

SCHOOL SAFETY & DISCIPLINE POLICY

It is the policy of Mountain Home School District No. 193 (MHSD) to maintain a safe school learning environment. Each person has the right to attend school in an atmosphere that promotes equal opportunities and that is free from all forms of discrimination and conduct that includes, but not limited to, and can be considered bullying, harassing, intimidating, abusive, coercive, and/or disruptive. The Board of Trustees encourages the reporting of all incidences that violate this policy.

The discipline rules related to the MHSD School Safety and Discipline Policy and Procedures applies to all conduct on the school district premises/grounds before, during, or after school hours; or conduct at any other time when the school is being used by a school group; conduct off school grounds at any school activity, function, or event, or at school-sponsored events; conduct during transportation to and from school and school-sponsored events; conduct off the district's premises that has an adverse effect upon a person's educational environment. The Superintendent or designee will govern the implementation of the procedures regarding this policy.

Mountain Home School District No. 193 believes each student deserves the opportunity to learn to his/her full potential. In order to achieve this, no student will be allowed to hinder any other student's opportunities to learn and/or cause any unsafe conditions or acts that hinder any other student's opportunities to learn.

Mountain Home School District No. 193 believes each employee has the right to attend work in an atmosphere that is free from all forms of discrimination and conduct that includes, but not limited to, and can be considered harassing, coercive, or disruptive. Each employee deserves the right to work, educate, mentor, guide, etc., students without being harassed, threatened, intimidated, bullied, etc., by other school district employees, school district students, and visitors/guests The District will make reasonable accommodations for an individual with a disability known to the District, if the individual is otherwise qualified for the position and able to perform the essential functions of the job, unless the accommodation would impose an undue hardship upon the District.

Mountain Home School District No. 193 believes all visitors/guests deserve the right to visit without being harassed, threatened, intimidated, bullied, etc., by school district employees, school district students, and other visitors/guests.

Mountain Home School District No. 193 School Board of Trustees holds school district employees, school district students, and visitors/guests, to this school district policy and any correlating policies and procedures, and federal and state laws. This policy will prevail in all matters concerning staff, students, and persons in educational programs and services or employment practices with whom the Board does business.

LIABILITY

The district and its employees will not be liable for any claim which arises out of injury to a person by a person under supervision, custody, or care of the district when acting within the course and

scope of their employment and without malice or criminal intent and without reckless, willful and wanton conduct as defined in [Section 6-904C, Idaho Code](#).

AUTHORITY & DISCIPLINE: (I.C. 33-205, 33-512)

The District has the authority to control student, employee, and visitor/guest conduct and to adopt rules necessary to maintain proper discipline.

1. Each school will review the discipline plan annually, which includes procedures for due process in accordance with Idaho Code. The discipline plan must be provided, at the beginning of each school year to the students, staff, and parents.
2. Denial of enrollment – (I.C. 33-205) Students, who have been expelled from any school district, including Mountain Home School District No. 193, must notify school authorities of their expulsion upon requesting admittance to the Mountain Home School District. A readmittance hearing before the Board of Trustees must be held prior to the admittance of a student who has been expelled from any school district, as described above.
3. Mandatory Reporters – Mountain Home School District No. 193 has classified all employees as mandatory reporters of any knowledge they have that a member of the District community experienced sex or gender-based harassment, discrimination, and/or retaliation. Accordingly, all District employees must promptly report actual or suspected sex and gender-based harassment, discrimination, and/or retaliation to the Title IX Coordinator. District 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 District 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, District employees must also report allegations of suspected child abuse and/or neglect to either law enforcement or the Idaho Department of Health and Welfare.

All staff members will be notified that they are responsible to take appropriate action for all discipline situations that may arise in their presence.

4. Release of a student to law enforcement officials – (I.C. 20-516, MHSD School Safety & Discipline Form 2 – Release to Law Enforcement) The school administrator, or designee, may release a student to law enforcement officials if a warrant is issued, or if the officer is arresting the student without a warrant, or the officer requires the removal of a student from school district property. In the absence of parental or guardian consent, the school administrator, or designee, shall document the release by using the MHSD School Safety & Discipline Form 2 – Release to Law Enforcement.

5. Building administrators may temporarily suspend any student for disciplinary reasons, or for other conduct disruptive of good order, or which impedes the effectiveness of the school (I.C. 33-205).
6. The Superintendent may suspend any employee or place any certified employee on administrative leave for disciplinary reasons, or for other conduct disruptive of good order, or which impedes the effectiveness of the school, or in the case of certified employees until the outcome of the due process hearing (I.C. Title 33, Chapters 5 and 12).
7. Students with disabilities violating this policy will be dealt with within the guidelines of Individuals with Disabilities Educational Act (IDEA), the American Disabilities Act (ADA), and the Special Education Manual. Each incident will be addressed on a case-by-case basis.
8. Students in violation of the zero tolerance guidelines as set forth will be referred to the District Review Committee for disciplinary measures including, but not limited to, suspension or recommended for expulsion, and referred to the appropriate authorities (I.C. 33-205, 33-512).
9. Certified school district employees in violation of the zero tolerance guidelines may be referred to the School Board of Trustees for a due process hearing and referred to the appropriate authorities (I.C. 33-512 & 33-513).
10. Classified school district employees in violation of the zero tolerance guidelines may be referred to the Superintendent for disciplinary measures, including termination, and referred to the appropriate authorities (I.C. 33-512 & 33-513).
11. Visitors/parents/guardians in violation of the zero tolerance guidelines will be prohibited from entering any school premises or attending any school sponsored activity, regardless of location, including, but not limited to, the school district filing a No Trespass Order against the individual, and individual referred to the appropriate authorities (I.C. 33-512).
12. Discipline shall be appropriate to the offense, age, and standing of the individual.
13. The Superintendent or designee shall submit the case to the appropriate law enforcement agency when the charges warrant such action.
14. Right of Appeal: Should a certified employee wish to challenge an administrative decision regarding his or her contract or believes the District is in violation of any district policy, (s)he may request a hearing before District Administration with right of appeal to the School Board of Trustees using the Grievance Policy 1 – Certified Employees and Grievance Form 1 – Certified Employees.

A classified employee of the district may file a grievance about any matter related to their employment except for wages and benefits, only if the grievance is directly related

to the classified employee's belief they have been unfairly treated or the District is in violation of any District Policy, State Regulation or Law, or Federal Regulation or Law. The grievance must be submitted in accordance with the Grievance Policy 2 – Classified Employees and Grievance Form 2– Classified Employees. (I.C. 33-517)

A student of the district may file a grievance who has reason to believe he/she has been unfairly treated or the District is in violation of any District Policy, State Regulation or Law, or Federal Regulation or Law. The grievance must be submitted in accordance with the Student Grievance Policy and Student Grievance Form 1.

A patron of the district may file a grievance who has reason to believe he/she has been unfairly treated or the District is in violation of any District Policy, State Regulation or Law, or Federal Regulation or Law. The grievance must be submitted in accordance with the Patron Grievance Policy.

