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Clark County School District No. 161

STUDENTS

3000

Entrance, Placement and Transfer

Entrance, Date and Age

No pupil may be enrolled in the kindergarten or first grade whose fifth (5th) or sixth (6th) birthday does not occur on or before the first (1st) day of September of the school year in which the child registers to enter school. Any child of the age of five (5) years who has completed a private or public out-of-state kindergarten for the required 450 hours but has not reached the age and date requirements set forth above, shall be allowed to enter the first grade.

Initial Enrollment

Immunization records (or an appropriate waiver) and birth certificate (subject to provisions of McKinney Homeless Assistance Act) are required for admission to the District.

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, the District shall notify the person enrolling the student in writing that he must provide within thirty (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 thirty (days), the District shall immediately notify the local law enforcement agency of such failure and again notify the person enrolling the student, in writing, that he has an additional ten (10) days to comply. If any documentation or affidavit received pursuant to this section appears inaccurate or suspicious in form or content, the District shall immediately report the same to the local law enforcement agency. *Local law enforcement will investigate these reports. Failure of a parent, or person in custody of a child, or a person enrolling a student, to comply with the documentation requirements of this section after a lawful request ... shall constitute a misdemeanor.*

A student transferring schools within the District need not provide proof of identity and birth date if the student's record already contains such verified information.

Placement

The goal of the District 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 principal, subject to review by the Superintendent and the Board.

Transfer

District policies regulating pupil enrollment from other accredited elementary and secondary schools are designed to protect the educational welfare of the child and of other children enrolled in the District.

Elementary Grades (K-8): Any student transferring into the District will be admitted and placed on a probationary basis for a period of two (2) weeks.

Should any doubt exist with teacher and/or principal 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.

During the two-(2)-week probationary period, the student will be subject to observation by the teacher and building principal.

Secondary Grades (9-12), Credit Transfer: Requests for transfer of credits from any secondary school shall be subject to a satisfactory examination of the following:

1. Appropriate certificates of accreditation.
2. Length of course, school day and school year.
3. Content of applicable courses.
4. The school facility as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction).
5. An appropriate evaluation of student performance leading toward credit issuance.
6. Final approval of transfer credits will be determined by the high school principal, subject to review upon approval by the Superintendent and Board of Trustees.

Cross Reference: 3125

Education of Homeless Children

Legal Reference:	Art. IX, § 9, Idaho Constitution- 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 School age
	I.C. § 33-209 Transfer of Student Records – Duties
	I.C. § 39-4801 Immunization required
	I.C. § 39-4802 Exemptions

Policy History:

Adopted on: 02/02/2012

Reviewed on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3010

Open Enrollment

The School Board of Trustees recognizes that some of its patrons may want to enroll their children in a school that is located within a district other than where their primary residence is located, therefore, this policy is adopted to allow all in-district and out-of-district patrons to choose among this District's schools under specified conditions. In making a decision on a student's open enrollment application, the board of trustees shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer. A student currently under suspension or expulsion in this district or another district is not eligible for Open Enrollment under this policy.

Transportation

Parent's or guardian's of a student accepted under this open enrollment policy will be responsible for transporting their child or ward. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within the District's boundaries.

Varsity Sports

It is recommended that a student who is considering submitting an open enrollment application to this district, and who anticipates participating in a sport governed by the Idaho High School Activities Association (IHSAA) should review IHSAA rules prior to submitting their open enrollment application. Certain school transfers could lead to a student being ineligible to play at the varsity level for one year.

Application/Approval Process

An open enrollment application must be submitted annually for admission to a specific school. Applications will be accepted from January 1 to February 1 of each year for enrollment in the subsequent school year. The application acceptance period may be waived with the mutual agreement of the Clark County School District and the district in which the student's parent or guardian resides or between principals for an in-district transfer. It is the School Board's intent to allow waiver of the application acceptance period for continuous acceptance of open enrollment applications when classroom space is available.

The Superintendent shall establish a procedure for:

- the method of determining which students are chosen when classroom space is limited;
- notifying parents of the action taken on the open enrollment application;
- the factors which may possibly cause an open enrollment application to be denied;
- the process for removing a student from a transfer school, including the grounds for removal, parent notification and the appeal process.

Re-enrollment

As long as a transfer student continues to reapply for enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below. To the extent possible, the Superintendent shall expedite the enrollment process.

In situations where class size is limited, the Superintendent may give priority to certain students. Priorities may include, but are not limited to situations where a student:

- resides in the District and seeks enrollment in another district school under the provisions of the No Child Left Behind Act;
- was previously enrolled at the requested school during the prior year;
- has a brother or sister enrolled at the requested school;
- resides in the attendance area of another District school;
- has parents employed by the District; or
- has unique situation or extraordinary circumstances.

The Superintendent may deny an open enrollment request when such enrollment would negatively impact the efficient use of the District resources. The Superintendent may set numerical limits defining hardship for schools, grade levels, or programs to provide for appropriate and efficient use of facilities and staff. The student to teacher ratios shall not exceed the overloaded class/teacher limits outlined in the Class Size policy #2240.

Revocation of a Transfer

Transfer students are required to comply with all District policies. Unacceptable behaviors by a transfer student or false or misleading information on their open enrollment application are grounds for the District to remove a transfer student at any time. If a student's open enrollment transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the district. The Board of Trustees may review the Superintendent's decision.

Student Rights and Responsibilities

All student's rights and responsibilities remain the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another, applies to this district and is accepted under the terms of this policy, and fails to attend shall be ineligible to apply again for open enrollment in this district.

Preventing or Recruiting Potential Open Enrollment Students

The District or its' employees will not take any action to prohibit or prevent application by a students to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

Evaluation of Policy

Annually, the Superintendent shall report to the Board the effect of this policy. Their report should include the number of open enrollment requests accepted or denied by each school, the reasons for denial, and any unanticipated results of this policy.

Cross Reference: 2240

Class Size

Legal Reference: I.C. §33-512

Governance of Schools

I.C. §33-1401

Definitions

I.C. §33-2001

Definitions

I.C. §33-1402

Enrollment Options

Policy History:

Adopted on: 02/2/2012

Reviewed on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3010P

Open Enrollment Procedures

A. Submitting the Form

1. Varsity Sport Participation - A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSA) should review IHSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.
2. Open Enrollment Application forms are available at any Clark County District school.
Based on mutually agreed upon waivers, Open Enrollment Applications will be accepted at any time throughout the school year, although the general period for accepting applications will be January 1 to February 1 for the following school year. Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.
3. For students who reside in the Clark County School District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of their attendance zone school (home school).
4. For students who reside outside the Clark County School District boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school) and the parent/guardian must give notice to the home school.

