:

Legacy Charter School

3275F1

MOBILE COMPUTING DEVICE AGREEMENT

This Agreement is valid for the 20xx-20xx school year only.

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the Legacy Charter School's policies regarding Charter School-provided mobile computing devices (Policy No. 3275). Should any violation or misuse of the device occur while it is in my custody, I understand and agree that I may lose access to the device, or may lose the privilege of taking it home, and will forfeit any fees paid for use of the device, regardless of whether the misuse was committed by me or another person.

I accept full responsibility for the safe and secure handling of the device for this school year. I accept full responsibility for the proper use and safeguarding of the device under all applicable policies. I understand that it is my responsibility to immediately report any damage, theft, or problems with the device to a teacher or administrator.

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

User's Name (Print): _____ Home Phone: _____

User's Signature: _____ Date: _____

Address: _____

Status: ____ I am 18 or older _____ I am under 18

Parent or Legal Guardian: If the applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.

As the parent/guardian of the above student, I understand my child's responsibility in the use and care of the device and my financial responsibility in the event my student losses the device or is found to be the cause of deliberate or negligent damage to it. I understand that if they are found to be responsible for deliberate or negligent damage or for the loss of the device, I will be financially responsible for reasonable repair or replacement cost.

I have read the Charter School Policy No. 3275 and explained it to my child. I understand that if any violation or misuse of the device occurs while it is in my child's custody, his or her access privileges to the internet or use of a mobile computing device can be suspended or terminated, that he or she will forfeit any fees paid for use of the device, and that he or she may face other disciplinary measures, regardless of whether the misuse was committed by him or her or another person.

I also understand that I will be responsible for monitoring my student's use of the device outside the school setting.

_____I do not wish my son/daughter to take the device home at this time.

Parent/Legal Guardian (Print): _____

Signature: _____

Home Phone: _____

Address: _____

Date: _____

Legacy Charter School

STUDENTS **3280**

Equal Education, Nondiscrimination, and Sex Equity

Equal educational opportunities shall be available for all students without regard to 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.

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Inquiries regarding discrimination should be directed to the Charter School Title IX or Nondiscrimination Coordinator. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, the Charter School will notify annually all students, parents, staff, community members, and, if applicable, unions or professional organizations the Charter School holds a collective bargaining agreement with of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator, as well as a statement that the Charter School will provide equal access to the Boy Scouts and other designated youth groups. The notification will be provided in all handbooks.

The Charter School will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. The School considers this behavior to constitute discrimination on the basis of disability in violation of State and federal law.

Legal References:	20 U.S.C. §§ 1681 - 82	Title IX of the Education Amendments of 1972
	29 U.S.C. § 794	Section 504 of the Rehabilitation Act of 1973 - Nondiscrimination under Federal Grants and Programs
	42 U.S.C. § 6101, *et seq*.	Age Discrimination in Federally Assisted Programs
	42 U.S.C. § 12134	Americans with Disabilities Act
	I.C. § 67-5909	Commission on Human Rights – Acts Prohibited

Policy History:
Adopted on: April 19, 2012
Revised on: February 18, 2016
Revised on: February 20, 2020

Legacy Charter School

STUDENTS **3285**

Relationship Abuse and Sexual Assault Prevention and Response

The Board endeavors to take steps to prevent and respond to known instances of relationship abuse and sexual assault. Such conduct by students or third parties is strictly prohibited and shall not be tolerated on Charter School premises, or at any School sponsored activity, regardless of location including, but not be limited to buildings, facilities, and grounds on the School campus, School buses (if applicable), 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.

Relationship abuse includes the intentional use of physical, sexual, verbal, or emotional abuse or violence by a person to harm, threaten, intimidate, or control another person in a current or past dating relationship. Sexual assault includes sexual violence, sexual abuse, sexual stalking, and rape.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Administrator or Board.

Students or third parties may also be referred to law enforcement officials. Should the School or any of its' employees have reason to believe that a child under 18 years of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, the School shall follow appropriate reporting requirements pursuant to the Child Protective Act. Employees shall also report the incident to the Charter School's Title IX coordinator or deputies, as described in Policy 3085.

The Administrator is hereby directed to develop administrative procedures to implement this policy in the cases of actions which violate this policy but are not within the scope of sexual harassment as defined in Procedure 3085P. Procedures shall include descriptions of prohibited conduct, the definition of abuse pursuant to the Child Protective Act, reporting and investigative procedures, prevention and response procedures, and provisions to ensure notice of this policy is provided to students.

The Board shall review this policy annually.

Addressing Sexual Assault Outside the Scope of Policy 3085 and Procedure 3085P

Any person wishing to report an instance of sexual assault may do so in accordance with Policy 3085.

If the Title IX Coordinator determines the instance of sexual assault does not fall within the scope of Procedure 3085P to address, it may be addressed through this policy. The School shall maintain the confidentiality of the student, as far as possible, and may notify the student of what information may need to be disclosed in the course of the investigation, to whom, and why. The School shall take steps to

prevent retaliation against a student who files a complaint regarding sexual assault. The School shall immediately act to remediate the situation, without waiting for the completion of the investigation, and shall notify the student of any services available to assist him or her.

Such remediation during or following an investigation may include:

1. Providing an effective escort to ensure the complainant can move safely between classes and activities;
2. Ensuring that the complainant and the perpetrator or alleged perpetrator do not share classes or extracurricular activities;
3. Provision of victim services such as medical, counseling, and academic support services;
4. Arranging for the complainant to have extra time to complete or retake a class without academic penalty;
5. Disciplinary action against the perpetrator;
6. Counseling for the perpetrator;
7. Conducting training with a group of students if, for example, the sexual violence created a hostile environment within a particular grade level or on a sports team;
8. Ensuring the School has access to a counselor trained to assist victims of sexual violence;
9. Training employees on how to handle reports of sexual violence;
10. Informing students about the problem of sexual violence and how to seek assistance;
11. Conducting bystander intervention and sexual assault prevention programs with students;
12. Issuing official statements that the Charter School will not tolerate and will respond to any incidents of sexual violence; and
13. Assessing the School climate to determine whether the campus is free of sexual violence and determining what steps should be taken to address any problems.

Following the investigation, to the extent possible and not in violation of any applicable law, the complainant shall be notified of the outcome of the complaint, including whether the investigation determined that the alleged conduct occurred, remedies being offered to the complainant, any sanctions imposed on the perpetrator that directly relate to the complainant, and any other steps taken to eliminate the hostile environment or prevent recurrence.

Cross Reference:	3085	Sexual Harassment, Discrimination and Retaliation Policy
	3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions
Legal References:	I.C. § 16-1601, *et seq*.	Child Protective Act
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:
Adopted on: May 15, 2014
Revised on: December 19, 2019
Revised on: February 20, 2020
Revised on: November 19, 2020

Reviewed on:

Legacy Charter School

STUDENTS **3290**

Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in the Charter School. An employee, School agent, or student engages in sexual harassment whenever he or she makes unwelcome advances; requests sexual favors; or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:

    1. Substantially interfering with the student's educational environment;
    2. Creating an intimidating, hostile, or offensive educational environment;
    3. Depriving a student of educational aid, benefits, services, opportunities or treatment; or
    4. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator, or administrator who will assist them in the complaint process per Policy 3085 and Procedure 3085P. Supervisors or teachers who knowingly condone, or fail to report or assist a student to take action to remediate such behavior of sexual harassment or intimidation, may themselves be subject to discipline.

Any School employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the School who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

Any individual seeking further information should contact the Administrator for the name of the current Title IX Coordinator for the School. The Administrator shall ensure that the student and employee handbooks identify the name, address, and telephone number of the individual responsible for coordinating the School's compliance efforts.

An individual with a complaint alleging a violation of this policy which does not fall within the scope of allegations addressed by Procedure 3085P shall follow the Uniform Grievance Procedure.

Cross Reference:	§ 4120	Uniform Grievance Procedure
	§3085	Sexual Harassment, Discrimination and Retaliation Policy
	§3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions

Legal References:	20 U.S.C. §§ 1681 - 82	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	I.D.A.P.A. 08.02.03.160	Safe Environment and Discipline

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012
Revised on: December 19, 2019
Revised on: November 19, 2020
Reviewed on:

Legacy Charter School

STUDENTS **3290F**

Harassment Reporting Form for Students

Legacy Charter School Date _____

Student's Name_____
(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? _____
_____

Describe the incident(s). _____
_____
_____

Date(s), time(s), and place(s) the incident(s) occurred. _____
_____
_____

Were other individuals involved in the incident(s)? ☐ yes ☐ no
If so, name the individual(s) and explain their roles._____
_____
_____
_____

Did anyone witness the incident(s)? ☐ yes ☐ no
If so, name the witnesses._____
_____
_____
_____

Did you take any action in response to the incident? ☐ yes ☐ no
If yes, what action did you take _____
_____
_____
_____

Were there any prior incidents? ☐ yes ☐ no
If so, describe any prior incidents_____
_____
_____

Signature of complainant_____

Signatures of parents/legal guardian_____

Legacy Charter School

STUDENTS **3295**

Hazing, Harassment, Intimidation, Bullying, and Inappropriate Online Behavior

The Board of Directors is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyber bullying, or bullying by students or third parties is strictly prohibited and shall not be tolerated in the Charter School. This includes, but is not limited to, actions on School grounds, School property, School buses, at School bus stops, and at School sponsored events and activities.