SCHOOL SAFETY & DISCIPLINE –

Mountain Home School District properties and facilities include, but are not limited to: buildings, facilities, school grounds, district campus, school buses and vehicles, district parking areas, and the location of all school district sponsored activity and events regardless of the location, including remote locations off of school grounds, and in or on property owned or operated by a school district.

Mountain Home School District has Zero Tolerance by students, employees, and visitors/parents/guardians for the following:

A. **ZERO TOLERANCE:**

Mountain Home School District No. 193 has adopted a zero tolerance stand against the following including, but not limited to:

1. Weapons and look alike weapons at school, on or near owned or contracted school property and school buses, or at school-sponsored events regardless of location, and as interpreted by the School Board of Trustees. Willful threats of violence directed at schools, school buses, school activity venues, school staff and/or students regardless of the point of origin and delivered by any means of communication. (see item B)
2. Violence, abuse, sexual or gender-based harassment/abuse/assault, threats, inappropriate behavior, discrimination, intimidation, harassment, bullying, cyber/technology bullying/harassment, inappropriate texting, sexting, hazing, etc., acts including, but not limited to, adult/teen/adolescent dating violence/abuse (unhealthy relationships), inappropriate use of cellular, digital, technological, and electronic devices at school, etc., hereinafter designated as Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct/Retaliation on or near owned or contracted school property, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees is prohibited. (see item C)

- Discrimination and Harassment includes, but is not limited to race, color, creed, national origin, sex, sexual orientation, gender identity or expression, religion, age, physical or mental handicap or disability, ancestry or genetic information, protected veteran status, marital status, citizenship status, pregnancy, financial status, membership in any professional organization, political beliefs, use of lawful products while not at work, any other characteristics protected by law. Discrimination is a felony.
 - Bullying, harassment, and/or abuse is defined as any unwanted aggressive or any intentionally harmful behavior and any action or conduct that includes, but is not limited to sufficiently severe, pervasive, or persistent so as to interfere with or poses a threat to the health and safety of students, or visitors, and/or is disruptive to the educational process of the Mountain Home School District, and/or limits the ability of an individual to participate in or benefit from the district's programs and/or intentionally causes grief; intentionally causes intimidation; intentionally causes fear; intentionally causes the lessening of self-worth. Bullying can lead to discrimination.
 - Cyber and Technological (cyber-technology) abuse includes, but is not limited to, the behavior used to harm, threaten, intimidate, control, harass, monitor, coerce, stalk, or victimize, except as otherwise permitted by law, that is perpetrated through, but not limited to the internet, social networking sites, spyware, global positioning system (GPS) tracking technology, cellular phones, or instant/text messages. Cyber-Technological abuse includes, but is not limited to, monitoring; unwanted or repeated calls or text messages; non-consensual access to email, social networking accounts, text or cell phone call logs; and pressuring for or disseminating private or embarrassing pictures, videos, or other personal information.
 - Anyone who believes that he/she has been the recipient of illegal discrimination or harassment, based on race, color, national origin, sex, sexual orientation, gender identity or expression, religion, age, disability, genetic information, protected veteran status, political beliefs, or marital or family status may file a grievance in accordance with this and the appropriate Grievance Policies and Forms.
3. Verbal or written bomb threats, or placing or detonating a bomb at school, on or near owned or contracted school property, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees. (see item D)
- Idaho Code 18-3313 false reports of explosives in public or private places is a felony.
4. Drug/Alcohol/Controlled substances at school, on or near owned or contracted school property, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees. (see item E)
5. Student use of cellular, digital, and electronic communication and entertainment

devices must not violate the district's Computer & Network Services Policy and Procedures. (see item F)

- A student may possess a cellular, digital, or electronic communication or entertainment device in school, on school property, and at school-sponsored activities, provided that during school hours and on school vehicles the device remains off (not just placed into private or silent mode) and stored out of sight. (see item F)

B. WEAPONS & DISCIPLINE –

1. Weapons are defined as, but not limited to:

- a. Any device, instrument, material, or substance designed to cause serious physical injury, or look-a-like devices, weapons, or other objects or substances capable of being used as weapons, such as, but not limited to, any item that under the circumstances it is used, attempted, or threatened to be used, is readily capable of causing serious physical injury.
- b. Weapons may include, but are not limited to: firearms of any kind, knives or sharp instruments of any kind, or look-a-like devices, weapons, or other objects; any explosive, incendiary, or poisonous gas; any combustible or flammable liquid; or other objects/substances which may pose a threat to the health and safety of other students, staff members, or visitors, or could be used to disrupt the educational process; or any other item that is used to threaten, strike terror, or cause bodily harm or death even though it is normally considered not to present a danger to others.
- c. Threatening by word, electronic/digital/technological means, or act to use a firearm or other deadly or dangerous weapon to do violence to any person on school grounds or to disrupt the normal operations of the school district's operations by making a threat of violence.
- d. Knowingly possessing, altering or repairing a firearm or other deadly or dangerous weapon in the furtherance of carrying out a threat made by word, electronic/digital/technological means, or act to do violence to any person on school grounds, or to disrupt the normal operations of the school district.
- e. Willful threats of violence directed at schools, school buses, school activity venues, school staff and/or students regardless of the point of origin and delivered by any means of communication.

2. Discipline:

- a. Students who, or students who willingly assist other student(s), to possess, store, or use firearms, look-a-like weapons, or other objects or substances capable of being used as weapons, as defined in section B.1., without permission from school

officials, may be immediately suspended for up to five (5) days, or may be expelled. The administrator in charge of the case will meet with the superintendent of schools, or designee, as soon as possible to consider the evidence. Those determined to be in violation will be referred to the District Review Committee or the School Board of Trustees with recommendation for further suspension or expulsion, and the proper authorities would be notified. The School Board of Trustees reserves the right to expel a student permanently.

- Mountain Home School District will not admit any student who has been expelled from another school district without a hearing before the School Board of Trustees. Student expulsions resulting from a violation of the Gun-Free Schools Act of 1994, is a mandatory one (1) year expulsion period. Students expelled for possession, storing, or using a firearm, as defined in Section B.1., will be referred to the appropriate criminal or juvenile justice system. (I.C. 33-205)
- b. Classified personnel who possess, store, or use firearms or look-a-like weapons, or other objects capable of being used as weapons, as defined in section B.1., without permission from school officials may be referred to the building administrator, superintendent, or School Board of Trustees for disciplinary measures and possible termination, and the appropriate authorities would be notified.
- c. Certified school district employees who possess, store, or use firearms or look-a-like weapons, or other objects capable of being used as weapons, as defined in section B.1., without permission from school officials may be referred to the School Board of Trustees for a due process hearing and possible termination, and the appropriate authorities would be notified.
- d. Visitors/parents/guardians who possess, store, or use firearms or look-a-like weapons, or other objects capable of being used as weapons, as defined in section B.1., without permission from school officials may be, but not limited to, prohibited from entering any school premises or attending any school sponsored activity, regardless of location, and referred to the appropriate authorities. (I.C. 33-512)