B. Review Approval Process

1. Limited Opening - Applications will normally be considered on a “first-come first-serve” basis. However, in situations where openings are limited, the Superintendent may give priority if a student:
 - resides in the Clark County School District and seeks enrollment in another District school under the provisions of the No Child Left Behind Act;
 - was previously enrolled at the requested school in a prior year;
 - has a brother or sister enrolled at the requested school;
 - resides in the attendance area of another District school;
 - has a parent employed by the District; or
 - has unique situation or extraordinary circumstances.
2. Factors which may cause an Open Enrollment Application to be denied include:
 - a. a school, grade, or program(s) has lack of available classroom space and/or staff;
 - b. the current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-6	27
7-12	161 students per teacher per day
Special Education	An average of 6 students per classroom
Self-Contained	
English Language Learners (ELL)	20 per full-time ELL teacher
Alternative Schools	12 students per classroom

- c. the student has been suspended or expelled, has committed a disciplinary violation for which he/she could be suspended or expelled,
 - d. the student has a history of documented disciplinary infractions; or
 - e. it is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.
3. District resident approval process:
- a. A home school principal makes a recommendation to approve or not to approve the transfer by completing the appropriate section of the Open Enrollment Application form.
 - b. The home school principal sends the form to the out-of-attendance area (receiving school) principal.
 - c. The receiving school principal makes a recommendation to approve or not to approve the Open Enrollment request by completing the appropriate section of the Open Enrollment application form.
 - d. The receiving school principal sends the Open Enrollment Application to the Superintendent of the receiving school.
 - e. The Superintendent approves or denies the Open Enrollment request by completing the appropriate section of the Open Enrollment Application form.
4. Out-of-district approval process:
- a. A receiving school principal makes a recommendation to approve or not to approve the transfer by completing the appropriate section of the Open Enrollment Application form.
 - b. The receiving school principal sends the form to his/her Superintendent.
 - c. The Superintendent approves or denies the Open Enrollment Application by completing the appropriate section of the Open Enrollment Application form.

C. Parent Notification

- 1. When the application is submitted during the enrollment time period (January 1-February 1, the Superintendent will notify the parent/guardian of his/her decision by March 31.
- 2. When the application is submitted outside of the open enrollment time period, notification must be made within 60 days after an application is accepted.
- 3. If the request for open enrollment is denied, the denial will include a written

explanation. If the application is denied because classroom capacity has been reached at the school of choice, the denial may include information about other schools in the district that are below capacity.

4. The letter approving the request will inform the parents of the following:
 - a. Parents must provide transportation or get student to nearest District bus stop, if space is available;
 - b. State law requires reapplication on an annual basis; and
 - c. Inappropriate behavior in violation of district policies may be grounds for removing the student during the school year.
 - d. Special education, English Language Learners (ELL) or alternative school students must meet the requirements and the procedures established for those programs.

D. Re-enrollment

As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below.

E. Revocation of a Transfer

1. As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area. However, the District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of school district policies or because of false or misleading information on the open enrollment application.
2. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five (5) school days of receiving notice that their child's transfer has been revoked.
3. The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five (5) school days. The decision of the Superintendent may be appealed to the School Board of Trustees.

F. Student Rights and Responsibilities

Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another, applies to this district and is accepted under the terms of this policy, and fails to attend shall be ineligible to apply again for open enrollment in this district.

G. Preventing or Recruiting Potential Open Enrollment Students

The District or its' employees will not take any action to prohibit or prevent application by a students to attend school in another school district or to attend another school within

the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

DEFINITION

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

Policy History

Adopted on: 02/02/2012

Revised on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161**STUDENTS****3010F****OPEN ENROLLMENT APPLICATION**
DATE/TIME RECEIVED: _____For School Year 20____ - 20____
Grade _____

This application form (approved March 2000) was prepared pursuant to Section 33-1402, Idaho Code, and may be used by any school district. Any other form must be approved the State Superintendent of Public Instruction.

NOTE: For out-of-district applicants, a copy of the applicant student's cumulative record must be attached to this application. The cumulative record may be obtained from the student's current school.

() Out-of-District Application Name of District _____

() In-District Transfer Application

Name of Proposed Receiving School _____

(Some specialized programs are only offered in a limited number of schools, e.g. special education, English Language Learner, etc. Contact _____ District Services Center _____ for further information.)

1. Applicant Student's Name _____

Date of Birth _____

2. School student is presently attending, or would attend if student were in a public school.

Name of School _____

Address of School _____

Present Grade Level of Student _____

3. Has the student ever been suspended or expelled from school or has the student committed a disciplinary violation for which he/she could be suspended or expelled?
Yes _____ No _____

4. Has the student had a history of disciplinary infractions? Yes _____ No _____
If YES, describe the circumstances (including dates and duration) _____

5. Reason(s) for requesting attendance in this school (optional). _____

6. Special and/or unique instructional programs in which the applicant student is currently enrolled. (For example: vocational, foreign language, remedial, special education, gifted/talented, etc.)_____
7. Special and/or unique instructional programs in which the applicant student expects to enroll in at the new school._____
8. Extra-curricular activities in which the applicant wishes to participate _____
9. Transportation arrangements that will be made by the parent/guardian. _____
10. Parent/Guardian's Name _____
 Parent/Guardian's Address _____

 Home Phone _____ Work Phone _____
 Message Phone _____ Work Phone _____

I have read the school district procedure on open enrollment, and hereby request that my son/daughter be permitted to attend _____
 (Name of Proposed Receiving School)

Parent/guardian's Signature: _____

Misrepresentation of information on this application may result in revocation of the applicant's approval to attend a _____ School District school.

() Approved	() Disapproved	Date _____
Superintendent's or Designee's Signature _____ Within 60 days following action on the application, copies must be sent to Parents, Building Principal and, for out-of district applicants, the Superintendent of the home district. If the application is denied, a written explanation for the denial must be attached.		

PRINCIPAL SIGNATURES

_____ **In-District Transfer:** _____ **(Home School)**
 _____ **(Receiving School)**
 _____ **Out-of-District Transfer:** _____ **(Receiving School)**

Policy History:

Adopted on: 02/2/2012
 Reviewed on: 05/13/2013
 Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3020

Enrollment and Attendance Records

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

Policy History:

Adopted on: 02/02/2012

Reviewed on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3020P

Enrollment and Attendance Records

Average Daily Attendance

A day of attendance is one in which a pupil is physically present for a full day (at least four (4) hours for grades 1 through 12 (1-12) and at least two and one-half (2 ½) hours for kindergarten) under the guidance and direction of a teacher or other authorized school personnel while school is in session or is a homebound student under the instruction of a teacher employed by the District.

Average Daily Attendance (ADA) is the aggregate number of days enrolled students are present divided by the number of days of school in the reporting period. Student attending school in another state bordering the student's resident district shall be counted for purposes of ADA. Students for whom no Idaho school district is a home district shall not be counted for purposes of ADA. Funding for districts is based on ADA and must be accurate.

Attendance Accounting:

Days present and absent for every student are to be recorded in each building for the purpose of informing parents of a student's attendance record.