Any cyber bulling or other inappropriate online content or behavior, including but not limited to such that:

1. Harms the reputation, dignity, or safety of any student or school employee; or
2. Contains obscene or discriminatory content directed at any public school employee, student, parent/guardian of a student, or volunteer, shall qualify for investigation and possible discipline regardless of whether it occurred during or outside of school hours or using school property.

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is harmful to another student or the property of another student. The Board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for School personnel, and for the educational purpose underlying all School activities.

Investigation and Notification

Information on the Charter School's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to school personnel, parents, and students in the School and shall be included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

Investigation activities as appropriate for each allegation or event will be conducted by the School's personnel or designee.

Upon receipt of an allegation of inappropriate online behavior toward a public school employee or other person, the allegation shall be investigated to determine the veracity of the reported claims and the parent/guardian of the student shall be notified about the report . If appropriate, the School shall notify law enforcement.

Discipline

Students whose behavior is found to be in violation of this policy will be subject to discipline and graduated consequences, up to and including expulsion consistent with the Board’s policy on student

discipline. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Administrator or Board.

Students or third parties may also be referred to law enforcement officials.

Procedures

The Administrator is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, rules for disciplining students who violate this policy, a process for mandatory reporting of serious incidents to parents/guardians of alleged offenders and victims, and provisions to ensure notice of this policy is provided to students, teachers, and third parties.

Review

The Board shall review this policy annually and make required disciplinary reports, where applicable to the appropriate governmental entities.

Cross References:	3330	Student Discipline
Legal References:	20 U.S.C. §§ 1681 - 82	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 18-917	Assault And Battery – Hazing
	I.C. § 18-917A	Student Harassment — Intimidation — BullyingI.C. § 33-205 Attendance at Schools - Denial of School Attendance
	I.C. § 33-512	District Trustees - Governance of Schools
	I.C. § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:
Adopted on: 2010.03
Revised on: 2012.04.19
Revised on: 2016.02.18
Revised on: 2020.02.20
Revised on: 2025.05.20
Revised on: 2026.08.20

Legacy Charter School

STUDENTS **3295F**

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying, Menacing

HARASSMENT COMPLAINT FORM

School _____ Date _____

Student's/Complainant's Name_____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? _____
_____

Describe the incident(s). _____
_____
_____

Date(s), time(s), and place(s) the incident(s) occurred. _____
_____
_____

Were other individuals involved in the incident(s)? ☐ yes ☐ no
If so, name the individual(s) and explain their roles._____
_____
_____
_____

Did anyone witness the incident(s)? ☐ yes ☐ no
If so, name the witnesses._____
_____
_____
_____

Is there any evidence of the harassment (i.e. letters, photos) ☐ yes ☐ no
If so, please describe._____
_____

Did you take any action in response to the incident? ☐ yes ☐ no
If yes, what action did you take _____
_____
_____
_____

Were there any prior incidents? ☐ yes ☐ no
If so, describe any prior incidents_____
_____
_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of complainant_____

Signatures of parents/legal guardian_____

Cross Reference: 3210 Civil Rights Grievance Procedure

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106
I.C. § 67-5909 Acts Prohibited

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3295P**

Hazing, Harassment, Intimidation, Bullying, and Inappropriate Online Behavior

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, and cyber bullying.

Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in Charter School business, such as employees of businesses or organizations participating in cooperative work programs with the Charter School and others not directly subject to Charter School control at Charter School athletic competitions or other school events.

2. "Charter School" includes Charter School facilities, Charter School property, buses, electronic technology or electronic communication equipment on Charter School computers, networks, or forums and non-school property if the student or employee is at any Charter School-sponsored, Charter School-approved or Charter School-related activity or function, such as field trips or athletic events where students are under the control of the Charter School or where the employee is engaged in Charter School business.

3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any school-sponsored activity or grade level attainment, such as forced consumption of any drink, alcoholic beverage, drug or controlled substance; forced exposure to the elements; forced prolonged exclusion from social contact; sleep deprivation; or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.

4. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, marital status, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight.

5. "Harassment, intimidation or bullying" means any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at school, a student's-opportunities, or performance that takes place on or immediately adjacent to school grounds, school property, at any school-sponsored activity, on school-provided transportation or

at any official school bus stop, and that has the effect of:

A. Harming a student or damaging a student's property;
B. Knowingly placing a student in reasonable fear of harm to the student or damage to the student's property; or
C. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or hostile educational environment.

6. "Cyber bullying", which for purposes of this definition includes "inappropriate online behavior." It also includes, but is not limited to, posting or sharing content to harass, tease, intimidate, threaten, or terrorize, or engage in any other behavior that harms the reputation, dignity, or safety of another person. This includes behaviors targeting any student, school employee, parent/guardian, volunteer, or other person. This includes sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, regardless of whether this is done through personal devices and networks or through a Charter School devise or network. Any such behavior that is brought to the attention of school officials shall be referred for investigation. The Administration shall, in their discretion, contact local law enforcement.

7. "Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage, or interfere with another's property; cause substantial inconvenience; subject another to offensive physical contact; or inflict serious physical injury on the basis of race, color, religion, national origin, gender identity and expression, or sexual orientation.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyber bullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. When an act of alleged inappropriate online behavior is received, the parent/guardian of the students involved will receive notice of the report. When incidents reach the level of suspension or more serious disciplinary action for any student involved, the School will notify parents/guardians of the offenders and victims that their student was involved in an incident of harassment, hazing, intimidation, bullying, or cyberbullying. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with in a manner that allows for as much confidentiality as can be provided while at the same time allowing for a thorough and appropriate investigation and report, where appropriate. Depending upon the circumstances, law enforcement may be notified.

Policy Distribution

Information about this policy must be distributed to the school community annually, including to parents, students, and all school personnel. Information about the Charter School's policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

The Principal has the responsibility for investigations concerning hazing, harassment, intimidation, bullying, and cyber-bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee or third party who has knowledge of conduct in violation of this policy or feels they have been a victim of hazing, harassment, intimidation, bullying, or cyber-bullying, in violation of this policy shall immediately report their concerns.

All complaints will be promptly investigated in accordance with the following procedures:

Step I: Any hazing, harassment, intimidation, bullying, or cyber-bullying, information (complaints, rumors, etc.) shall be presented to the Principal. Complaints against the Principal shall be filed with the Board of Directors. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step II: The school official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The school official will arrange such meetings as may be necessary with all concerned parties within two working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The school official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Principal.

Step III: If the complainant is not satisfied with the decision at Step II, they may submit a written appeal to the Principal or designee. Such appeal must be filed within five working days after receipt of the Step II decision. The Principal or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The principal or designee shall provide a written decision to the complainant's appeal within five working days.

Step IV: If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board of Directors. Such appeal must be filed within five working days after receipt of the Step

III decision. The Board shall, within ten working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the Charter School's administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within five working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records.

Procedure History:
Adopted on: 2012.04.19
Revised on: 2016.02.18
Revised on: 2026.08.20

Legacy Charter School

STUDENTS **3296**

Fighting (Battery)

Legacy Public Charter School's philosophy "*is grounded in the belief that when there is low threat and content is highly challenging, accelerated learning takes place"*. Fighting is diametrically opposed to "low threat". A fight is described as follows: Pushing, shoving, kicking, pulling or physically connecting in an aggressive manner with another student. Parents will be notified of any fight (battery). The consequences for a fight are as follows.

Administrative Discretion:
Depending upon the nature and severity of the fight at issue as well as the prior disciplinary history of the student in question, the administrator may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for greater or lesser discipline.

1st Fight (Battery):

- Parents will be notified by phone.
- Loss of recess and P.E. for 5 school days.
- Loss of field trip privileges: K, 1, 2, 3 – One field trip. Grades 4, 5, 6, 7, and 8 loss of all remaining field trips for the school year.
- If deemed necessary, the authorities (police) will be notified.

2nd Fight (Battery):

- Parents will be notified by phone.
- Grades K, 1, 2, and 3 – loss of all remaining field trips for the school year.
- The Legacy Public Charter School Board will be notified and may require a meeting with the student and parents.
- Authorities (police) will be notified.
- Three day suspension

3rd Fight (Battery):

- Parents will be notified by phone.
- Authorities (police) will be notified.
- The Legacy Public Charter School Board will be notified and will conduct a hearing with the student and parents to determine whether student will be expelled or serve suspension.

A student who has received disciplinary consequences as a result of the application of this policy, short of a suspension from school or a pending expulsion hearing, may participate in an off campus activity during such disciplinary period is if he/she is transported to and from the field trip location(s) by a parent and is supervised by the parent for the duration of the field trip. The student's safety is the responsibility of his/her parents.