C. **UNWELCOME AND/OR INAPPROPRIATE BEHAVIOR/REMARKS/
ACTIONS/CONDUCT/RETALIATION & DISCIPLINE**

- It is the policy of Mountain Home School District No. 193 to maintain a work environment that is free from unwelcome and/or inappropriate behavior/remarks/actions/conduct and retaliation. Each student and employee have the right to attend classes and work in an atmosphere that promotes equal opportunities and that is free from all forms of unwelcome and/or inappropriate behavior/remarks/actions/conduct/retaliation, etc. It is important that all students, employees, and community members and visitors treat all other students, employees, and community members and visitors with respect and in a lawful and civil manner. It is the responsibility of all students, employees, and

community members and visitors to deter inappropriate behavior. Unwelcome and/or inappropriate behavior/remarks/ actions/conduct/retaliation that affect morale and unreasonably interfering with an individual's educational or work performance or opportunities; or has the purpose or effect of creating an intimidating, threatening, abusive, or hostile educational environment for students, staff, and visitors; or limits the ability of an individual to participate in or benefit from the district's programs; or impacts or has the potential to impact the school; or poses a threat to the health and safety of students, staff members, or visitors; or is disruptive to the educational process of the Mountain Home School District will not be tolerated.

- Unwelcome and/or inappropriate behavior/remarks/actions/ conduct/retaliation includes, but not limited to, any form of violence, harassment, discrimination, or abuse including, but not limited to physical abuse, verbal and non-verbal abuse, psychological abuse; sexual abuse/assault, threats, intimidation, bullying; cyber-technologies bullying/ harassment; etc.
- All district employees who receives a report of unwelcome and/or inappropriate behavior/remarks/actions/conduct/retaliation from a student, another staff member, or community member, or becomes aware that a student, staff member, or community member is being subjected to such, or in good faith believes that a student, staff or community member is being subjected to unwelcome and/or inappropriate behavior/remarks/actions/conduct/retaliation is required to report the matter, in a timely and responsive manner, to the building principal or school superintendent, or law enforcement immediately.
 - ~ In the event the complaint involves the principal, the matter must be immediately reported to the superintendent.
 - ~ In the event the complaint involves the superintendent, the matter must be immediately reported to the Board Chairperson.
- Any district employee who witnesses unwelcome and/or inappropriate behavior/remarks/actions/conduct/retaliation of a student is required to take immediate, appropriate action to intervene to stop the unwelcome, and/or inappropriate behavior/remarks/actions/conduct/retaliation.
- MHSD encourages students and employees who are involved in an abusive relationship, or suspects or knows of a student or employee in an abusive relationship, or suspects or knows of a student or employee who is the offender/assailant of abuse either mentally, physically, sexually, including through the use of social media and cyber-technology, to report such abuse to Law Enforcement and also notify a teacher, counselor, or school administrator of such.
- MHSD expects and requires district employees to report all suspected cases of

child abuse to Law Enforcement and to the school building administrator(s). Failure to report suspected abuse may result in disciplinary actions as deemed appropriate by the School Board of Trustees. Failure to report abuse, abandonment, or neglect of a child is a misdemeanor under Idaho law (I.C. 16-1605).

- School Administrators may refer allegations of harassment and/or abuse incidents to law enforcement if (s)he reasonably believes that the student has engaged in conduct including, but not limited to, harassment and/or abuse in violation of Idaho Code Section 18-917A.
1. Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct/ Retaliation including, but not limited to, Adult and/or Student Relationships/ Dating Violence/Abuse are defined as follows (see item 3 for disciplinary actions):
 - a. All students, employees, and visitors/guests are prohibited from engaging in or conspiring with another to engage in any unwelcome and/or inappropriate behavior/remarks/actions/conduct/retaliation, which could also be reasonably construed as constituting harassment and/or discrimination on the basis of race, color, creed, national origin, sex, sexual orientation, gender identity or expression, religion, age, physical or mental handicap or disability, ancestry or genetic information, protected veteran status, marital status, citizenship status, pregnancy, financial status, membership in any professional organization, political beliefs, use of lawful products while not at work, any other characteristics protected by law be it violent or potentially violent, including damage to property or another's clothing or possessions, and taking another's belongings; causing harm to a person.
 - b. Threats including, but not limited to, written or verbal, graphic or photographic, audio or video, via social media and other digital, technical, and electronic devices, acts/depictions of creating an intimidation or hostile environment, or acts/depictions including, but not limited to, bullying, cyber-technology bullying/harassment, name calling, sexual misconduct, taunting, malicious teasing, or making rude gestures, through chatrooms and instant messaging (IM) and websites, stalking, and sexual and physical abuse/attack be it violent or potentially violent, including damage to property or another's clothing or possessions, and taking another's belongings; causing harm to a person.
 - c. Sexual and Physical Abuse/Assault against a student, employee, or visitor including, but not limited to hitting; pushing; tripping, kicking; blocking; stalking; inappropriate touching; causing damage to another's clothing or possessions; and taking another's belongings; sexual overtures or conduct, including those that relate to the individual's sexual orientation, which is unwelcome; sexual misconduct; request or demands for sexual activity; sexual jokes; sexual misconduct; obscene comments or gestures; unwelcome and/or inappropriate behavior/remarks/actions/conduct; unwelcome sexually motivated attention or implied attention; sexting; restraining another's movement; aggression and/or intimidation to someone's

demographics; bullying; sexting and texting; including but not limited to the use of all forms of social media and other digital, technical, and electronic devices (cyber-technology bullying/harassment).

- Any and all complaints, reports, or information received by any district employee that sexual harassment is occurring or has occurred shall be immediately forwarded to the District's Title IX Coordinator or other designated employee for review and action as appropriate.
 - Sexual assault including, but not limited to, any unwanted sexual act, any attempt to obtain a sexual act, requests or demands for sexual activity, unwanted sexual comments or advances, or acts otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim/target and is in violation of this policy and Title IX.
- d. Verbal abuse against a student, employee, or visitor including, but not limited to, the use of social media and other digital, technical, and electronic devices, including, but not limited to, name-calling, threatening behavior, demeaning jokes, texting, sexting, and cyber-technology bullying/harassment; inappropriate social media postings of any kind; any defamatory, taunting, harassing, slurs; derogatory remarks or innuendos; malicious teasing; and unwelcome and/or inappropriate behavior/remarks/actions/conduct to a student, school district employee, or visitor's demographics.
- e. Psychological abuse, including sexual psychological abuse, against a student, employee, or visitor including, but not limited to, spreading harmful and inappropriate rumors regarding another; bullying; cyber-technology bullying/harassment; discrimination, texting; stalking; sexting; inappropriate social media postings; any defamatory/taunting/harassing through the use of social media or other digital, technical, or electronic devices (cyber-technology bullying/harassment); drawing inappropriate pictures; presenting inappropriate photographs and other multimedia documents, writing inappropriate statements regarding another; intentionally excluding another from groups, and similar activities.
- f. Harassment, bullying, cyber-technology bullying/harassment, sexual harassment, aggression, abuse/attack, intimidation, sexual intimidation including, but not limited to, sexual or physical acts/abuse/attacks be it violent or potentially violent; stalking; inappropriate social media postings; and threats be it written or verbal, photographic, audio, or video; unwelcome texting/sexting; acts/depictions of creating an intimidating or hostile environment; unwanted aggressive or any intentionally harmful acts, unwelcome and/or inappropriate behavior/remarks/actions/conduct; any intentional gestures and writings; verbally harassed or bullied with the negative behavior that is based on a victim's race, color, disability, religious beliefs, ethnic background, sex, sexual orientation, age, mental or physical disability or appearance and characteristic, or national origin, or socio-