Fractional Average Daily Attendance

Beginning in fiscal year 2013, fractional counting will apply to students enrolled in more than one school district or public charter school, or who are enrolled in one or more online courses where the Clark County School District is not the content provider.

For those students attending more than one district or public charter school, the student's daily attendance shall be counted based on the portion of the student's daily attendance at the Clark County School District. Absent any rule to the contrary, the District will count the student's attendance based on the number of periods attended in the District over the total number of periods the student is taking during the day.

For those students taking online courses subject to fractional counting, and whose home district is the Clark County School District, daily attendance shall be counted as if the student attended the Clark County School District for a full day. Within 30 days of the date that the State Department of Education identifies the fraction of attendance attributable to online classes, and furnishes a dollar amount attributable to such fractional attendance, the Clark County School District will remit payment to the online content provider as provided by law. Such timing may be modified at the discretion of the Board or the Board's designee.

Policy History

Adopted on: 02/02/2012

Revised on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3030

Part-Time Attendance / Dual Enrollment

For purposes of this policy the term “non-public school student” is any student who is enrolled in a non-public school (including a home school or private school), enrolled in a public charter school or enrolled in a post-secondary institution.

Any non-public school student will be allowed to enroll in the District and be entitled to participate in any program (curricular or extracurricular), subject to the same requirements as other students who are enrolled full-time in the District and subject to the requirements set forth below in this Policy.

Non-public school students admitted to the District shall only be on school property during the hours of enrollment or as otherwise indicated by the Superintendent or Principal. The District will not be responsible for the student during non-enrollment hours or times. Any transportation needs for such students not provided for otherwise under this policy during the school day shall be the sole responsibility of the student and his/her parents or guardian.

Admittance

The parent/legal guardian of any non-public school student wishing to admit their son/daughter in this District for any academic or nonacademic program must register the student and provide the following prior to acceptance of any such student:

1. Birth certificate;
2. Evidence of residency within the District;
3. Immunization records (or an appropriate waiver); and
4. Student records from the previously attended public school, if any, and any other records providing academic background information.

Extracurricular Activities

The following rules apply for a non-public school student to be eligible to participate in nonacademic school activities (i.e., extracurricular activities) for which public school students must demonstrate academic proficiency or eligibility:

1. Eligibility standards must be met the same as other regular full-time students;
2. The non-public school student must, on any state board of education recognized achievement test, portfolio, or other mechanism, demonstrate composite grade-level academic proficiency;
3. The non-public school student must achieve a minimum composite, core or survey test score within the average or higher than average range as established by the

test service utilized on any nationally-normed test. The minimum score on each assessment is the fifth (5th) stanine for the battery total score. The parents or guardian of a dual enrollment student are responsible for obtaining third party testing for their child at their expense in accordance with I.C. 33-203 and State Board of Education rules. Demonstrated proficiency shall be used to determine eligibility for the current and next school year, not to exceed a period of twelve (12) months from the date the test results are released;

4. Non-public school students must be provided the opportunity to take state tests or other standardized tests given to all regularly enrolled public school students when pre-arranged with the principal of the building where the student is registered. A fee may be assessed to cover extra administration costs.
5. A non-public school student will be subject to the same requirements as public school students regarding school attendance on the date of an activity. If the non-public school student is not scheduled to attend academic courses in the District on activity days, the non-public school student's primary education provider shall provide assurance to the District that such student has met the attendance requirements in the non-public school academic setting.

Priority

Priority for enrollment, when school programs reach maximum capacities, will be given to students enrolled on a regular full-time basis. If a number of non-public school students request admission into the same class, they will be accepted on a first-come basis. In the event the class enrollment position of a non-public school student is needed for a regular full-time student during the course of the year, the full-time student will have priority for the position beginning with the semester after the need is identified.

Average Daily Attendance

Students who are dual enrolled (i.e., enrolled on a part-time basis) shall be used in calculating the District's state fund, but only to the extent of the student's participation in District programs.

Transportation

All non-public school students will be eligible for District transportation services. A public charter school student or nonpublic student, upon admission to a school in this District, may ride a school bus on regularly scheduled routes (including activity bus routes) and use regularly established bus stops or stops which would require no deviation from the regularly established bus route. No alteration of routes will be made to specially accommodate a dual enrollment student. If a dual enrollment student attends only part time, the District may furnish transportation at the regularly scheduled time closest to the time period for which a student is enrolled (i.e., morning busing for a.m. classes or afternoon busing for p.m. classes). The District will not provide such transportation if there is no available space, if the furnishing of such transportation would cause a deviation or alteration of the regularly established bus routes or

stops or if the furnishing of such transportation would require the purchase of additional or substitute equipment.

Graduation

In order to graduate from this District, all non-public school students must meet the grade and other graduation requirements the same as regular full-time students.

Mixed Curriculum

If a public charter school student or nonpublic student wishes to attend activities or programs in a particular discipline, in a class or grade where the curriculum is merged or integrated, such request shall be made in writing particularizing the subject matter presentment which the student desires to attend (i.e., art instruction in a third grade class). The teacher and principal of that school shall, upon request, provide scheduling information to the dual enrollment student. It shall be the dual enrollment student's responsibility to contact the District and ascertain when such subject matter will be presented. Where certain subject matter is integrated into a mixed curriculum, no change in the presentation of that curriculum needs to be made because of a nonpublic student's request for attendance. It is also the intent of this policy to insure that the teacher's right to integrate disciplines and be flexible in planning and modifying the daily classroom presentations shall not be hindered or restricted in any way.

IDEA/ADA/Section 504 Students

Parents who wish dual enrollment students to be enrolled in special programs must comply with the requirements of the Individuals with Disability Act (IDEA) and the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act of 1973 (Section 504). If a request for referral is made by said parents and if the evaluation of the student by the multidisciplinary or child study team determines that special services are appropriate for the student, then such programs will be provided when possible. Until such determination is made, such special educational services or accommodations will not be provided.

Legal Reference:	I.C. § 33-203	Dual enrollment
	I.C. § 33-1001, et. seq.	Average Daily Attendance
	IDAPA 08.02.03.111.13	Dual Enrollment

Policy History:

Adopted on: 02/02/2012

Reviewed on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3040

Compulsory Attendance

"The parent or guardian of any child who has attained the age of seven (7) years, but not the age of sixteen (16) years shall cause that child to be instructed in subjects commonly and usually taught in the public schools. Unless the child is otherwise comparably instructed, the parent or guardian shall cause the child to attend a public, private, or parochial school for a period each year equal to that during which the public schools are in session." Idaho Code § 33-202

Attendance:

Parents or guardians are responsible to have children (7 through 16) enrolled and in attendance in a public, private, or parochial school. This school must meet the certification and standard requirements of the State of Idaho. Idaho Code 33-202 through 205

The Board of Trustees is responsible for the education of all school-aged children within District boundaries. Therefore, it reserves the right to insure comparability of services at all other schools.