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012
Revised on: May 21, 2015

Legacy 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: April 19, 2012
Revised on: May 21, 2015

Legacy Charter School

STUDENTS **3305**

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: February 20, 2020
Revised on:

Legacy Charter School

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	**Description**
IC § 33-210	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	**Description**
3330	Student Discipline
3340	Corrective Actions and Punishment
3370	Searches and Seizure

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012
Revised on: May 21, 2015
Revised on: June 20, 2019
Revised on: February 20, 2020
Revised on: November 18, 2021
Revised on: September 19, 2024

Legacy Charter School

STUDENTS **3330**

Student Discipline

Discipline Philosophy-The Harbor School Method™
Legacy 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.

Legacy Charter School is dedicated to providing a safe, kind environment for its students. Kindness is the number one expectation for Legacy 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. Legacy 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 Legacy 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:

1. Habitual truancy;
2. Incorrigibility;
3. Academic dishonesty;
4. Conduct continuously disruptive of school discipline or of the instructional effectiveness of the Charter School;
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 or look-alike products including e-cigarettes and/or any vaping product;
7. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and shall be treated as though they had alcohol in their possession;
8. 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 shall be treated as though they had drugs in their possession;
9. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy;
10. Using, possessing, controlling, or transferring a weapon in violation of Policy 3331;
11. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon including, but not limited to, any 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;
12. Inappropriate behavior between students in bathrooms or other areas on school property, including but not limited to shared use of a bathroom stall;
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 or an interference with school purposes or an educational function or disruptive to the educational environment;
17. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
18. Hazing – For purposes of this policy, the term "hazing" shall have the meaning set forth in Idaho Code;
19. Initiations;

20. 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; and
21. Harassment, intimidation, cyber bullying, inappropriate online behavior 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:

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. The School's prohibitions of cyber bulling and inappropriate online behavior includes, but are not limited to online behavior that contains obscene or discriminatory content against an employee, student, or other person or that harms the reputation, dignity, or safety of a public school employee or other person apply to conduct regardless of whether it occurs on or off school property, networks or devices.

Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

1. Expulsion;
2. Suspension;
3. Detention, including Saturdays;
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; and
10. 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:

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

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. When incidents of harassment, intimidation and bullying have reached the level of school suspension or more serious disciplinary action, the School shall notify the parents/guardians of the alleged victim and offender in a manner that complies with all applicable privacy laws.

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.

Delegation of Authority

Each teacher, and any other school personnel when students are under their 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	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3340	Corrective Actions and Punishment
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:
Adopted on: 2010.03
Revised on: 2012.04.19
Revised on: 2012.06.21
Revised on: 2014.11.20
Revised on: 2016.02.18
Revised on: 2021.08.19
Revised on: 2021.11.18
Revised on: 2026.09.17

Legacy Charter School

STUDENTS **3331**

Gun-Free School

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, shall be expelled for at least one 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 has a disability, 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 Charter School provided transportation. This also applies to students of the Charter School 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. This 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 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 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 their 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 Charter School activity; or

4. A person or an employee of the School or School who is authorized to carry a firearm with the permission of the Board of Directors.

Policy History:
Adopted on: 2010.03
Revised on: 2012.04.19
Revised on: 2015.05.21
Revised on: 2017.11.16
Revised on: 2026.09.17

Legacy Charter School

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

First Offense: Student is given a zero on the compromised work. Parents will be notified.

Second Offense: Student will receive a zero and will be referred to the Administrator for further disciplinary action with the possibility of expulsion.

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3340**

Corrective Actions, Punishment, and Denial of Enrollment

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, expulsion, or denial of enrollment.

For the purposes of the School's policies relating to corrective action or punishment:

1. "Temporary Suspension" is 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 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, including if they were disenrolled from a previous school or district in any state in lieu of discipline. In addition, the Board has authority to expel or deny enrollment to any student if they are convicted or adjudicated or offenses outlined in IC 20-525A(5) or other criminal offenses

listed in chapter 9, 61, or 66 in Title 18, Idaho Code. Such convictions or adjudications shall be disclosed by the student's parent/guardian at the time of enrollment, and failure to do so may result in expulsion or denial of enrollment to the student. 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 academic grade 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: 2012.04.19
Revised on: 2016.02.18
Revised on: 2020.02.20
Revised on: 2023.01.19
Revised on: 2025.09.18
Reviewed on:

Legacy Charter School

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 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 the 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: April 19, 2012
Revised on: August 19, 2021
Revised on: January 19, 2023
Reviewed on:

Legacy Charter School

STUDENTS **3345**

Use of Restraint, Seclusion and Aversive Techniques for Students

Conduct of Employees Directed Toward Students:

It is the priority of Legacy 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 Legacy 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 <u>all</u> 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: April 19, 2012
Revised on: December 19, 2019
Revised on: September 21, 2023

Legacy Charter School

STUDENTS **3350**

Detention

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students.

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 must be notified prior to a student serving an after-school detention.

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

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy 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: April 19, 2012

Revised on: February 17, 2022
Reviewed on:

Legacy 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: April 19, 2012
Revised on: February 17, 2022
Revised on: July 21, 2022

Legacy Charter School

STUDENTS **3410**

School Sponsored Student Activities

1. Student Organizations:

    a. All student organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted.
    b. Bylaws and rules of student organizations must not be contrary to board policy, administrative rules and regulations, or the Harbor School Method™
    c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.

2. Social Events

    a. Social events must have prior approval of the administration.
    b. Social events must be held in school facilities unless approved by the Board.
    c. Social events must be chaperoned at all times.
    d. Students in attendance must comply with Liberty Charter School policy.
    e. Students who have been suspended from the School may not attend School social events while serving suspension.

Policy History:
Adopted on: April 19, 2012
Revised on:

Legacy Charter School

STUDENTS **3500**

Student Health/Physical Screenings/Examinations

The Board may arrange each year for health services to be provided to all students. At the start of the school year, the Charter School shall notify parent/guardians of health services offered or made available through the school or by private organizations partnering with the School that offer services on School property or as a part of a School program. Parents/guardians shall be notified of any new health services that become available after the annual notice is sent.

Such services may include, but are not limited to:

1. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day;
2. The consulting services of a qualified specialist for staff, students, and parents;
3. Vision and hearing screening;
4. Scoliosis screening; and
5. Immunization as provided by the Department of Health and Human Services.

Parents/guardians will receive a written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress. Additionally, if a member of the School's staff becomes aware of a change in the student's mental, emotional, or physical health or well-being, the staff member shall address the matter as described in Policy 2425.

The School will not conduct a physical examination of a student without parental consent to do so or by court order, except for non-emergency first aide, unless a medical emergency exists and:

1. Furnishing the health care service is necessary to prevent death or address a serious bodily harm to the minor child or;
2. The health care provider can't contact the parent/guardian despite a reasonably diligent effort and the health care service is furnished to prevent loss of life or serious physical illness or injury to the minor child

Nonemergency first aid includes dressing minor wounds, applying topical agents, providing fluids, or ice, and performing checks to identify minor illnesses.
Parents/guardians maybe given the opportunity to provide blanket consent to the School furnishing health care services or soliciting to furnish health care services to a student
If a parent/guardian declines to consent to a health care service for their student, the staff member responsible for seeking such consent shall document their efforts to contact the parent/guardian to obtain their consent and shall also document the parent/guardian's refusal of such consent or failure to respond. If such health service was offered because the student is suspected of having a health problem, the parent/guardian will be notified of this suspicion according to Procedure 2425P Parent Rights – Parent/Guardian Notification of Changes in Student Health and Well-being.

Further, parents will be notified of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening administered by the Charter School is conducted which is:

1. Required as a condition of attendance;
2. Administered by the school and scheduled by the school in advance; and
3. Not necessary to protect the immediate health and safety of the student or other students

As used in this policy, the term "invasive physical examination" means any medical examination involving the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but this does not include a hearing, vision, or scoliosis screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Idaho High School Activities Association will be required to follow the rules of that organization, as well as other applicable Charter School policies, rules, and regulations.

All parents will be notified of the requirements of the Charter School's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

Abortion-Related Counseling and Referrals Prohibited

All staff are prohibited from providing the following services to any person during working hours or in the course of their work:

1. Providing or performing an abortion;
2. Counseling in favor of abortion;
3. Referring for abortion; or
4. Dispensing emergency contraception, except in the case of rape.

Cross References:	2425	Parental Rights
Legal References:	20 USC § 1232h(b)	Protection of Pupil Rights- Limits on Survey, Analysis, or Evaluation
	IC § 18-8701, *et seq.*	No Public Funds for Abortion Act
	IC § 33-6001	Parental Rights
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:
Adopted on: 2010.03
Revised on: 2012.04.19
Revised on: 2015.11.19
Revised on: 2020.02.20

Revised on: 2021.08.19
Revised on: 2023.07.20
Revised on: 2026.08.20
Reviewed on:

Legacy Charter School

STUDENTS **3500F**

Blanket Consent Form for Health Care Services for Minor Children
Providing blanket consent is optional and may, instead, be given on a case-by-case basis. Blanket consent may be withdrawn by a parent at any time.

NOTE: This form is to be provided to students' parents/guardians at the beginning of each school year.