economic status; or a student's association with a person or group; conspiring with another individual to commit any act of bullying, harassment, or abuse against another student; or perpetuating such conduct by spreading hurtful or demeaning material created by another person (e.g., forwarding e-mails or text messages); causing damage to property, another's clothing or possessions, and taking another's belongings; causing harm against another student, employee, or visitor is prohibited and may be committed through the use of including, but not limited to, data or computer software that is accessed through a computer, computer system, or computer network, cyber-technology; the use of landlines, mobile phones, wireless telephones, and other digital and electronic devices, which poses a threat to the health and safety of students, staff members, or visitors.

- In general, bullying is misbehavior that can lead to school discipline. Whereas harassment is assigned to a specific category including, but not limited to, race, color, creed, national origin, sex, sexual orientation, gender identity or expression, religion, age, physical or mental handicap or disability, ancestry or genetic information, protected veteran status, or other discriminations that are considered a crime and could lead to court. Bullying can lead up to harassment.
- Bullying – Most agree that bullying is defined as any unwanted aggressive or any intentionally harmful behavior and/or misconduct by a student(s), employee(s), or visitor(s), which is characterized by the aggressor(s) repeatedly engaging in negative actions against another person(s) in an attempt to intentionally hurt, cause physical and psychological harm; or humiliate another person physically, socially, or emotionally; intentionally cause that person grief; intentionally cause that person to become intimidated; intentionally cause that person to become frightened; intentionally cause that person to lessen his/her sense of worth, etc.; to exercise control over that person; conspiring with another individual to commit any act of bullying, harassment, or abuse against another student; or perpetuating such conduct by spreading hurtful or demeaning material created by another person (e.g., forwarding e-mails or text messages). Those targeted by bullying behavior struggle to defend themselves and stop the action directed at them. There also is an “imbalance of power.”
- Harassment – The behavior is similar to and can include bullying behavior by its unwanted and hurtful actions. It includes, but not limited to, unwelcome demeaning language and conduct such as verbal abuse, graphic or written statements, sexting/texting; derogatory jokes and racial jokes, taunting, slurs and derogatory nicknames; innuendos, or other negative remarks; graffiti and/or slogans or visual displays such as cartoons or posters depicting slurs or derogatory sentiments; threats; physical assault; or other conduct that is threatening or humiliating; and meets the threshold of harassment when a student is being verbally bullied with the negative behavior that is based on a victim/target's race, color, disability, religious beliefs, ethnic background, sex, sexual orientation, age, mental or physical disability or appearance and characteristic, or national origin, or socio-economic status; or a student's

association with a person or group; conspiring with another individual to commit any act of bullying, harassment, or abuse against another student; or perpetuating such conduct by spreading hurtful or demeaning material created by another person (e.g., forwarding e-mails or text messages); that has the purpose or effect of creating an intimidating, threatening, abusive, or hostile educational environment for students, staff, and visitors.

- Bullying, harassment, and/or abuse also includes any act of retaliation taken against (1) any person bringing a complaint of bullying, harassment, abuse, and unwelcome and/or inappropriate behavior/remarks/ actions/conduct; (2) any person assisting another person in bringing a complaint of bullying, harassment, and abuse or; (3) any person participating in an investigation of an act of bullying, harassment, abuse, and unwelcome and/or inappropriate behavior /remarks/actions/conduct.
 - Sexual harassment includes, but is not limited to, unwelcome and/or inappropriate behavior/remarks/actions/conduct; physical or psychological harm; unwanted aggressive or any intentionally harmful acts; stalking; any intentional gestures and writings; unwelcome sexual advances; requests for sexual favors; sexually motivated physical conduct; threats be it written or verbal, photographic, audio, or video; unwelcome texting/sexting; acts/depictions of a sexual nature; or other verbal or physical conduct of a sexual nature against another student, employee, or visitor that has the purpose or effect of creating an intimidating, threatening, abusive, or hostile educational environment for students, staff, and visitors.
- g. In the event that cyber-technology bullying/harassment was committed by a school district student or an employee on school grounds and/or using school district technologies, the student or employee would be subjected to appropriate discipline and referred to other appropriate authorities as defined in item 3.
- Technological and Cyber-Technological bullying/harassment abuse includes, but is not limited to, intimidating, harassing, or is otherwise intended harm to another individual; unwanted monitoring; unwanted repeated calls or hang-ups; sending unwanted and unwelcome, threatening, discomforting or text and sexting messages; sending picture/video-clip via digitally or via mobile phone cameras used to make the person feel threatened or embarrassed, and may include images usually sent to other people; chat room bullying involving sending menacing or upsetting responses to individual's including children, students, staff when they are in a web-based chat room; non-consensual access to email; and pressuring for or disseminating private or embarrassing pictures, videos, or other personal information to control, monitor, coerce, stalk, or victimize that is perpetrated through the internet, social networking sites, including, but not limited to, chat rooms, websites, defamatory blogs/vlogs, spyware, global positioning system (GPS) tracking technology, cellular phones and landlines, or instant or text messages (IM) using any electronic communication device to

convey a message in any format or any combination thereof.

- Sexting is the distribution of sexually explicit or sexually suggestive images using an electronic device.
- h. In the event that cyber-technology bullying/harassment abuse was committed by a school district student, school district employee, or any non-school district person using non-school district technologies away from school grounds, the Building Principal or designee may report the incident to local law enforcement and other appropriate authorities.
- In addition, school authorities have the right to impose a consequence on a student or employee for conduct away from school grounds, including on a school bus or at a school-sponsored function.
2. Adult and Student Adolescent/Teen Relationship/Dating, Violence/Abuse, and Sexual Assault is defined as follows: (see also item 1.b. & 1.c.)
- a. Relationship/Dating abuse, includes but is not limited to, the intentional use of physical, sexual, verbal, emotional abuse, sexual assault, rape, or violence; bullying, harassment, sexual harassment, cyber-technical bullying/ harassment, against a peer or dating partner by a person or dating partner to harm, threaten, intimidate, stalk, create a hostile environment, or control another person in a current or past romantic intimate relationship, regardless of whether that relationship is continuing or has concluded or the number of interactions between the individuals involved including adults and student adolescent/teen relationships.
- Submission to or rejection of such conduct by an individual is used as a factor for educational decisions affecting the individual; or
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's education, or creating an intimidating, hostile, educational environment; or
 - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's participation in the educational process.
 - Dating partner means any person, regardless of sexual orientation or gender identity, involved in a relationship with another person, where the relationship is primarily characterized by social contact of a sexual or romantic nature, whether casual, serious, short-term, long-term, or as defined by both persons.
- b. Sexual assault includes, but is not limited to, sexual violence, sexual abuse, sexual stalking, and rape, sexual jokes, obscene comments or gestures; unwelcome and/or inappropriate behavior/remarks/actions/conduct; unwelcome sexually motivated attention or implied attention; any unwanted sexual act; any attempt to obtain a

sexual act; requests or demands for sexual activity; unwanted sexual comments or advances; sexting/texting; acts otherwise directed against a person's sexuality using coercion; unwanted written or verbal, graphic or photographic/images, acts of creating an intimidating or hostile environment, or acts including bullying, sexual and physical abuse, be it violent or potentially violent, using cyber-technologies and all forms of social media accounts, websites, defamatory blogs/vlogs, by any person regardless of their relationship to the victim/target. (See Item 3)