Whenever it is determined by the Board, or the Board's designee, under the provisions of due process of law that the parents or guardians of any child who is not enrolled in the public schools are failing to meet the requirements of Idaho Code § 33-202, an authorized representative of the Board shall notify in writing the prosecuting attorney in the county of the pupil's residence and recommend that a petition shall be filed in the magistrates division of the District Court of the county of the pupil's residence, in such form as the court may require under the provisions of Idaho Code § 20-510.

Legal Reference: Art. IX, § 9, Idaho Constitution – Compulsory Attendance at School

I.C. § 33-201	School age
I.C. § 33-202	School attendance compulsory
I.C. § 33-207	Proceedings against parents or guardians

Policy History:

Adopted on: 02/02/2012

Revised on: 05/13/2013

Clark County School District No. 161

STUDENTS

3040F1

Clark County School District #161

43 West 2nd South

P.O. Box 237

Dubois, ID 83423

www.clarkcountyschools161.org

Phone: 208-374-5215 Fax: 208-374-5234

Date _____

Clark County Prosecuting Attorney

To the Office of the County Prosecutor:

This letter is to inform your office of the continued absence of _____.

Enclosed is Truancy Referral Form for the student. I have provided all of the information available on this student and his/her family. This form will be updated if any new information becomes available.

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,

[Signature]
Superintendent

Policy History:

Adopted on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3040F2

SCHOOL TRUANCY REFERRAL FORM

PART I:

Student _____
(last name) (first name) (middle name)
Grade _____ Age _____ DOB _____ Sex _____ Race _____ Language _____
Mother's Name _____ Phone _____ Wk Phone _____
Mother's Address _____ City _____ Zip _____ DOB _____
Father's Name _____ Phone _____ Wk Phone _____
Father's Address _____ City _____ Zip _____ DOB _____
Child resides with _____
Address (if different than above) _____ Zip _____
Phone _____

PART II:

Enrollment Date: _____
Number of Tardies: _____
Number of Absences without Valid Excuse: _____
Number of Absences with Valid Excuse: _____
Dates Child was Absent from School without Valid Excuse:

Suspension/Expulsion Dates: _____
Contacts with Parents, Actions Taken, and Outcomes (attach additional sheets if necessary):
Date: _____
Date: _____
Date: _____
Date: _____
Advisory Letter Sent? No _____ Yes _____ Date: _____
School Representative (person who can testify to the identification of the child, enrollment, keeping of records, and content of records): _____

PART III: REFERRING SCHOOL INFORMATION

School _____ Name _____ District _____

Address _____ Telephone _____

City & State _____ Zip _____

Print name of person submitting report

Title and Position

Phone

Signature

Policy History:

Adopted on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3050

Attendance Policy

In order to graduate from Clark County High School, a student must complete 54 credits. A credit is earned by successfully completing a semester class. (This is to be phased in as follows: Class of 2014 - 48 credits; Class of 2015 - 50 credits; Class of 2016 - 52 credits; Class of 2017, and all others - 54 Credits.) Completion of a course at Clark County High School will be defined as sixty percent (60%) mastery of the material and attendance to include not more than seven (7) absences per semester. This attendance criterion is based on the theory that prompt and regular attendance in school is the beginning of dependability in adult business, personal, and social life. Furthermore, regular attendance is important, because valuable skills and information gained in the classroom may or may not show up on tests or be reflected in an academic grade. The general welfare of all students is best served by regular attendance.

1. A student will be allowed seven (7) absences per class, per semester. Any absence beyond that number may mean a loss of credit in those subjects missed.
2. The ONLY absences that WILL NOT be used in calculating the attendance record are:
 - A. Those that occur due to school-sponsored activities, since these are considered an equivalent educational experience. These exemptions will apply to students participating in sports events, cheerleading, music related events, FFA trips, academic field trips, and others deemed co-curricular.
 - B. Bereavement in the immediate family (grandmother, grandfather, father, mother, sister, brother). Any extended bereavement may be reviewed by the Attendance Board;
 - C. Subpoenas to appear in court or court-ordered, out-of-district placements for special services; and
 - D. Illness or hospitalization verified by a doctor's statement.
3. Absences which will be counted in the seven-(7)-day limit will include such areas as: family trips, work days, vacations, visiting friends or relatives, suspension in and out of school, watching tournaments when not an actual participant, hair, medical, dental, or photography appointments, skiing, hunting, court appearances, attending concerts, shopping, or any others not mentioned which are unacceptable to the Attendance Board.
4. After five (5) absences from school/class, a letter will be sent to the student's home, indicating the school policy and the number of days missed.
5. After six (6) absences, another letter will be sent, indicating the severity of the situation and explaining in detail the alternatives for non-compliance.
6. After going over the seventh (7th) absence, the student may have credit withheld. That student, with parental accompaniment, must appear before the Attendance

Board, consisting of the high school principal, the guidance counselor, and those teachers whose classes the student has exceeded the allowable number of absences.

7. This Board will review the absence report to determine if the student will have credit withheld, which will occur unless extenuating circumstances surface.
8. The Attendance Board can, after hearing a student's/parent's appeal for retainment of credit, deny credit or put certain stipulations on a student whose credit will be dependent upon an agreement reached with the student and parents concerning attendance for the rest of the semester.
9. Any decision to withhold credit can be appealed to the Superintendent and/or to the Board. If the appeal is rejected, one can assume the Board feels the absence could have been avoided.
10. If the appeal is not granted, the student will remain in that particular class period for the remainder of the semester or be placed in study hall. If disciplinary problems occur in that subject, the student will be suspended from school.
11. If the appeal is granted, the student will return to class with the Attendance Board's stipulations. If the stipulations are violated, a loss of credit will result.
12. The Attendance Board may also decide to make decisions regarding the student's participation in extracurricular activities.

Policy History:

Adopted on: 02/02/2012

Revised on: 05/13/2013

Clark County School District No. 161

STUDENTS

3060

Education of Homeless Children

Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education as provided to other students. The Board of Trustees directs all District schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board may not require an out-of-District attendance agreement and tuition for a homeless child.

Schools in the Clark County School District will work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The District will also strive to prevent stigma against students who are homeless.

Information regarding this policy, including the educational rights of children and youth identified as homeless, will be distributed to all students upon enrollment and once during the school year, or may be included in any student handbook distributed by the District. It will also be provided to students who seek to withdraw from school, and posted in every school in the District, as well as other places where children, youth, and families who are homeless receive services.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, medical records requirements, guardianship issues, uniform or dress code requirements, residence, birth certificates, school records, and other documentation. Students shall be enrolled in school immediately, without delay regarding any required documents. Once such documents are obtained, they shall be maintained so that they are available in a timely fashion when the child enters a new school or school district. The District shall serve students regardless of whether they are in the custody of a parent or guardian.

The Superintendent or designee shall also review and revise rules and practices to ensure that homeless students have equal access to educational services. Homeless students shall have access to services comparable to services offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which the student meets eligibility criteria, such as Title I;
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education, as well as programs for gifted and talented students; and
5. The school nutrition program.