Dear parent or guardian,

The purpose of this form and the attached copy of the Charter School's policy on Student Health/Physical Screenings/Examinations is to provide notice of all health services offered or made available through the School by the Charter School or by any private organizations and to provide notice of the School's policy on physical examinations and screening of students and to obtain parent/guardian consent for these services.

The Charter School will provide, under reasonable circumstances, nonemergency first aid services to a child appearing or representing to be sick or injured, such as dressing minor wounds, applying topical agents, providing fluids or ice, and performing checks to identify minor illnesses.

The blanket consent requested in this form applies only to the health services or examinations for which the parent/guardian has provided permission below. A parent or guardian is not required to provide blanket consent. If blanket consent is not provided, the School will seek consent on a case-by-case basis when consent is required. This blanket consent does not limit or replace the School's authority or obligation to respond to a medical emergency. Consistent with Idaho law and School policy, the School may provide health care services without prior parent/guardian consent when School staff reasonably determine that a medical emergency exists and:

- The health care service is necessary to prevent the minor child's death or address serious bodily harm; or

- Despite a reasonably diligent effort, School staff are unable to contact the parent or guardian, and the health care service is furnished to prevent loss of life or serious physical illness or injury to the minor child.

Emergency care provided under these circumstances is not conditioned on the parent or guardian signing this blanket consent form.

The School will provide the following additional health services or examinations which can only be provided with parental permission or in the event of an emergency as described above:

Health Service or Exam		Initial to Indicate **Permission** to Conduct the Health Service or Exam
Preventative health and wellness services and screenings as described in Policy 3500		
Administering or assisting with the administration of medication as described in Policy 3510		
Emergency care as authorized by law and described in Policy 3540 Parent/guardian consent to this item does not limit the School's authority or obligation to respond to a medical emergency when prior consent cannot reasonably be obtained.		
Appropriate management of all health conditions with parental consent		
Any health services the Charter School deems appropriate		

Parent Emergency Contact Information

Parent 1: Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

Parent 2: Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

Please select one of the following options:

_____ I hereby designate the following emergency contact for my child and grant them authority to consent to health care services provided by the school in the absence of the School's ability to reach me.

Emergency Contact Name: _____

Emergency Contact Phone Number: _____

Emergency Contact Email Address: _____

_____ I do NOT wish to designate an emergency contact to consent to health care services provided by the school in the absence of the School's ability to reach me.

_____
Student Name

_____ _____
Parent Signature Date

_____
Parent Name

Legacy Charter School

STUDENTS **3510**

Student Medicines

This policy shall be reviewed annually by the Board of Directors or their designee.

Assistance in Self Administration of Medicines by Students

Any School employee authorized in writing by the School administrator or School principal:

1. May assist in the self-administration of any drug to a pupil provided:

   A. The student's parent/guardian has consented in writing; and
   B. The drug may lawfully be sold over the counter without a prescription.

   Such administration must be as described in the written instructions provided in accordance with this policy.

2. May assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a licensed health care practitioner, if the pupil's parent/guardian consents in writing.

Administering Medicines to Students

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation.

The Board will permit the administration of medication to students of the Charter School. Pursuant to the written authorization of the student's licensed health care practitioner, as well as the written authorization of a parent/guardian, the School nurse (who has received direction as to the administration of medication by the student's licensed health care practitioner) may administer medication to any student in the School.

Where administration of medication is a routine activity for a particular student, the subject shall be addressed in a student's health care plan, Section 504 Plan, or IEP as applicable.

Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a School employee and should not be practiced by any School personnel.

The absence of a School nurse for the administration of medication shall be addressed on a case-by-case basis considering compliance with Idaho law and the medical needs of the student.

Emergency Administration of Medicines

In case of an anaphylactic reaction or the risk of such reaction, or in the case of a seizure, a school nurse or delegate may administer medication to any student in need thereof on the School grounds, in the School building, or at a School function, according to the standing order of the chief medical advisor or the student's private physician.

In the absence of a School nurse, the administrator or designated staff member exempt from the nurse licensure requirements who has completed training in administration of medication, may give emergency medication to students. There must be on record a medically diagnosed allergic condition which would require prompt treatment to protect the student from serious harm or death.

Record of the medication administered in an emergency will be entered on an Individual Student Medication Record and filed in the student's cumulative health folder.

Self-Monitoring and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent/guardian and written authorization from the student's treating physician, shall be permitted by the Board to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes in the classroom and in any area of the School or School grounds, and to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

Epilepsy and Seizure Disorder Plans

Upon written request of the parent/guardian of a student who has epilepsy or another seizure disorder, the School shall authorize implementation of a plan – whether a Section 504 plan, Health or Emergency Care Plan, or Seizure Disorder Plan, as deemed appropriate for each individual student. The plan will include, but is not limited to, the following:

1. Providing notice of the student's condition to all employees who interact with the student;
2. The student's symptoms;
3. Written orders from the student's physician on providing care to the student;
4. Whether the student may fully participate in exercise and sports and, if applicable, any accommodations required;
5. Accommodations for school-related activities, such as school trips and after-school activities;
6. A description of how medical treatment of the condition may affect the student's education, if applicable;
7. The student's understanding of and ability to manage the epilepsy or seizure disorder.
8. How to maintain communication with the student, parents/guardians, the student's healthcare team, and the school nurse OR employee responsible for administering emergency medication; and
9. A list of qualified staff who may administer emergency medication to the student for a seizure.

The plan may be updated annually and as necessary if there is a change in the health status of the student. The plan must also address the notification to the appropriate staff.

All employees who have received notification that a student they interact with has epilepsy or another seizure disorder will be provided with information about how to recognize indicators for epilepsy and seizure disorder, epilepsy, or seizure disorder first aid, when to call for assistance, and parent/guardian and emergency contact information for that student. **The training may be individualized to each student, if necessary.**

Self-Administration of Asthma Medication, Insulin/Diabetic Treatment, Seizure Disorder Medication, or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication, the following shall apply to epinephrine auto-injectors, seizure disorder medication, insulin, or blood glucose monitoring supplies if a parent/legal guardian chooses to have their child self-administer medication:

1. The parents/guardians of the pupil shall provide to the Board or designee written authorization for the self-administration of medication.

2. The parents/guardians of the pupil shall provide to the Board or designee written certification from the student's physician that the student has a severe allergic reaction (anaphylaxis), asthma, another potentially life-threatening respiratory illness, epilepsy or another seizure disorder, or diabetes and is capable of, and has been instructed in, the proper method of self-administration of medication. In cases where the pupil has severe or life-threatening allergies and any related procedures shall be followed. For students with a severe allergic reaction, asthma, another potentially life-threatening respiratory illness, seizure disorder, or diabetes the student's physician or health care provider-supplied information shall contain:

    A. The name and purpose of the medicine;
    B. The prescribed dosage;
    C. The time(s) at which or the special circumstances under which medication should be administered;
    D. The length of time for which medication is prescribed;
    E. The possible side-effects of the medicine;
    F. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing or allergic reaction;
    G. Contact information for the physician and parent/guardian; and
    H. If applicable, a list of the child's asthma or seizure triggers or allergies.

3. The School's administration and appropriate teachers and School personnel shall be informed that the student is self-administering prescribed medication. Such notification shall be done in a manner so as to best preserve the privacy of the student and the student's medical condition to the extent appropriate.

For students with severe or life-threatening allergies, this information may be provided in the student's Emergency Care Plan.

Additional Requirements for Self-Administration of Medicines

The Board or Board designee will inform the parents/guardians of the pupil in writing that the Charter School and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil, absent any negligence by the School, its employees, or its agents, or as a result of providing all relevant information provided pursuant to subdivisions of this subsection with the School nurse, absent any negligence by the School, its employees, or its agents, or in the absence of such nurse, to the School administrator.

The parents/guardians of the pupil shall sign a statement acknowledging that the School shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the School and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

Students who are authorized to carry their medication, supplies or equipment necessary for managing their diabetes, allergies, asthma, or epilepsy or other seizure disorder may be retested periodically to ensure they are still capable of correctly using the medication.

As used in this section:

1. "Medication" means:

    A. An epinephrine auto-injector;
    B. A metered dose inhaler or a dry powder inhaler; and
    C. Insulin, insulin delivery system, and/or supplies or equipment necessary for diabetes monitoring and/or treatment

    prescribed by a physician and having an individual label;

2. "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician; and
3. A student who is permitted to self-administer medication pursuant to this section shall be permitted to possess and use the prescribed medication at all times.

Any School employee authorized in writing by the School administrator or principal may assist with self-administration of medications provided that only the following acts are used:

1. Verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
2. Handing a prefilled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
3. Opening the lid of the above container for the student;

4. Guiding the hand of the student to self-administer the medication;
5. Holding a container of fluid and assisting the student in drinking fluid to assist in the swallowing of oral medications; and/or
6. Assisting with removal of a medication from a container for students with a physical disability which prevents independence in the act.