- Students and staff are encouraged to contact the principal or designee or other school personnel if they have been abused or sexually assaulted. Students and staff are also encouraged to report to school authorities if they are aware that another student or staff member has been abused or sexually assaulted or has committed relationship abuse or sexual assault.
- c. The School Board of Trustees promotes the comprehensive prevention of and effective and consistent response to incidents of adult and student adolescent/teen relationship abuse and sexual assault and endeavors to take steps to prevent and respond to known instances of relationship abuse and sexual assault.
- The District will assist schools in implementing guidelines as part of existing policies and other related efforts to address social and emotional health, including well-being, bullying, harassment, cyber-technology bullying/harassment, sexual harassment, or other forms of violence among students. Such conduct by students, employees, or third parties, is strictly prohibited and shall not be tolerated on District premises, or at any District sponsored activity regardless of location including, but not limited to, buildings, facilities, and grounds on the District campus, school buses, District parking areas, and the location of any District sponsored activity. This includes instances in which the conduct occurs off the District premises, but it impacts a District related activity.

3. Discipline & Investigation & Reporting:

- a. Investigation & Reporting Procedure – All reporting and investigations of the reporting will be conducted as described in MHSD's School Safety & Discipline Procedure 1 – Complaint, Review, Investigation, & Report of Allegation Complaint, and School Safety & Discipline Forms 1-1f – Investigation & Determination of Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct/Retaliation of this policy.
- Any investigation will be conducted, to the maximum extent possible, in a manner that protects the privacy of both the complainant and the accused. However, if it is suspect that child abuse has occurred, such abuse will be reported to the proper authorities as required by state law.
 - In the event the investigation discloses that the complaining individual has

falsely accused another individual of Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct knowingly or in a malicious manner, the complaining individual may be subject to disciplinary action, up to and including expulsion for students, immediate termination for classified employees, administrative placement of probation and possible termination for certified employees, and a no trespass order for visitors.

- b. A student found to be in violation of this section of the School Safety and Discipline Policy will be immediately suspended for up to five (5) days. The administrator in charge of the case will meet with the superintendent of schools, or designee, as soon as possible to consider the evidence (School Safety & Discipline Procedure 1 – Complaint, Review, Investigation, & Report of Allegation Complaint, and School Safety & Discipline Forms 1-1f – Investigation & Determination of Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct). Those determined to be in violation will be referred to the District Review Committee or the School Board of Trustees with recommendation for further suspension or expulsion, and may be disciplined through the use of consequences that may include, but are not limited to, referral to counseling, diversion, use of juvenile specialty courts, restorative practices, in-school suspension, out-of-school suspension, and the proper authorities will be notified.
 - Students engaged in sexting will result in notification of parents, notification of police, and any other appropriate disciplinary action. Any form of harassment related to sexting is strictly forbidden.
- c. A classified employee found to be in violation of this section of the School Safety and Discipline Policy will be immediately placed on leave without pay through the investigation (School Safety & Discipline Procedure 1 – Complaint, Review, Investigation, & Report of Allegation Complaint, and School Safety & Discipline Forms 1-1f – Investigation & Determination of Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct) and referred to the Superintendent for disciplinary actions and possible termination, and the proper authorities will be notified.
- d. A certified employee found to be in violation of this section of the School Safety and Discipline Policy will be immediately placed on administrative leave through the investigation (School Safety & Discipline Procedure 1 – Complaint, Review, Investigation, & Report of Allegation Complaint, and School Safety & Discipline Forms 1-1f – Investigation & Determination of Unwelcome and/or Inappropriate Behavior/Remarks/Actions/Conduct) and will be referred to the School Board of Trustees for possible due process hearing and possible termination, and the proper authorities will be notified.
- e. Visitors who are in violation of this section of the School Safety and Discipline Policy may be prohibited from entering any school premises including, but not limited to, attending any school sponsored activity, regardless of location, and

referred to the proper authorities (I.C. 33-512).

- f. It is a violation of the law and this policy to retaliate against any individual filing a complaint or any person assisting in bringing a complaint, or any person participating in an investigation. Any student, employee, or visitor experiencing retaliation because they filed a School Safety & Discipline Report of Complaint of Unwelcome and/or Inappropriate Behavior/Remarks/Action/Conduct Form 1 should file a separate complaint regarding the alleged retaliation.
 - Any person found to have retaliated against another individual for reporting an incident of unwelcome and/or inappropriate behavior/ remarks/action/conduct may be subject to the same disciplinary action provided for unwelcome and/or inappropriate behavior/remarks/action/ conduct offenders up to and including expulsion, termination, or denial of entrance to all school district properties and facilities. Those persons who assist or participate in an investigation of unwelcome and/or inappropriate behavior/remarks/action/conduct are also protected from retaliation under this policy.
- g. Students, employees, or third parties may also be referred to law enforcement officials. Should the District have reason to believe that a child under the age of eighteen (18) years of age has been abused, abandoned, or neglected, or has been subjected to conditions that would reasonably result in abuse, abandonment, or neglect, the school shall follow appropriate reporting requirements pursuant to the Child Protective Act and MHSD Child Abuse Policy. Failure to report abuse, abandonment, or neglect of a child is a misdemeanor under Idaho law. (I.C. 16-1605)
- h. An employee, at any time, may file a discrimination or harassment claim with the Idaho Human Rights Commission (IHRC), the Equal Employment Opportunity Commission (EEOC), and U.S. Department of Education – Office for Civil Rights, Region 10. The addresses of these organizations are:

Idaho Human Rights Commission 317 W. Main St. Boise, Idaho 83702	Equal Employment Opportunity Commission 909 1 st Ave, Ste. #400 Seattle, Washington 98104
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- i. School authorities also have the right to prevent visitors/guests and other persons from entrance to school properties and facilities and may place a No Trespass Order against that person(s).

D. **BOMB THREAT & DISCIPLINE** -

1. Bomb Threat is defined as:

- a. Bomb: Includes, but is not limited to, placing or detonating a container or a container that looks like bomb, or a container filled with explosive, incendiary material, smoke, or other destructive substance, designed to explode on impact or when detonated by a time mechanism, remote-control device, or lit fuse.