The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent or designee shall appoint a liaison for homeless children. The liaison shall act to ensure that:

1. Homeless students are identified;
2. Homeless students enroll in and have a full and equal opportunity to succeed in the schools of the District;
3. Homeless youth who have separated from school are provided with opportunities and assistance to reenroll;
4. Students and families have the opportunity to receive educational services for which they are eligible;
5. Parents or guardians are informed of educational and other opportunities available to their children;
6. Parents or guardians are given opportunities to participate in their child's education;
7. Parents or guardians are informed of all transportation services, including transportation to and from the student's school of origin, and are assisted in accessing transportation services;
8. Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services;
9. Channels of communication are established between the liaison and local Head Start staff if applicable;
10. Enrollment disputes are mediated in accordance with state and federal law as well as District policy;
11. Unaccompanied youth, as defined in the McKinney Homeless Assistance Act, are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
12. Youth who lack immunization(s) or other medical records are assisted in obtaining these;
13. The names of all homeless students shall be submitted to the local school nutrition office so that those students can receive free breakfast and lunch. This need not be accompanied by an application to receive free or reduced meals;
14. Unaccompanied youth are assisted in selecting and enrolling in a school, and that they are provided with notice of the right to appeal an enrollment decision; and
15. Parents, school personnel, and others are informed of the rights of homeless children and youth.

The homeless liaison will also coordinate with, and seek support from, the State Coordinator for the Education of Homeless Children, public and private service providers in the community, housing and placement agencies, local liaisons in neighboring districts, and other such organizations and agencies. Coordination will include conducting outreach and training. Both public and private agencies will be encouraged to support the liaison and the schools in implementing this policy.

A "homeless child" is defined as provided in the McKinney Homeless Assistance Act, but may include:

1. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care;
2. Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting; and
4. Migratory children and youth who are living in a situation similar to those described above.

An “unaccompanied youth” is defined as provided in the McKinney Homeless Assistance Act, but may include a youth not in the physical custody of a parent or guardian.

Children and youth identified as homeless in the District, both in and out of school, shall be identified. Data shall be collected on the number of children and youth experiencing homelessness in the District; where they are living; their academic achievement (including state and local assessments); and the reason for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth identified as homeless has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living, as well as take advantage of any District policy relating to open enrollment and under State law.

Therefore, in selecting a school, children and youth who are homeless will remain at their school of origin to the extent feasible, unless that is against the parent’s/guardian’s or youth’s wishes. Students may remain at their school of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same procedure will be followed if a child or youth loses his or her housing during the summer. Services that are required to be provided, including transportation to and from the school of origin and services under federal and other programs, will not be considered in determining feasibility.

If a student is sent to a school other than the school of origin or the school requested by the parent/guardian or unaccompanied youth, the District shall provide a written explanation of its decision and the right to appeal, whether or not the individual disputes the placement. Such explanation should be complete, as brief as possible, simply stated, and provided in a language the parent/guardian or unaccompanied youth can understand. This written explanation shall include:

1. Contact information for the homeless student liaison and state coordinator, with a brief description of their roles;
2. A simple, detachable form to initiate the dispute resolution process. One (1) copy of the form should be retained by the school, and another copy should be returned to the parent/guardian or youth for their records when it is submitted;
3. A step-by-step description of how to dispute the school's decision;
4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that "immediate enrollment" includes full participation in all school activities;
6. Notice of the right to appeal to the State if the District-level resolution is not satisfactory; and
7. Timelines for resolving District- and State-level appeals

If an unaccompanied youth or parent/guardian chooses to appeal a placement decision, the District will refer him or her to the homeless student liaison, who shall expeditiously facilitate this process.

Transportation

Parents and unaccompanied youth will be informed of their right to transportation before they select a school for attendance. At a parent's request, transportation will be provided to and from the school of origin for a child or youth experiencing homelessness. For unaccompanied youth, transportation will be provided to and from the school requested by the liaison for homeless children following consultation with the student. Transportation will be provided for the entire time the child or youth has a right to attend that school including during pending disputes.

If a student's school of origin was in a different district than the school the student is to attend, the District shall seek an agreement with the district of origin on the division of transportation costs. If no such decision is reached, the districts shall divide the costs equally as required by the McKinney-Vento Act. It is the District's policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, they will arrange transportation and immediately bring the matter to the attention of the liaison for homeless children. In addition to receiving transportation to and from the school of origin upon request, children and youth who are homeless will also be provided with other transportation services comparable to those offered to other students.

Disputes

If a dispute arises over any issue addressed in this policy, the child or youth experiencing homelessness will be admitted immediately to the school in which enrollment is sought pending final resolution of the dispute. The student will also have the rights to all appropriate educational services, transportation, free meals, and Title 1, Part A services while the dispute is pending.

If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the District shall promptly seek further assistance from the State Coordinator of Homeless Education to review and determine within ten (10) business days how the student's best interests will be served. All interested parties will be expeditiously informed of the State's determination in writing. The decision of the State Department of Education shall constitute final resolution.

Training

The homeless liaison will conduct training and sensitivity/awareness activities regarding the education of homeless children for all local education association staff.

Title 1, Part A

Any student who is homeless and attends school within the District is eligible for Title 1, Part A services. The District shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.

Cross Reference: 3210

Uniform Grievance Procedure

Legal Reference: 42 U.S.C. § 11301, et seq.
20 U.S.C. § 6311, et seq.

20 U.S.C. § 1400

42 U.S.C. § 1758

42 U.S.C. § 9801-642A

I.C. § 33-1404

for Homeless Children and Youth Program: Title VII of the
McKinney-Vento Homeless Assistance Act, As Amended by the No Child
Left Behind Act of 2001: Non-Regulatory Guidance

McKinney-Vento Homeless Assistance Act
Title 1, Part A, of the Elementary and
Secondary Education Act.

Individuals with Disabilities Education
Improvement Act of 2006

Child Nutrition and WIC Act of 2004

Improving Head Start for School Readiness
Act of 2007

Districts to Receive Pupils Education

Policy History:

Adopted on: 02/02/2012

Revised on: 10/13/2014

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3070

Students of Legal Age

Every student eighteen (18) years of age or older will be deemed to be an adult and will have legal capacity to act as such. Such students, like all other students, will comply with the rules established by the District, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and state law.

Admission to School: The residence of an adult student who is not residing with a parent or guardian will be considered the residence for school purposes.

Field Trips/Athletic Programs: Approved forms for participation will be required of all students. The form should indicate that the signature is that of the parent or the adult student. Sponsors or coaches will be required to confirm the ages of those students signing their own forms.

Absence-Lateness-Truancy: Absence notes, normally signed by parents or guardians, may be signed by adult students. Excessive absences will result in consequences according to policy 3122P and will be reported on the report card.