Handling and Storage of Medicines

All medications, including those approved for keeping by students for self-administration, must first be delivered by the parent or other responsible adult to the nurse or employee assisting with the self-administration of medication. The nurse or the employee must:

1. Examine any new medication to ensure that it is properly labeled with dates, the name of student, the medication name, the dosage, and the physician's name;

2. If administration is necessary, the nurse must develop a medication administration plan for the student before any medication is given by School personnel;

3. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received;

4. Store medication requiring refrigeration at 36F - 46F; and

Store prescribed medicinal preparations in a securely locked storage compartment excluding those medications approved for self-administration. Controlled substances will be contained in a separate compartment, secured, and locked at all times.

No more than a 45 school day supply of a medication for a student will be stored at the School. All medications, prescription and nonprescription, will be stored in their original containers.
Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each School will maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

Disposal of Medication

School personnel must either return to the parent/guardian or destroy (with permission of the parent/guardian) any unused, discontinued, or obsolete medication. Medicine which is not repossessed by the parent/guardian within a seven day period of notification by School authorities will be destroyed by the School nurse in the presence of a witness

Medications to Reverse an Opioid Overdose

Opioid Overdose: The School does not participate or provide resources in the treatment of opioid overdoses.

Legal References:	IDAPA 08.02.03.160.01.a.i	Rules Governing Student Health Policies
	IC § 33-520	Policy Governing Medical Inhalers, Epinephrine Auto-Injectors, Insulin and Blood Glucose Monitoring Supplies
	IC § 54-1401	Nurses — Purpose — License Required — Representation to the Public

Policy History:
Adopted on: May 15, 2014
Revised on: November 20, 2014
Revised on: September 15, 2016
Revised on: July 20, 2023
Revised on:
Reviewed on:

Legacy Charter School

STUDENTS **3510F1**

Authorization for Self-Administered Medication

Student's Name: _____ Grade: _____ DOB: _____

Parent/Guardian Name: _____

Telephone: (Home): _____ (Work): _____

I give my permission for my child to self-administer the medication described below. I shall indemnify and hold harmless the Charter School and its employees or agents for legal fees, costs, and any potential damages concerning self-administration of this medication arising out of any claims brought by the above named child or anyone else.

_____ _____

Parent/Guardian's Signature Date

……...…….

THE FOLLOWING IS TO BE COMPLETED BY THE PHYSICIAN:

I am recommending that the above named student be allowed to self-administer the following medication.

Name and Purpose of Medication: _____

Identification of Chronic Medical Problem: _____

_____

Prescribed Dosage to be Taken: _____

Length of Time Medication Must be Taken: _____

Possible Side-Effects and/or Special Precautions to be Taken: _____

_____

Conditions Under Which Self-Medication Will Take Place:

_____ **Independently** (*Child must have had training and be proficient in self-administering medication.*)
Trainer's Name: _____

Date of Training: _____

_____ **Under the supervision of a school nurse**

Medication should be: _____ Stored in the Health Office

_____ In the possession of the student

_____ _____
Type or Print Physician's Name Physician's Signature

_____
Date

Legacy Charter School

STUDENTS **3510F(2)**

Indemnification/Hold Harmless Agreement
For Self-Administration of Medication

Student Name: _____

The parent(s)/guardians(s) agree to indemnify, defend, and hold the school district harmless from any and all claims, actions, costs, expenses, damages and liabilities, including attorney's fees, arising out of, connected with or resulting from the self-administration of medication by the pupil. The parent(s)/guardians(s) agree(s) that the school district, Governing Board, Governing Board employees and its agents shall incur no liability as a result of any injury arising out of or connected with the self-administration of medication by the pupil. Specifically, the parent(s)/guardian(s) agree that they will not institute either on their own behalf or on behalf of the pupil, any claim or action against the Governing Board, Governing Board employees and its agents arising out of or connected with self-administration of medication by the pupil.

This agreement shall take effect on the date listed below and shall stay in effect for as long as the pupil is provided permission to self-administer medication. This agreement must be signed and in full effect prior to the granting of permission to self-administer medication.

_____ _____
Parent/Guardian's Name (Please Print) Parent/Guardian's Signature

_____ _____
Parent/Guardian's Name (Please Print) Parent/Guardian's Signature

_____ _____
Administrator's Signature Date of Agreement

Legacy Charter School

STUDENTS **3520**

Contagious or Infectious Diseases

Attendance at the Charter School may be denied to any child diagnosed as having a contagious or infectious disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The Charter School shall rely on the advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

Management of common communicable diseases will be in accordance with Idaho Department of Health and Welfare guidelines and communicable diseases control rules. A student who exhibits symptoms of a communicable disease that is readily transmitted in the school setting may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the responsible person designated by the Administrator and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

The School reserves the right to require a statement from the student's primary care provider authorizing the student's return to school. In all proceedings related to this policy, the School shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer shall promptly notify the Administrator to determine appropriate measures to protect student and staff health and safety. The Administrator, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of the student or for determining appropriate educational accommodation will be informed of the specific nature of the condition, if it is determined there is a need for such individuals to know this information.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

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

Policy History:
Adopted on: March 2010
Revised on: April 19, 2012

Legacy Charter School

STUDENTS **3530**

Suicide

While the Charter School has a responsibility to notify a student's parent/guardian regarding any known changes in the student's mental, physical, or emotional health or well-being, neither a charter school nor a teacher has a duty to warn of the suicidal tendencies of a student absent the teacher's or charter school's knowledge of direct evidence of such suicidal tendencies. The Board directs the Administrator or their designee to draft and implement procedures relating to:

1. Suicide prevention;
2. Suicide intervention; and
3. Suicide postvention.

"Postvention" shall mean counseling or other social care given to students after another student's suicide or attempted suicide.

These procedures may include, but are not limited to, the following measures:

1. Prevention:

    A. Offering and providing help and assistance, including early identification;
    B. Support and/or counseling by school support personnel for low-risk students;
    C. Referral to appropriate sources outside the school for high and moderate-risk students;
    D. The designation of a school-level suicide prevention coordinator(s) by the Administrator to be responsible for planning and coordinating the implementation of procedures addressing suicide.
    E. Encouraging staff to report to the coordinator students they believe may be at elevated risk of suicide.
    F. Education of students on suicide prevention through age-appropriate curriculum.
    G. Small group suicide prevention programming.
    H. Offering resources to parents/guardians on suicide prevention.

2. Intervention:

    A. Contacting the parents/guardians of students identified as at imminent risk of suicide.
    B. Contacting emergency services to assist a student who is at imminent risk of suicide.
    C. Providing first aid until emergency personnel arrive, as appropriate.
    D. Moving other students away from the immediate area of any suicide attempt on Charter School property or at a School event.

3. Postvention:

A. After care support by the school for faculty, staff, and students after a sudden death has occurred.
B. The development of a plan for responding to a death by suicide that has a significant impact on the school community.
C. Notification of the suicide prevention coordinator, if applicable.
D. The creation of a crisis team to respond to deaths by suicide that have a significant impact on the school community.
E. Contacting the State Department of Education to report any student deaths by suicide and to seek postvention assistance and/or resources.
F. Offering mental health services to students likely to be strongly affected by a recent death.
G. Appointing a spokesperson to handle inquiries related to issues involving suicide in the school.

Charter School personnel shall attend to the rights of the student and their family.

The Charter School shall comply with all requirements of State law and administrative rules for training by personnel on suicide prevention and awareness.

Legal References:	IC § 33-136	Suicide Prevention in Schools
	IC § 33-512B	District Trustees - Suicidal Tendencies — Duty to Warn
	IC § 33-6001	Parental Rights
	IDAPA 08.02.02.112	Suicide Prevention in Schools
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:
Adopted on: November 15, 2018
Revised on: July 20, 2023
Reviewed on:

Student Questioning and Arrests

Interviews by School Administrators (Student Victims/Witnesses)

When a violation of Board policy or school rule occurs, the school principal or designee may question a potential student victim or students who may have relevant information without prior consent of the parent/guardian. Another adult should be present during the questioning of students.

Interviews by School Administrators (Student Suspect)

In situations where a student is suspected of violating Board policy or school rule, the principal or designee may interview or question the suspected student without the prior consent of the student's parent/guardian. The school official must first have reasonable grounds to suspect that the student committed such a violation. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies involvement or culpability in any part of the suspected activities, the student will be afforded the opportunity to present their side of the story, orally or in writing.

Interviews and Questioning by Law Enforcement Officials

All contact between the school and law enforcement on matters involving students shall be made through the building or Charter School office.

If a law enforcement officer is present on school property solely to question a specific, identified student, the school's administrative personnel shall bring the student to a designated location for questioning. Law enforcement officers who are present for such an interview should not otherwise roam the school's facility in an effort to locate the student. They should remain in the administration office while school personnel seek out the student. However, if there is a safety concern or other emergency situation involving a student, the school and law enforcement official shall work together on the best way to contact that student.

Any questioning of a student by law enforcement should take place in a private room or area where confidentiality can be maintained.

When reasonably possible, parents/guardians should be given the chance to be present for questioning. A public school shall notify a student's parent or legal guardian by phone call or text message if a minor student has been or may be questioned by a law enforcement official, unless the child is a victim or suspected victim of physical child abuse, abandonment, and/or neglect.