- b. Bomb Threat: A bomb threat is legally defined as the communication through the use of mail, e-mail, telephone, telegram, or other instrument of commerce; the willful making of any threat; or the malicious conveyance of false information knowing the same to be false which concerns an attempt being made, or to be made; to kill, injure, intimidate any individual; or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of an explosive.
2. Discipline:
- a. A student involved in a bomb threat, or knowingly assists another student(s) in a bomb threat, against a school, school bus, or any school-sponsored activity, or who possess, stores, or uses a bomb or a container that looks like bomb or a container that holds explosive, incendiary material, smoke, or other destructive substance, or other objects or substances capable of being used as bomb or other weapon, without permission from school officials, and may be immediately suspended for a minimum of five (5) days.
- The administrator in charge of the case will meet with the superintendent of schools, or designee, as soon as possible to consider the evidence. Students found to be in violation of this section of the School Safety and Discipline Policy will be referred to the District Review Committee or the School Board of Trustees with recommendation for further suspension or expulsion, and the proper authorities will be notified.
- b. Classified school district employees who are involved in a bomb threat against a school or who possess, store, or use a bomb or a look alike bomb or a container that holds explosive, incendiary material, smoke, or other destructive substance, or other objects or substances capable of being used as bomb or other weapon, without permission from school officials, may be placed on leave without pay and be referred to the Superintendent for disciplinary actions and possible termination; the proper authorities would be notified.
- c. Certified school district employees who are involved in a bomb threat against a school or who possess, store, or use a bomb or a look alike bomb or a container that holds explosive, incendiary material, smoke, or other destructive substance, or other objects or substances capable of being used as bomb or other weapon, without permission from school officials, may be placed on administrative leave and referred to the School Board of Trustees for a due process hearing and possible termination; the proper authorities would be notified.
- d. Visitors who are involved in a bomb threat against a school or who possess, store, or use a bomb or a look alike bomb or a container that holds explosive, incendiary material, smoke, or other destructive substance, or other objects or substances capable of being used as bomb or other weapon, without permission from school officials, may be prohibited from entering any school premises including, but not

limited to, attending any school sponsored activity, regardless of location, and referred to the proper authorities (I.C. 33-512).

E. **DRUG/ALCOHOL/CONTROLLED SUBSTANCES & DISCIPLINE** –

1. Drugs/Alcohol/Controlled Substances are defined as follows:

- a. Any drug, obtainable with or without a prescription, which can be used in a manner dangerous to the health of the user. This includes, but is not limited to depressants (barbiturates, phenobarbital, diazepam, clonazepam, alcohol, GHB, etc.), stimulants (nicotine, cocaine, crack, amphetamine, methamphetamine, ecstasy, etc.), hallucinogens (psilocybin [mushrooms], LSD, peyote, DMT, etc.), opioids & prescription drugs (heroin, codeine, morphine, hydrocodone, oxycodone, Vicodin, codeine, ketamine, anabolic steroids, Xanax, Klonopin, valium, etc.), inhalants (nicotine, vaping/e-cigarettes liquids).
 - Prescription and over the counter medications are permitted as long as the student has a Medication Procedure Form on file in the front office prior to using or carrying the medication.
 - This does not apply to inhalants used for asthma, bronchitis, or other respiratory issues; a medication prescription is required, and the Prescription Medication Form signed and submitted to the front office of the school.
 - This does not apply to Epinephrine Auto-Injectors for allergies; a medication prescription is required, and the Prescription Medication Form signed and submitted to the front office of the school.
- b. Distribution: Students, employees, and visitors/guests who share and/or sell dangerous drugs/alcohol/controlled substances, or other dangerous drugs to other students, employees, or persons on or near District property any time during school hours or at a school sponsored activity, regardless of location, are considered to be distributors.
- c. Found: Positive proof has been established that the student, employee, or visitor/guest, is involved in the use, possession, or distribution of alcohol or other drugs and tobacco/vaping liquids.

2. Discipline:

- a. Students found to be using and/or distributing either by selling or sharing, dangerous drugs/alcohol/controlled substance, including, but not limited to, look-alike or synthetic drugs, or students, engaged in drug/alcohol/controlled substance related behavior on or near owned or contracted school property and facilities, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees are in violation of this section of the School Safety and Discipline

Policy, will be referred to the District Review Committee for disposition or to the School Board of Trustees for a hearing for possible expulsion.

- A student found to be in violation of this section of the School Safety and Discipline Policy may be immediately suspended for up to five (5) days. The administrator in charge of the case will meet with the superintendent of schools, or designee, as soon as possible to consider the evidence. Those determined to be in violation will be referred to the District Review Committee or the School Board of Trustees with recommendation for further suspension or expulsion, and the proper authorities will be notified.
- b. Classified school district employees found to be using and/or distributing dangerous drugs, either by selling or sharing, dangerous drugs/alcohol/controlled substance, including, but not limited to, look-alike or synthetic drugs, or engaged in drug related behavior on owned or contracted school property and facilities, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees are in violation of this section of the School Safety and Discipline policy, may be placed on leave without pay and referred to the Superintendent for disciplinary actions and possible termination; the proper authorities will be notified.
- c. Certified employees found to be using and/or distributing dangerous drugs, either by selling or sharing, dangerous drugs/alcohol/controlled substance, including, but not limited to, look-alike or synthetic drugs, or engaged in drug related behavior on owned or contracted school property and facilities, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees are in violation of this section of the School Safety and Discipline Policy, may be placed on administrative leave and referred to the School Board of Trustees for a due process hearing and possible termination; the proper authorities will be notified.
- d. Visitors/guests found to be using and/or distributing dangerous drugs, either by selling or sharing, dangerous drugs/alcohol/controlled substance, including, but not limited to, look-alike or synthetic drugs, or engaged in drug related behavior on owned or contracted school property and facilities, or at school sponsored events regardless of location, and as interpreted by the School Board of Trustees are in violation of this section of the School Safety and Discipline Policy, may be subject to, but not limited to, prohibition from entering any school premises or attending any school sponsored activity, regardless of location, and referred to the proper authorities and may be subject to a No Trespass Order. (I.C. 33-512)

F. **ELECTRONIC/DIGITAL COMMUNICATION AND ENTERTAINMENT DEVICES VIOLATIONS & DISCIPLINE:**

1. Electronic/Digital Communication and Entertainment Devices are defined as follows:
 - a. Any electronic/digital device includes, but are not limited to, personal cell phones, tablets, electronic notebooks and similar devices, personal computers, laptops,

iPods/iPads, MP3 Players, and other similar devices or media players, without regard to the commercial name or manufacturer of the device, whether handheld, car models, laptop, or other computer usage, or combinations of any of the above.