Suspension/Expulsion: All suspension and/or expulsion proceedings will conform to the requirements of state statutes. Notification of all such proceedings will be sent to parents or guardians. Adult students, however, are permitted to represent themselves if they so choose.

Withdrawal from School: Adult students may withdraw from school under their own cognizance. Counselors will guide and counsel potential dropouts and encourage their continued attendance. Parents will be notified of impending dropouts by the school.

Permission to Inspect Student Records: Adult students may request permission to inspect their school records if they are eligible students according to FERPA.

Report Cards: Unless directed otherwise, progress reports will be sent to the parent or legal guardian.

Excuses from School: The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, etc., with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility: Students of legal age can be held financially responsible for damage to school property.

Policy History:

Adopted on: 02/02/2012

Reviewed on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3080

Nonresident Student Attendance Policy

Students may attend school in other than the resident student's school under the following circumstances:

1. State Enrollment Options Program;
2. When the resident and non-resident districts mutually agree;
3. When the resident district and an out-of-state school district mutual agree;
4. Except when such transfer would work a hardship on the receiving school district

State Enrollment Options Program – choose one

Whenever the parent or guardian of a student determines it is in the best interest of the student to attend a school other than the student's resident school, the parent/guardian must apply annually for admission to the non-resident school on a form provided by the state department of education. The application, together with the student's cumulative record, shall be submitted to the receiving district no later than February 1 for enrollment during the following school year. The February 1 deadline may be modified by mutual agreement of the resident and non-resident school. Notice of the application must be given to the student's residence district. The non-resident school will have sixty (60) days in which to consider the application. If the application is denied, the non-resident school must provide a written explanation of the denial of enrollment.

No tuition shall be charged when a student attends a non-resident school under the State's Enrollment Options Program.

The parent/guardian of a non-resident student is responsible for transporting the student to/from the school or to a bus stop within the non-resident district.

Eligibility rules for participating in extra-curricular activities shall apply to non-resident students. Any suspended/expelled student will not be eligible to attend a non-resident school under the provisions of this law.

Mutual Agreement Of Resident And Non-Resident Idaho Districts

The boards of trustees of a resident and non-resident district may agree in writing, on an annual basis, that students may be allowed to attend school in the non-resident district.

Mutual Agreement Of Resident District And An Out-Of-State District

The board of trustees may agree in writing, on annual basis, that a resident student attend school in the nearest appropriate school district in a neighboring state. Such agreement shall state the rate of tuition and cost of transportation, if any, to be paid by the District. The agreement will be entered into the records of the board of trustees. A copy must be filed with the State Board of

Education.

The board of trustees may, upon approval of the State Board of Education, enter into an agreement with the governing body of a school district in another state for education and/or transportation of an out-of-state student. The rate of tuition, cost of transportation as well as other appropriate costs shall be specifically addressed in the agreement. The agreement will be entered into the records of the board of trustees with a copy to be filed with the State Board of Education.

Hardship Exception

When tuition is to be paid by the resident district, or waived by this District, the District will admit students except when any such transfer would constitute a hardship. In the following circumstances, the District may determine that a hardship exists when acceptance of a non-resident student(s) would:

1. require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes;
2. cause an excessive number of students in a particular building (i.e., when the total number of students exceeds the following numbers:
Lindy Ross Elementary – 138
Clark County Jr/Sr High School - 262
3. cause the total enrollment in the District to exceed 300;
4. cause the total enrollment in a particular class to exceed 23;
5. cause the teacher-student ratio to exceed 1 to 20;
6. cause the total enrollment in a specialized program to exceed the limits below:
Special Education to exceed the capacity of current faculty
7. would cause disruption of the education process. The District will consider the following criteria in making this determination:
 - a. Is the student in good standing with the most recently attended school in terms of academics, conduct, and attendance;
 - b. Can the student demonstrate a record free of truancy;
 - c. Can the student demonstrate a clean behavior record in the school last attended for a period of at least one (1) year;
 - d. Would the student's presence pose a detriment to the health and safety of other students and/or staff.;
 - e. Has the student been suspended/expelled from any other school district.

Idaho Youth Rehabilitation/Child Protective Act

Any non-resident student placed by court order under the Idaho Youth Rehabilitation Act or the Child Protection Act and residing in a licensed home, agency or institution located within the District shall be enrolled and shall not be charged tuition.

Homeless Children

Homeless children as defined by the Stewart B. McKinney homeless assistance act (P.L. 100-77), may attend any school district or school within a district without payment of tuition when it is

determined to be in the best interest of such homeless child.

Other conditions:

The Board will not admit any student prior to viewing that student's records from the student's previous school districts.

The District has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.

The Board will not admit any student who is expelled from another school district.

Legal Reference:	I.C. § 33-1400 et seq.	Transfer of pupils
	I.C. § 33-205	Denial of school attendance

Policy History:

Adopted on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161**STUDENTS****3090**Foreign Exchange Students

It is the policy of the Board to recognize the benefits from non-immigrant students in the District. The Board does not, however, sponsor student foreign exchange programs. The District does not provide any financial contribution to the student. The Board assumes no responsibility or control over items such as travel, living accommodations, funding, insurance, etc., which remain the responsibility of the sponsor and/or student.

J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible to attend either elementary or secondary school. Any sponsoring organization must have a local representative, be a nonprofit organization, and be approved by the Council on Standards for International Education Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not attend the District.

The Board reserves the right to withdraw approval and regulate the number of students participating.

Legal Reference: 20 U.S.C. 221, et seq.

Policy History:

Adopted on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3090P

Foreign Exchange Students

Admission Requirements

- I. Foreign exchange students must be eighteen (18) years of age or younger at the time of enrollment.
- II. Foreign exchange students must reside with a legal resident of the District. Limited exceptions may be granted at the discretion of the Board.
- III. Foreign exchange student must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.
 - A. An English proficiency test of the District's own choosing may be administered and will supersede all other tests.
 - B. If an organization places a student who, upon arrival, is deemed by the District to be deficient in English language proficiency, the organization will do one of the following:
 1. Terminate the student's placement.
 2. Provide, and pay for, tutorial help until the student reaches proficiency, as determined by the District.

Academic Standards and Graduation

- I. Foreign exchange students will be expected to meet all appropriate standards required of any student enrolled in the District.
- II. Foreign exchange students will not graduate from or receive a diploma from the High School, but they may participate in the ceremonies and receive a certificate of attendance.

Student Opportunities/Responsibilities

- I. Foreign exchange students will be expected to enroll in the following academic classes while attending Clark County High School:
 - A. One (1) English class;
 - B. One (1) United States history class or one (1) government class;
 - C. Maintain enrollment in at least six (6) classes.