The Charter School recognizes that it is not always possible to notify a parent/guardian of a student prior to an interview by law enforcement. At minimum, when the Charter School is aware that such

questioning has occurred, the building principal or designee shall notify the parent/guardian of such event by phone call or text before the end of the day when the interview occurred.

The School Board prefers that any interview of a student or a detainment of a student occur outside of school hours and outside the school setting, when possible. However, when such activities cannot occur outside of the school setting, the principal or designee will notify a parent/guardian of an interview or detainment of a minor student by law enforcement officials.

School personnel shall not require any student to subject themselves to any law enforcement interview. If a parent/legal guardian directs that a student is not to be subject to a law enforcement interview, such direction will be honored by the school and law enforcement will have to make other arrangements to conduct such questioning. Such parental direction shall be required for each case in which a law enforcement officer asks to question a student.

The building principal or their designee may request to be present at the interview, but should not take part in any questioning. If present, the principal or designee should at all times remain a neutral observer.

When students are questioned by law enforcement officers, Charter School personnel are not responsible for a police officer's compliance with the law. If a parent/guardian or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

Questioning by Law Enforcement Officials About School-Related Violations

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or at an activity involving school operations, law enforcement officers may be notified by school officials to request a criminal investigation. Law enforcement officers may also independently determine that an investigation requiring student interviews is necessary.
Charter School
School discipline investigations conducted by school administrators and criminal investigations conducted by law enforcement officers shall be conducted in a parallel manner rather than as a joint investigation. Therefore, a school discipline investigation need not stop as soon as the school administrator believes that a crime has been committed. The results of the parallel investigations may be shared among school officials and the police.

Questioning by Law Enforcement Officers About Non-School-Related Violations

The Charter School strives to maintain cooperative working relations between law enforcement, child protective authorities, and school authorities. Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to question students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, conducting such interviews during the student's class time is discouraged. Whenever possible, such questioning on matters not related to school should take place away from school and outside of school hours. Whether an interview will be permitted at school during school hours shall be at the discretion of the principal, except when a warrant or court order requires that it be conducted immediately. The principal and

principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews. In the event of disagreement, the principal or designee shall immediately contact the Charter School legal counsel for assistance.

Before any student interview begins regarding suspected criminal activity, the principal or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The Idaho Department of Health and Welfare or law enforcement may exclude school personnel from any child abuse investigations and related interviews and may use a school building to conduct the interview.

Arrests by Law Enforcement Officers

A law enforcement officer may take a student into custody if the student has been placed under arrest, if the officer declares the student to be in imminent danger, or if the student's parent/guardian and the student consent to such release. When practical, the officer must first notify the principal or designee so that the student may be summoned to the principal's office and taken into custody in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on school premises without prior notification to the principal or designee, the law enforcement officer should notify school authorities of the situation as soon as possible.

When a student is removed from school by law enforcement officers for any reason, the building principal or designee will make every reasonable effort to notify the student's parent/guardian, including attempts to contact them by phone call or text message. The school official will document such effort in writing. When law enforcement officers make a formal arrest or the student is otherwise in law enforcement custody, any and all responsibility for that student is transferred to law enforcement personnel. If a school official has reason to believe a student is wrongly detained or arrested, they shall not interfere in any way but will contact the Administrator explaining their reason which will be documented by the Administrator and reported to the parent/guardian.

School officials will notify the appropriate area administrator of the removal of any student from school by law enforcement under any circumstance. Charter School personnel are not responsible for an officer's legal compliance with respect to said arrest.

Definitions

"Interview" or "questioning" means asking a student about an incident.

"Reasonable Suspicion" means a common-sense belief based on the information at hand that criminal activity or a violation of Charter School rule/policy has happened or will happen.

Cross References:	5260	Abused and Neglected Child Reporting
Legal References:	IC § 6-904(1)	Tort Claims Against Governmental Entities — Exceptions to Governmental Liability
	IC § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	IC § 16-1606	Child Protective Act: Immunity
	IC § 16-1607	Child Protective Act: Reporting in Bad Faith-Civil Damages
	IC § 16-1631	Child Protective Act: Authorization for Department to Act
	IC § 20-516	Juvenile Corrections Act — Apprehension and Release of Juveniles — Detention
Other References:	Idaho Att'y Gen. Ann. Rpt. 93-2 (1993) (available at https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf) (last accessed November 18, 2019)	

Policy History
Adopted on: April 19, 2012
Revised on: May 21, 2015
Revised on: February 20, 2020
Revised on: September 21, 2023
Reviewed on:

Legacy Charter School

STUDENTS **3555**

Student Pickup From School

At the end of the school day (at approximately 2:30 p.m. on a regular full day of school), students are directed to the area designated for student pick up from school.

If a student has not been picked up from school within twenty (20) minutes of the end of the school day, the student is returned to the school's office. Thereafter, the following process will commence:

1. The student's parent/guardian will be contacted utilizing the contact information previously provided to the school's office personnel.
    a. If the student's parent does not respond to the call, the student's emergency contact will be contacted utilizing the contact information previously provided to the school's officer personnel.
2. If no individual has responded to a call and/or if no parent or designated adult who is allowed to transport the student from school has arrived by 3:05 P.M. the school's office will contact local law enforcement officials and the student will be turned over to local law enforcement. It will then be the responsibility of the parent/guardian of the student and local law enforcement to address the transportation and custody of the student.

Neither the school nor its employees shall transport or assume responsibility for the transportation of a student from school when the student's designated transportation has not arrived at school at the end of the school day.

Should a parent/guardian fail to retrieve their child from school and the above process be required on two (2) separate occasions during a school year, the parent(s)/guardian(s) will be required to attend a meeting with the school's Administrator(s) to address the parental responsibility for child transportation and how such matters may be properly addressed in the future.

Adopted: January 18, 2018

Legacy Charter School

STUDENTS **3560**

Video Surveillance

The Board believes that the use of video taping equipment can make positive contributions to the health, safety, and welfare of all students, staff, and visitors to the Charter School, as well as safeguard School facilities and equipment. Having carefully weighed and balanced the rights to privacy of students, staff, and visitors against the School's goal of ensuring the safety of every student, employee, and visitor while they are on School property and also the goal of safeguarding School facilities and equipment, the Board hereby authorizes the use of video cameras on Charter School property as follows:

Video surveillance shall be used to promote order, to maintain the security, health, welfare, and safety of all staff, students, and visitors on School property, and to safeguard School facilities and equipment.

The School shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on School property. Additionally, notices shall be posted on or about Charter School property alerting those on School property that the School is utilizing video surveillance.

Review of any video recordings is restricted to those who have a security, safety, or a legitimate educational interest. Absent a specific FERPA or personnel statute exception application, this means that review of video shall be limited to school agents or employees.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The School shall comply with all applicable State and federal laws related to record maintenance and retention. Video tapes that are records of student and/or staff behavior shall be secured in a locked file until the tapes are either reused or erased. The video tape shall be considered a student and/or staff record and shall be subject to current law for the release of student record information and/or personnel record.

Video surveillance may be used for investigations of criminal activity by appropriate law enforcement agencies and may be used by the School to investigate violations of School policy.

Students or staff in violation of Board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

Video cameras may be installed in public locations as deemed appropriate by the Administrator and shall not be installed in areas with a reasonable expectation of privacy.

Audio shall not be part of the video recordings made, reviewed, or stored by the School.

Absent specific board approval limited to possible law enforcement applications, no individual shall be permitted to "tap" into the school's live video feed or otherwise have real-time video streaming access to the school's video recordings for any purpose.

Cross-Reference:	3570	Student Records
Legal References:	20 U.S.C. § 1232g, *et seq*. (FERPA)	Family Education Right to Privacy Act
	34 C.F.R. Part 99	Implementing FERPA
	I.C. § 18-6701, *et seq*.	Communications Security
	I.C. § 33-512	District Trustees - Governance of Schools
	Books v. Logan, 127 Idaho 484, 903 P.2d 73 (1995);	
	Rife v. Long, 127 Idaho 841, 908 P.2d 143 (1995).	

Policy History:
Adopted on: April 19, 2012
Revised on: May 21, 2015
Revised on: November 15, 2018
Revised on: February 20, 2020

Legacy Charter School

STUDENTS **3570**

Student Records

Charter School student records are confidential, and information from them shall not be released other than as provided by law. Federal and State laws grant certain rights to parents and students, including the right to inspect, copy, and challenge School records. The information contained in School student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The School may release directory information as permitted by law, but parents shall have the right to object to the release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) notifies the School not to release this information.

The Principal shall implement this policy consistent with State and federal law and may develop administrative procedures to assure compliance with State and federal law. The Principal or a designee shall inform staff members of this policy, and shall inform students and their parents of it, as well as their rights regarding student School records.