- b. Social Media Networks include, but are not limited to, websites, blogs, wikis, social networks, online forums, virtual worlds, and any other digital/technical social media generally available to the public that does not fall within the District's technology network (e.g. Non-School District Network Facebook, Twitter, LinkedIn, Flickr, YouTube, Instagram, Snapchat, blog sites, Wikipedia, and etc.).
- c. Exceptions are as follows:
 - With prior approval from the building principal
 - With teacher approval
 - During an emergency situation involving the immediate health/safety of a student or other individual(s)
 - Athletic and other Extracurricular activities and events
2. Students may not use electronic/digital communication or entertainment devices on school property and facilities, or at school-sponsored activities, regardless of location, to access and view Internet websites, including social media networks, that are otherwise blocked to students at school or to take part in any activity prohibited in the District's Computer & Network Services Policy and Procedures without prior authorization from school administration. (See Computer & Network Services Policy and Procedures)
 - a. A student may possess an electronic/digital communication or entertainment device in school, on school property, and at school-sponsored activities, provided that during school hours and on school vehicles the device remains off (not just placed into vibrate or silent mode) and stored out of sight.
3. The use of electronic communication or entertainment devices with built-in cameras/video/audio is prohibited in school district facilities and on school district grounds including, but not limited to, classrooms, hallways, and at all times in locker rooms, bathrooms, and locations in which inappropriate or privacy violating images may be obtained.
4. The district is not responsible for theft, loss, damage, or vandalism to electronic/digital communication or entertainment devices brought onto its property.
5. Parents/guardians are advised that the best way to get in touch with their child during the school day is by calling the school's main office. Students may use designated school phones to contact parents/guardians during the school day.

6. Discipline:

- a. Students found to be in violation of using his/her electronic/digital communication and entertainment device may have their electronic/digital communication or entertainment devices taken from them by the classroom teacher or building administration. The decision to return the electronic/digital communication or entertainment devices and the disciplinary action taken against the student who violated this portion of the policy and the Computer Network Services Policy and Procedures would be in accordance with the school building policy.
 - Parents/guardians may be notified that their student had their electronic/digital communication or entertainment device taken from them, the reason for the action, and what would be required to have the device returned to the student.
 - Parents/guardians may be notified of the disciplinary action that would be taken against their student.
- b. MHSD employees found to be using his/her electronic/digital communication and entertainment device inappropriately and in violation of the Computer Network Services Policy and Procedures may expect to be disciplined accordingly.
- c. Guests/Visitors found to be using his/her electronic communication and entertainment device inappropriately may be subject to a No Trespass Order.

NOTICE

At the beginning of each school year, each school building will inform their students, their parents/guardians, and their employees of the district's School Safety & Discipline Policy and Procedures that addresses Zero Tolerance of weapons, of violence, of threats, of technological abuses, of unacceptable and/or unwelcome and/or inappropriate behavior, remarks, actions or conduct, of illegal behaviors and offences, of drugs and alcohol is published on the district website www.mtnhomesd.org.

**LEGAL REFERENCE:****ZERO TOLERANCE:**

(I.C. Title 18, Chapter 9 – Assault & Battery, Chapter 15 – Children & Vulnerable Adults, Chapter 33 – Firearms, Explosives, & Weapons, Chapter 41 – Indecency & Obscenity, Chapter 42 – Intoxicants & Intoxication, Chapter 61 – Rape, Chapter 66 – Sex Crimes, Chapter 67 – Communications Security, Chapter 73 – Civil Rights, Chapter 79 – Malicious Harassment; Title 20, Chapter 5 – Juvenile Corrections Act; Title 33, Chapter 2 – Attendance at School, Chapter 5 – District Trustees (Government of Schools), Chapter 16 – Courses of Instruction; Title 37, Chapter 27 – Uniformed Controlled Substances; IDAPA 08.02.03.160 – Safe Environment & Discipline; PL 100-690 & 94-142; Drug-Free Schools and Communities Act of 1988; Title IX – Education Amendments of 1972; Idaho Coalition Against Sexual & Domestic Violence, Center for Healthy Teen Relationships) (*See also Child Abuse Policy; Computer & Network Services Policy and Procedures; Drug-Alcohol Free Workplace Policy for Employees & Students;*

Medications Policy & Form; Sexual Harassment Policy & Form; Searches, Seizures, & Interviews Policy & Form; Tobacco & Other Inhalants Policy, and Video & Electronic Surveillance Policy)

WEAPONS & DISCIPLINE – (18 U.S.C., Section 921, 18 U.S.C., Section 930, I.C. Title 18, Chapter 9 – Assault & Battery, Chapter 33 – Firearms, Explosives, & Weapons (18-3302A-J, 18-3313), Chapter 79 – Malicious Harassment); Title 20, Chapter 5 – Juvenile Corrections Act (20-509); Title 33, Chapter 2 – Attendance at School (33-205), Chapter 5 – District Trustees (33-512); Elementary and Secondary Education Act, Section 4141 (2001) (*See also Searches, Seizures, & Interviews Policy & Procedure*)

UNWELCOME AND/OR INAPPROPRIATE BEHAVIOR/REMARKS/ACTIONS/ CONDUCT/RETALIATION & DISCIPLINE – (I.C. Title 6, Chapter 9 (6-904 – Exceptions to Governmental Liability; Title 16 – Juvenile Proceedings, Chapter 16 – Child Protective Act, Section 1605 – Reporting of Abuse, Abandonment and Neglect, 16-1619 – Conduct of Hearing; Title 18, Chapter 9 – Assault & Battery (18-917A - Student Harassment-Intimidation-Bullying, as amended by HB0246), Chapter 15 – Children & Vulnerable Adults; Chapter 33 – Firearms, Explosives, & Weapons (18-3302I, 18-3313), Chapter 41 – Indecency & Obscenity, Chapter 42 – Intoxicants & Intoxication, Chapter 61 – Rape, Chapter 66 – Sex Crimes, Chapter 79 – Malicious Harassment; Title 33, Chapter 2 – Attendance at School (33-205), Chapter 5 – District Trustee (33-512(6)) – Governance of Schools); Chapter 16 – Course of Instruction (33-1612 – Thorough System of Public Schools); Law Chapter 289 of the 2015 Legislature, 34 U.S.C. §12291 – Violence Against Women, IDAPA 08.02.03.160; Title IX – Education Amendments of 1972; U.S. Dept. of Education Office of Civil Rights, January 2001, Idaho Coalition Against Sexual & Domestic Violence; [National Bullying Prevention Center Newsletter](#); Center for Healthy Teen Relationships; Title VI of the Civil Rights Act of 1964 (42 USC §§2000d *et seq.*); Title VII of the Civil Rights Act of 1965 (42 USC §§2000e *et seq.*); Section 1981 of the Civil Rights Act of 1866 (42 USC §1981); Section 1983 of the Civil Rights Act of 1871 (42 USC §1983); The Equal Pay Act 1963 (29 USC §206d); Age Discrimination and Employment Act of 1967 (29 USC §§621 *et seq.*); Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008(42 USC §§12101 *et seq.*); Idaho Human Rights Act (Idaho Code §§67-5901 *et seq.*); (*See Child Abuse Policy; School Safety & Discipline Procedure 1 – Complaint, Review, Investigation, & Report of Allegation Complaint, and School Safety & Discipline Report of Complaint of Unwelcome and/or Inappropriate Behavior/Remarks/Action/Conduct Form 1, Sexual Harassment Policy, & Form; Computer & Network Services Policy and Procedures; Searches, Seizures, & Interviews Policy & Procedure, and Video & Electronic Surveillance Policy*)