- II. Foreign exchange students are eligible to participate in the High School Activities Program. Guidelines for participation are set by District policy and by the Idaho High School Activities Association, as follows:
 - A. RECOGNITION. The student must be a participant of an “official Foreign Exchange Program” as defined in the publication from the National Association of Secondary School Principals, entitled, “Advisory List of International Educational Travel and Exchange Programs”.
 - B. GRADUATION. The student cannot have graduated or received a diploma in his/her own country.
- III. Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, yearbook costs, athletic fees, cap and gown fees, lunch prices, and all other school incurred expenses that are expected of other students enrolled in the High School.
- IV. Foreign exchange students must maintain passing grades in all classes, follow rules and regulations of District student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations shall result in dismissal of the student from the District’s Foreign Exchange Program.

Procedure History:

Adopted on: 05/13/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3100

Programs for At-Risk/Disadvantaged Students

The District will designate one (1) at-risk coordinator to collect and disseminate data regarding drop-outs in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

Each school year, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. the number of District students who dropped out in the preceding regular school term;
2. the number of students in grades 1-12 who are at risk of dropping out;
3. the District's dropout rate goal for the next school year;
4. the dropout reduction programs, resources and strategies to be used during the school year.

The Board will review and approve the plan annually.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, the District will consider the student's academic and attendance performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically or psychologically abused; is pregnant or a parent; is an emancipated youth, is a previous drop-out, is a court or agency referral; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

The District will provide a remedial and support program for any student who is at risk of dropping out of school.

The District will have a plan designed to retain students in a school setting. The District plan will be the responsibility of the Superintendent or the designated at-risk coordinator and will:

1. emphasize a comprehensive team approach that includes the Superintendent, principal, parent/guardian, teacher, student, community service provider, business representative, or others;

2. include objectives designed to meet the identified needs of at-risk students and to retain those students in school;
3. be designed to use community resources that are available to serve at-risk youth;
4. provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and
5. provide for review of individual profiles for at-risk students.

The District plan may also:

1. include alternatives; and
2. provide for the referral of students who drop out to other programs.

Alternative high school programs conducted during the school year will be conducted off-site or scheduled at a time when school is not in session and shall comply with the State Board of Education Rules Governing Thoroughness (IDAPA 08.02.03.110).

Legal Reference: IDAPA 08.02.03.110 Alternative Secondary Programs

Policy History:

Adopted on: 11/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

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 District 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: 3/12/2012

Reviewed on: 11/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3210

Uniform 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 District 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, counselor, or building 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: Principal (If the Superintendent is acting as the Principal, then these steps will be taken by the Superintendent.)

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

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the principal shall turn the complaint over to the Nondiscrimination Coordinator/Superintendent who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator/Superintendent will complete the investigation and file the report with the Superintendent within thirty (30) days after receipt of the written grievance. The Coordinator/Superintendent may hire an outside investigator if necessary. If the Superintendent agrees with the recommendation of the Coordinator/Superintendent, the recommendation

will be implemented. If the Superintendent rejects the recommendation of the Coordinator/Superintendent, 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/Superintendent to the Board for a hearing.

Level 3: Superintendent (If there is no Principal, then the Superintendent attends the meeting between the parties and takes care of all recommendations.)

Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within ten (10) days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 4: The Board

Upon receipt of a written appeal of the decision of the Superintendent, 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.

Procedure History:

Promulgated on: 3/12/2012

Reviewed on: 11/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3220

Student Use of Buildings: Equal Access

Non-curriculum related secondary school student organizations may conduct meetings on 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.
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 school has the authority, through its agent or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.

Legal Reference: 20 U.S.C. 4071 Equal Access Act
Board of Education v. Mergens, 110 S.Ct. 2356 (1990)

Policy History:

Adopted on: 3/12/2012

Reviewed on: 4/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3225

Student Clubs: Equal Access

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

Definitions:

As used in this policy:

- (a) “School” shall mean any school in the Clark County School District.
- (b) “Club” shall mean a sponsored club or a non-sponsored or non-curriculum club of students of the school who wishes to organize and meet form common goals, objectives, or purposes, but does not include school activities.
- (c) “Sponsored Club” shall mean a club which is directly under the sponsorship, direction, and control of the school.
- (d) “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.
- (e) “non-participating capacity” shall mean a person may not promote, lead or participated in any meeting.

The school within the district 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 District 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 and the school district 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 principal 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 Clark County School District schools.

1. Each proposed club must complete and submit a request form to the principal 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 principal or designee will forward the request to the school district. The school district 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 district. 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 a.m. to 8:00 a.m., during the noon hour, and from 4:00 p.m. to 5:00 p.m. 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 principal or designee.
3. All clubs must comply with provisions of the school's student constitution, if applicable.
4. No hazing of students shall be permitted.
5. The principal 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 principal, 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:

- A. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the principal or designee.
- B. All activities of the club must have prior approval of the sponsor.
- C. Club funds shall be subject to deposit, audit and disbursement in accordance with the regulations of the school district.
- D. 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:

- A. 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.
- B. Recognition by the Clark County School District 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.
- C. The school or district's name will not be identified with the aims, policies, or opinions of the student organization or its members.
- D. 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.
- E. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place.
- F. Every club must have a district 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.
- G. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club.
- H. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the principal or designee.
- I. The Clark County School District 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 Reference: 20 U.S.C. §§ 4071-4074 Equal Access Act

Policy History:

Adopted on: 3/12/2012

Reviewed on: 11/11/2013

Revised on: 02/10/2020

School Clubs (Background)

What clubs are currently sponsored by your district? Do you have a board policy in place dealing with school clubs? Is there a risk management plan in place for sponsored clubs? Is your district or school name being used by a non-sponsored club in a way that might cause a liability problem for the district?

Proper risk management for school clubs is a key issue for school districts. Clubs can be an excellent way to enhance student learning and provide opportunities for students to explore lifelong hobbies. Unfortunately, they can also present serious potential liability exposures to the district if not properly managed. And, while they may still serve a useful purpose, not all clubs should be sponsored by school districts.

Our goal is to provide a framework and a thought process for properly evaluating and managing school clubs from a risk management standpoint.

Is this club a school sponsored activity?

- The decision of whether or not a club is to be school sponsored should be made at the district level, not at the school site.
- The district should have a policy that includes a process for reviewing applications for school sponsorship.
- The policy should state that clubs that have not received district level approval are not school sponsored activities.

Things to consider in making a decision about sponsorship include:

- Do the club's purpose and activities fit within the school district's mission?
- Are the potential risks associated with the club reasonable and acceptable to the district?
- Is there a risk management plan in place that identifies potential hazards and outlines ways to manage those risks through training, proper equipment, supervision, etc.?
- Who will be responsible for insuring the club? If it is to be the school district, are there any exposures that would be excluded under the district's insurance policies such as:
 - Ownership, operation, maintenance, or use of any aircraft
 - Ownership, operation, maintenance, or use of watercraft
 - Auto racing or demolition contests
- If the club will provide its own insurance are the limits of liability adequate and will the insurance company name the district as an additional insured on the policy and provide the district with a certificate of insurance?