Cross References:	3576	Student Data Privacy and Security
	4260	Records Available to the Public
	8605	Retention of District Records
Legal References:	20 U.S.C. § 1232g, *et seq*. (FERPA)	Family Education Right to Privacy Act
	Pub. L. 114–95	Every Student Succeeds Act (ESSA)
	34 C.F.R. Part 99	Implementing FERPA
	I.C. § 33-133	Idaho Student Data Accessibility, Transparency, and Accountability Act - Definitions — Student Data — Use and Limitations — Penalties
	I.C. § 33-209	Attendance at Schools —Transfer of Student Records — Duties
	I.C. § 32-717A	Divorce Actions - Parents' Access to Records and Information

Policy History:
Adopted on: April 19, 2012
Revised on: May 21, 2015
Revised on: June 18, 2015
Revised on: February 20, 2020
Revised on: August 19, 2021

Legacy Charter School

STUDENTS **3570F**

Student Records

Notification to Parents and Students of Rights Concerning a Student's School Records

This notification may be distributed by any means likely to reach the parent(s)/guardian(s).

The Charter School will maintain a file for each student that shall contained the information, including but not limited to the following:

basic identifying information
academic transcripts
attendance record
immunization records
intelligence and aptitude scores
psychological reports
achievement test results
participation in extracurricular activities
honors and awards
teacher anecdotal records
special education files
verified reports or information from non-educational persons
verified information of clear relevance to the student's education
information pertaining to release of this record
disciplinary information

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. **The right to inspect and copy the student's education records within a reasonable time of the day the Charter School receives a request for access.**

   Students less than eighteen (18) years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the school Administrator (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Administrator will make arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the time and place where the records may be inspected.

The Charter School charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

When the student reaches eighteen (18) years of age, or is attending an institution of post-secondary education, all rights and privileges accorded to the parent become exclusively those of the student.

2. **The right to request the amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.**

   Parents/guardians or eligible students may ask the Charter School to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school Administrator or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

   If the Charter School decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the Charter School will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. **The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent.**

   Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Charter School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

   Upon request, the Charter School discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by state or federal law. Before information is

released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. **The right to a copy of any school student record proposed to be destroyed or deleted.**

5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

   Throughout the school year, the Charter School may release directory information regarding students, limited to:

   - the student's name for school related directories, military or post-secondary requests only and not for public release;
   - address for school related directories, military or post-secondary requests only and not for public release;
   - telephone listing for school related directories , military or post-secondary requests only and not for public release;
   - electronic mail address (e-mail) for school-related directories only and not for public release;
   - photographs of the student used by the School for recognition of student achievement and
   - community relations, including, but not limited to, publication in the School's directory or school's newsletters or publications, yearbooks, in the school setting, and on the school's web site;
   - participation in officially recognized activities such as sports;
   - weight and height of members of athletic teams;
   - dates of attendance, degrees and awards received; and
   - the most recent previous educational agenda or institution attended.

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building Administrator within thirty (30) days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student are specifically informed otherwise.

6. **The right to request that that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the Charter School is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the Charter School not release this information, and the Charter School will comply with the request.

Parent(s)/guardian(s) or eligible students may request that the Charter School not release this information, and the Charter School will comply with the request.

7. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA.**

   The name and address of the office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, DC 20202-4605

Procedure History:
Adopted on: April 19, 2012
Revised on: May 21, 2015
Revised on: June 18, 2015

LEGACY CHARTER SCHOOL

STUDENTS - Permission to Use Likeness **3570F**

I hereby authorize Legacy Charter School to use my likeness in a photograph, image, motion picture, video recording, and/or sound recording, for use in any and all of its publications, including website entries, social media or to otherwise publish, circulate and disseminate said photographs, images, motion pictures, video recordings, and/or sound recordings or any duplication or facsimile thereof for any lawful purpose they deem proper. I recognize and consent that my name may or may not be attached or utilized in relation to the publication of any such photograph, image, motion picture, video recording, and/or sound recording and consent to the same.

By making such authorization, I hereby relinquish and assign to Legacy Charter School all right, title and interest I may have in the photographs, images, motion pictures, video recordings, and/or sound recordings, negatives, reproductions or copies, including, but not limited to, the right to copyright the same used by them. In addition, I waive the right to inspect or approve the finished product, including written or electronic copy, wherein my likeness or voice appears; and waive any right to royalties or other compensation arising or related to the use of such photographs, images, motion pictures, video recordings, and/or sound recordings.

I understand that Legacy Charter School and their employees, agents, officers, and owners cannot warrant or guarantee that any further dissemination of my image and/or voice will be subject to control by Legacy Charter School. I hereby hold harmless and release and forever discharge Legacy Charter School and their employees, agents, officers and owners, from all claims, demands, damages and causes of action which I, my heirs, representatives, executors, administrators, or any other person's action on my behalf or on behalf of my estate have or may have by reason of this authorization.

I am 18 years of age and am competent to contract in my own name. I have read this release and assignment before signing below and I fully understand the contents, meaning, and impact of this release.

Signature: _____ Date: _____

Printed Name: _____

If the person signing is under age 18, there must be consent by a parent or guardian, as follows:

I hereby certify that I am the parent or legal guardian of _____. I have read the foregoing release and assignment before signing below and I fully understand the contents, meaning, and impact of this release, and do hereby sign and authorize said release and assignment on behalf of the minor child named above and will hold the School harmless for any claim that may be pursued by or on behalf of my child as a result of my entering into this release and assignment.

Parent/Guardian/s Signature: _____

Date: _____

Parent/Guardian's Printed Name: _____

Student's Printed Name: _____

Legacy Charter School

STUDENTS **3570F1**

Student Records

Notification of Parents' and Student's of Rights Concerning a Student's School Records

This notification will be distributed annually, and may be distributed by any means likely to reach the parent(s)/guardian(s). The Charter School shall effectively notify parents and eligible students who have a disability and those whose primary or home language is not English. To be in compliance, this form must be distributed with a copy of Procedure 3570P Student Records.

The Charter School will maintain a record for each student that shall contain the information, listed in the attached copy of Procedure 3570P.:

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. **The right to inspect and copy the student's education records within a reasonable time of the day the Charter School receives a request for access.**

   Students less than 18 years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the School principal (or appropriate School official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the time and place where the records may be inspected.

   The Charter School charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

   The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

   When the student reaches 18 years of age, or meets other criteria specified in Procedure 3570P, all rights and privileges accorded to the parent become exclusively those of the student.

2. **The right to request an amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.**

3. Parents/guardians or eligible students may ask the Charter School to amend a record that they believe is inaccurate, misleading, irrelevant, or improper as described in Procedure 3570P. **The**

right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or State law authorizes disclosure without consent.

Disclosure is permitted without consent to School officials with legitimate educational or administrative interests. A School official is a person employed by the Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and School safety and security personnel); a person serving on the Board; a person or company with whom the Charter School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another School official in performing his or her tasks.

A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the Charter School discloses education records without consent to officials of another charter school or district in which a student has enrolled or intends to enroll, as well as to any person to whom disclosure is specifically required by State or federal law. Before information is released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge the records.

Disclosure is also permitted without consent for: research, statistical reporting, or planning purposes as described in Procedure 3070P;

Disclosure is also permitted without consent to any person named in a court order ordering such release; and to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. **The right to a copy of any School student record proposed to be destroyed or deleted.**

5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

   Throughout the school year, the School may release directory information regarding students. Directory information is defined in the attached copy of Procedure 3570P

   Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student is specifically informed otherwise.

6. **The right to request that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the Charter School is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the School not release this information, and the School will comply with the request.

7. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA.**

   The name and address of the office that administers FERPA is:

   U.S. Department of Education
   Student Privacy Policy Office
   400 Maryland Avenue, SW
   Washington, DC 20202-4605

Policy History:
Adopted on: 2012.04.19
Revised on: 2015.05.21
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Revised on: 2021.11.18
Revised on: 2023.07.20
Revised on: 2025.07.17

Legacy Charter School

STUDENTS **3570P**

Student Records

Maintenance of School Student Records

The Charter School shall maintain a record for each student that shall contain information, including but not limited to the following items listed below, if the School has created or received such information. Items 1 through 7 must be included.

- birth certificate;
- proof of residency;
- unique student identifier issued and assigned by the State Department of Education;
- basic identifying information;
- academic transcripts;
- immunization records;
- attendance records;
- intelligence and aptitude scores;
- psychological reports;
- achievement test results;
- participation in extracurricular activities;
- honors and awards;
- Special education records (maintained pursuant to IDEA requirements);
- verified reports or information from non-educational persons;
- verified information of clear relevance to the student's education;
- log pertaining to release of student's record; and
- disciplinary records.

The School has determined that the following documentation shall be permanently maintained:

1. The unique student identifier;
2. Transcript;
3. Graduation date.

Other content of the student record shall be maintained for a period of seven years after a student graduates or permanently leaves the School, except for those records for which longer retention is required.

Special Education Records shall be maintained in accordance with then-applicable special education laws, as such may change from time to time.

Personnel Responsible for Records Maintenance

The Principal's designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with the Charter School's procedure established by the Principal.

Access to Student Records

The Charter School shall grant access to student records as follows:

1. The Charter School or any Charter School employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this policy and consistent with the provisions of State and federal law. This includes the provisions of IC33-133.

2. The parents of a student under eighteen (18) years of age shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within five (5) days of the Charter School's receipt of such a request unless state or federal law specifically provides another length of time.