BOMB THREAT & DISCIPLINE - (18 U.S.C., Section 921, 18 U.S.C., Section 930; I.C. Title 18, Chapter 9 – Assault & Battery, Chapter 33 – Firearms, Explosives, & Weapons (18-3302(D)(I), 18-3313), Chapter 67 – Communications Security, Chapter 79 – Malicious Harassment); Title 20, Chapter 5 – Juvenile Corrections Act (20-509); Title 33, Chapter 2 – Attendance at School, (33-205 – Denial of School Attendance) Chapter 5 – District Trustees (33-512 – Governance of Schools); Elementary and Secondary Education Act, Section 4141 (2001). (*See also Searches, Seizures, & Interviews Policy & Procedure*)

DRUG/ALCOHOL/CONTROLLED SUBSTANCES & DISCIPLINE – (I.C. 20-516 – Apprehension & Release of Juveniles – Detention, 23-105 – Alcoholic Liquor Defined, 23-1001 – Alcoholic Beverages Definitions, 33-205 – Denial of School Attendance, 33-210 – Student Using or Under the Influence of Alcohol or Controlled Substances, 33-512(6) – Governance of Schools, Title 37, Chapter 27, *et seq.* – Uniform Controlled Substances, and 37-2732C – Using or Being Under the Influence, 39-5501, *et seq.* – Idaho Clean Indoor Air Act, 39-5502, *et seq.* – Idaho Clean Indoor Air Definitions, 39-5507, *et seq.* – Violations, 39-5701, *et seq.* – Prevention of Minors’ Access to Tobacco, 39-5702 – Prevention of Minors’ Access to Tobacco Definitions, 39-5703 – Possession, Distribution, or Use by a Minor, Drug-Free Schools and Communities Act Amendments of 1989, PL 101-206 and all subsequent amendments, IDAPA 16.02.23 – Rules Governing Indoor Smoking) (*See also Drug-Alcohol Free Workplace for Employees & Students Policy; Searches, Seizures, & Interviews Policy & Procedure; Medications Policy & Forms, Tobacco & Other Inhalants Policy*)

ELECTRONIC COMMUNICATION AND ENTERTAINMENT DEVICES

VIOLATIONS & DISCIPLINE: (*See also Computer & Network Services Policy & Procedures*)

Idaho Code Title 6 – Actions in Particular Cases, Chapter 2, Section 6-210 (Recovery of Damages for Economic Loss Willfully Caused by a Minor), Chapter 9, Section 6-904A (Exceptions to Governmental Liability)

Idaho Code Title 16 – Juvenile Proceedings; Chapter 16 – Child Protective Act, Section 16-1605 (Reporting Abuse/Abandonment/Neglect), 16-1606 (Immunity), 16-1616-1619 (Investigation)

Idaho Code Title 18 – Crimes & Punishment, Chapter 4 (Abandonment); Chapter 9 – Assault & Battery (Assault, Abuse of Teachers, Hazing, Student Harassment, Intimidation, Bullying, Domestic Violence), Section 18-917A; Chapter 15 – Children & Vulnerable Adults; Chapter 33 – Firearms/Explosives/Deadly Weapons, Sections 18-3302(A-J) (Weapons), 18-3313 (Fire/Bomb Threats); Chapter 41 – Indecency & Obscenity; Chapter 42 – Intoxicants & Intoxication; Chapter 61 – Rape; Chapter 66 – Sex Crimes; Chapter 67 – Communications Security; Chapter 73 – Civil Rights; Chapter 79 – Malicious Harassment); Chapter 85 (Gangs)

Idaho Code Title 20 – State Prison & County Jails, Chapter 2 – Juvenile Corrections Act; Sections 20-516 (Apprehension of Juveniles), 20-527 (Truancy)

Idaho Code Title 33 – Education, Chapter 2 – Attendance, Sections 33-205 (Denial of Attendance), 33-209 (Disciplinary Records), 33-210 (Drug/Alcohol), Chapter 5 – District Trustees (Governance of Schools), Section 33-512, Chapter 12 – Teachers, Chapter 16 – Courses of Instruction, Section 33-1612 (Safe Schools/Education Empowerment/Skills/IDAPA)

Idaho Code Chapter 37 – Food, Drugs, & Oil; Chapter 27 – Uniform Controlled Substances, Articles II-IV (Narcotics & Using/Under the Influence)

Idaho Code Title 39 – Health & Safety, Chapter 55 – Clean Indoor Air, Sections 39-5501 – 39-5507, et seq., Chapter 39, Section 57 – Prevention of Minor Access to Tobacco, et seq.

18 USC Chapter 7 (Assault); Chapter 26 (Gangs); Chapter 39 (Explosives); Chapter 44 (Firearms), Sections 921-931

Title VI of the Civil Rights Act of 1964 (42 USC §§2000d *et seq.*)

Title VII of the Civil Rights Act of 1965 (42 USC §§2000e *et seq.*)

Section 1981 of the Civil Rights Act of 1866 (42 USC §1981)

Section 1983 of the Civil Rights Act of 1871 (42 USC §1983)

34 U.S.C. §12291(a)(8)(10)(30) (definition of domestic violence, stalking, dating violence)

IDAPA 08.02.03.160 – Safe Environment and Discipline

IDAPA 16.02.23 – Rules Governing Indoor Smoking

Age Discrimination and Employment Act of 1967 (29 USC §§621 *et seq.*)

Americans with Disabilities Act (42 USC §§12101 *et seq.*)

Idaho Human Rights Act (Idaho Code §§67-5901 *et seq.*)

Individuals with Disabilities Education Act (P.L. 94-142 Education of Handicapped)

Rehabilitation Act 1973 (Disabled; Section 504)

Title IX, Education Amendments of 1972 (20 USC §1681)

Drug-Free Schools & Communities Act (1988)

The Equal Pay Act 1963 (29 USC §206d)

Elementary and Secondary Education Act 2001 (ESEA), Sections 4141(Gun-Free Requirements), 4155 (Transfer of Disciplinary Records), 4303 (Nonsmoking Policy)

Idaho Coalition Against Sexual & Domestic Violence

Center for Healthy Teen Relationships - 2014

www.startstrongteens.org & www.idvsa.org

MHSD Child Abuse Policy

MHSD Computer & Network Services Policy & Procedures

MHSD Denying Enrollment – School Board of Trustees Statement

MHSD Drug-Alcohol Free Workplace for Employees & Students Policy

MHSD Medications Policy & Procedure Forms

MHSD Restraint or Seclusion of Students Policy & Procedure

MHSD Searches, Seizures, & Interviews Policy & Procedure

MHSD Sexual Harassment Policy & Form

MHSD Student Handbook Policy

MHSD Suicide Prevention Policy

MHSD Tobacco & Other Inhalants Policy

MHSD Video Surveillance Policy

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