   Where the parents are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The School shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

   a. Academic progress reports or records;
   b. Health reports;
   c. Notices of parent-teacher conferences;
   d. School calendars distributed to parents/guardians; and
   e. Notices about open houses and other major school events, including pupil-parent interaction.

   When the student reaches eighteen (18) years of age or otherwise becomes emancipated, the rights detailed herein for the parent/legal guardian are transferred to the student, unless otherwise addressed by the student, permitted parental access to the student information system, or via court order/guardianship Additionally, the parents of dependent students, as defined by the I.R.S. (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish this right,, via either a copy of the applicable tax forms and/or a Parental Affidavit for Educational Records attesting to the student's dependent status.

   Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has waived his or her right of access, after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The Charter School may grant access to, or release information from, student records to employees or officials of the Charter School or the Idaho State Board of Education, provided a current, demonstrable, educational or administrative need is shown, without parental consent or notification. Access in such cases shall be limited to the satisfaction of that need.

4. The Charter School may grant access to, or release information from, student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.

5. The Charter School shall grant access to, or release information from, a student's records pursuant to a court order or appropriate subpoena. In most instances, the parent/qualified student shall be given prompt written notice of such order/subpoena, a general statement of the documents which will be released, and the proposed date of release of the documentation requested. However, there are very limited circumstances under the USA Patriot Act where schools are required to disclose information without notice to the parent or student to the Attorney General of the United States upon an ex parte order in connection with the investigation or prosecution of terrorism crimes or other such specified situations when the court order prohibits disclosure (i.e. Federal Grand Jury Subpoena or Law Enforcement Subpoena wherein such order indicates disclosure is not permitted).

6. The Charter School shall grant access to or release information from any student record as specifically required by federal or state statute.

7. The Charter School may grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One (1) copy of the consent form will be kept in the records, and one (1) copy shall be mailed to the parent or eligible student by the Principal. Whenever the Charter School requests the consent to release certain records, the records custodian shall inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.

8. The Charter School may release student records to the Principal or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.

9. Prior to the release of any records or information under items 5, 6, 7, and 8 above, the Charter School shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 5. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.

10. The Charter School may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. Any release that is made must be narrowly tailored considering the immediacy, magnitude, and specificity of the information concerning the emergency and the information should only be released to those persons whose knowledge of the information is necessary to provide immediate protection of the health and safety of the student or other individuals (i.e. law enforcement, public health officials, trained medical personnel). The exception is temporarily limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's records. The Charter School shall notify the parents or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to which the release was made, and the purpose of the release and the same information shall be recorded in the student's record log.

11. The Charter School will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).

12. The Charter School charges a nominal fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship.

13. A log of all releases of information from student records (including all instances of access granted, whether or not records were copied) shall be kept and maintained as part of such records. This log shall be maintained for the life of the student record and shall be accessible only to the parent or eligible student, records custodian, or other such person. The log of release shall include:
    a. Information released or made accessible.
    b. The name and signature of the records custodian.
    c. The name and position of the person obtaining the release or access.
    d. The date of the release or grant of access.
    e. A copy of any consent to such release.

<u>Directory Information</u>

The Charter School may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

Name
Grade level
Academic awards, degrees, and honors
Information in relation to School-sponsored activities, organizations, and athletics
Major field of study

Period of attendance in School
A student's photo solely for the purpose of publication or recognition of a student's honors, awards, or achievements or for any Charter School informational or promotional use on its social media or other publications, or for any yearbook.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Student Record Challenges

Parents/guardians may challenge the accuracy, relevancy or propriety of their student's records, when the student's records are being forwarded to another school, except for challenges made to the following,

1. Grades; and
2. References to expulsions or out-of-school suspensions.

Parents/guardians who wish to challenge a record should write to the school principal or records custodian, clearly identifying the part of the record they want changed or removed, and specifying the reason.

If the School decided not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the parent/guardian has the right to request a hearing at which each part has:

- the right to present evidence and to call witnesses;
- the right to cross-examine witnesses;
- the right to counsel;
- the right to a written statement of any decision and the reasons therefore; the right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The School will notify the parent(s)/guardian(s) or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Such notice shall be in writing and provided within a reasonable period of time after the hearing. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

The parents may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.

Cross Reference: Policy 3560 Video Surveillance
Policy 3576 Student Data Privacy and Security
Policy 4260 Records Available to Public
Policy 8605 Retention of Charter School Records

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. 99 Family Education Rights and Privacy Act,
34 CFR part 99 Implementing FERPA

IC 33-133	Idaho Student Data Accessibility, Transparency, and Accountability Act-Definitions-Student Data-Use and Limitations-Penalties
I.C. § 33-209	Attendance at Schools -Transfer of Student Records – Duties
IC 33-6001	Parental Rights
I.C. § 33-717A	Divorce Actions-Parents' Access to Records and Information Pub L. 114-95

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Legacy Charter School

STUDENTS **3576**

Student Data Privacy and Security

The efficient collection, analysis, and storage of student information is essential to improve the education of our students. As the use of student data has increased and technology has advanced, the need to exercise care in the handling of confidential student information has intensified. The privacy of students and the use of confidential student information is protected by federal and state laws, including the Family Educational Rights and Privacy Act (FERPA) and the Idaho Student Data Accessibility, Transparency, and Accountability Act of 2014 (Idaho Data Accountability Act).

Student information is compiled and used to evaluate and improve Idaho's educational system and improve transitions from high school to postsecondary education or the workforce. The Data Management Council (DMC) was established by the Idaho State Board of Education to make recommendations on the proper collection, protection, storage and use of confidential student information stored within the Statewide Longitudinal Data System (SLDS). The DMC includes representatives from K-12, higher education institutions and the Department of Labor.

This model policy is required by the Idaho Data Accountability Act. In order to ensure the proper protection of confidential student information, the Charter School shall adopt, implement and electronically post this policy to its' website. It is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy. This policy is consistent with the DMC's policies regarding the access, security, and use of data maintained within the SLDS. Violation of the Idaho Data Accountability Act may result in civil penalties.

Definitions

Administrative Security consists of policies, procedures, and personnel controls including security policies, training, and audits, technical training, supervision, separation of duties, rotation of duties, recruiting and termination procedures, user access control, background checks, performance evaluations, and disaster recovery, contingency, and emergency plans. These measures ensure that authorized users know and understand how to properly use the system in order to maintain security of data.

Aggregate Data is collected or reported at a group, cohort or institutional level and does not contain PII.

Data Breach is the unauthorized acquisition of PII.

Logical Security consists of software safeguards for an organization's systems, including user identification and password access, authenticating, access rights and authority levels. These measures ensure that only authorized users are able to perform actions or access information in a network or a workstation.

Personally Identifiable Information (PII) includes: a student's name; the name of a student's family; the student's address; the students' social security number; a student education unique identification number or biometric record; or other indirect identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances, to identify the student.

Physical Security describes security measures designed to deny unauthorized access to facilities or equipment.

Student Data means data collected at the student level and included in a student's educational records.

Unauthorized Data Disclosure is the intentional or unintentional release of PII to an unauthorized person or untrusted environment.

Collection

The Charter School shall follow applicable state and federal laws related to student privacy in the collection of student data.

Access

Unless prohibited by law or court order, the Charter School shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Principal or designee, is responsible for granting, removing, and reviewing user access to student data. An annual review of existing access shall be performed.

Access to PII maintained by the Charter School shall be restricted to:
(1) the authorized staff of the Charter School who require access to perform their assigned duties; and
(2) authorized employees of the State Board of Education and the State Department of Education who require access to perform their assigned duties; and
(3) vendors who require access to perform their assigned duties.

Security

The Charter School shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. The Charter School shall immediately notify the Executive Director of the Idaho State Board of Education and the State Principal of Public Instruction in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. The Charter School shall also notify in a timely manner affected individuals, students, and families if there is a confirmed Data Breach or confirmed Unauthorized Data Disclosure.

Use

Publicly released reports shall not include PII and shall use Aggregate Data in such a manner that re-identification of individual students is not possible.

Charter School contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall include the following provisions which are intended to safeguard student privacy and the security of the data:

1. Requirement that the vendor agree to comply with all applicable state and federal law;
2. Requirement that the vendor have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure;
3. Requirement that the vendor restrict access to PII to the authorized staff of the vendor who require such access to perform their assigned duties;
4. Prohibition against the vendor's secondary use of PII including sales, marketing or advertising;
5. Requirement for data destruction and an associated timeframe; and
6. Penalties for non-compliance with the above provisions.

The Charter School shall clearly define what data is determined to be directory information.

If the Charter School chooses to publish directory information which includes PII, parents must be notified annually in writing and given an opportunity to opt out of the directory. If a parent does not opt out, the release of the information as part of the directory is not a Data Breach or Unauthorized Data Disclosure.

Cross Reference: 3570 – 3570P Student Records

Legal Reference: 20 U.S.C. § 1232g Family Education Rights and Privacy Act
34 C.F.R. 99 Family Education Rights and Privacy Act
I.C. § 33-133 Idaho Student Data Accessibility, Transparency, and Accountability Act

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