Proper risk management for Non-Sponsored Clubs:

The district may decide not to sponsor the club; but to allow the club to use the district's facilities similar to the way other outside groups do. If so, certain risk management steps should be taken including:

- Requiring a certificate of insurance and an endorsement naming the district as an additional insured under the club's insurance policy.
- Clear communications to staff, students, and patrons that the club is not school sponsored.
- Not allowing the club to use the name of the district or the schools within the district or to infer that the club is school sponsored.

Clark County School District No. 161

STUDENTS

3225B

School Clubs: Background

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE ADOPTED AS A POLICY OR PROCEDURE.

What clubs are currently sponsored by your District? Do you have a Board policy in place dealing with school clubs? Is there a risk management plan in place for sponsored clubs? Is your District or school name being used by a non-sponsored club in a way that might cause a liability problem for the District?

Proper risk management for school clubs is a key issue for school districts. Clubs can be an excellent way to enhance student learning and provide opportunities for students to explore lifelong hobbies. Unfortunately, they can also present serious potential liability exposures to the District if not properly managed. And, while they may still serve a useful purpose, not all clubs should be sponsored by school districts.

Our goal is to provide a framework and a thought process for properly evaluating and managing school clubs from a risk management standpoint.

Is this club a school sponsored activity?

1. The decision of whether or not a club is to be school sponsored should be made at the District level, not at the school site.
2. The District should have a policy that includes a process for reviewing applications for school sponsorship.
3. The policy should state that clubs that have not received District level approval are not school sponsored activities.

Things to consider in making a decision about sponsorship include:

1. Do the club's purpose and activities fit within the School District's mission?
2. Are the potential risks associated with the club reasonable and acceptable to the District?
3. Is there a risk management plan in place that identifies potential hazards and outlines ways to manage those risks through such means as training, proper equipment, and supervision?
4. Who will be responsible for insuring the club? If it is to be the School District, are there any exposures that would be excluded under the District's insurance policies such as:
 - A. Ownership, operation, maintenance, or use of any aircraft;

- B. Ownership, operation, maintenance, or use of watercraft; or
 - C. Auto racing or demolition contests?
5. If the club will provide its own insurance are the limits of liability adequate and will the insurance company name the District as an additional insured on the policy and provide the District with a certificate of insurance?

Proper Risk Management for Non-Sponsored Clubs

The District may decide not to sponsor the club; but to allow the club to use the District's facilities similar to the way other outside groups do. If so, certain risk management steps should be taken including:

1. Requiring a certificate of insurance and an endorsement naming the District as an additional insured under the club's insurance policy;
2. Clear communications to staff, students, and patrons that the club is not school sponsored; and
3. Not allowing the club to use the name of the District or the schools within the District or to imply that the club is school sponsored.

Clark County School District No. 161**STUDENTS****3225F****STUDENT CLUB RISK MANAGEMENT PLAN**

Each School Sponsored Club must develop and implement a plan that identifies hazards and / or potential exposures to club members, faculty staff members, and school property. This plan should also outline the policies and procedures needed to control the identified hazards.

Due to the variety of club activities that can occur within a school district, it is critical that hazards and exposures created by the club activities be carefully evaluated. Some clubs, for example a Chess Club, may not have significant hazards; however, other clubs such as a Drag Racing Club, or a Rodeo Club could have the potential for severe injuries. Each Risk Management Plan should be customized to the hazards of the individual club. To assist you in developing your plan, you can answer the following questions:

WHAT ARE THE PURPOSES AND GOALS OF THE CLUB?

WHAT ARE THE RESPONSIBILITIES OF THE CLUB MEMBERS?

WHAT TRAINING IS TO BE REQUIRED OF CLUB MEMBERS? ARE THERE MINIMAL KNOWLEDGE REQUIREMENTS? HOW WILL THESE BE TESTED? HOW ARE TRAINING AND TEST RESULTS DOCUMENTED AND MAINTAINED?

WHAT ARE THE RESPONSIBILTIES OF THE FACULTY OR SCHOOL APPOINTED SPONSOR?

WHAT SPECIAL TRAINING OR EDUCATION IS REQUIRED OF THE FACULTY OR SCHOOL STAFF SPONSOR? ARE THEY CERTIFIED THROUGH A RECOGNIZED ORGANIZATION?

WHAT SAFETY RULES ARE NECESSARY TO CONDUCT CLUB ACTIVITIES MINIMIZING HAZARDS AND EXPOSURES TO CLUB MEMBERS, SCHOOL DISTRICT STAFF MEMBERS, AND SCHOOL PROPERTY?

WHAT SAFETY EQUIPMENT IS NEEDED? WHO IS TO PROVIDE THIS EQUIPMENT? HOW IS THE EQUIPMENT TO BE INSPECTED AND TESTED?

WHAT EMERGENCY RESPONSE PROCEDURES ARE NECESSARY BASED UPON THE INHERENT RISKS OF THE CLUB ACTIVITIES? AS AN EXAMPLE; FIRST-AID, AND EMERGENCY COMMUNICATION?

ARE PARENT CONSENT FORMS REQUIRED? IF SO, WHERE ARE THE RECORDS MAINTAINED?

Policy History:

Adopted on: 3/12/2012

Reviewed on: 11/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3230

Student Government

The Board encourages the function of student councils in the District's elementary and secondary schools. Student councils shall assist in improving the general welfare of all students and give students the opportunity to participate in the orderly workings of the democratic process

Student councils shall not have authority to make policies or procedures for the District or the school. However, they may make recommendations to the administration on any topic of student concern.

Eligibility rules for candidates and rules for conducting campaigns and elections should be published, widely announced and uniformly enforced.

Legal Reference: I.C. § 33-506(1)

Policy History:

Adopted on: 3/12/2012

Reviewed on: 4/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3240

Student Publications

Journalistic experience in a school setting should be calculated to develop the background of skills and understanding which will equip a student for the responsibilities of the free press in our society. Students must recognize, however, that a school-sponsored newspaper is unique and different from other newspapers in at least four ways.

1. It is an instructive tool in addition to a means of student self-expression.
2. It is read not just by the intended audience of fellow students, but by parents and many citizens outside the school.
3. It is partially supported by tax funds.
4. It is an influence on the public relations of the entire district since content is read by many not simply as expressions of individual students, but as expressions representative of the entire student body and approved by the administration.

The concept of “freedom of the press” under the First Amendment has application with regard to school-sponsored publications. However, the United States Supreme Court has established that school districts may exercise editorial control over the style and content of school-sponsored newspapers without violating the First Amendment. All school-sponsored publications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The District recognizes that there are valid and necessary reasons to exercise such prepublication editorial control and to impose reasonable restrictions on student speech in school-sponsored publications. Thus, the following guidelines apply to all school-sponsored student publications.

1. School-sponsored publications are those publications, including, but not limited to, school newspapers, yearbooks, and athletic programs, which may fairly be characterized as part of the District’s curriculum, whether or not they occur in a traditional classroom setting. Generally they include student publications which are supervised by a faculty member and are designed to impart particular knowledge or skills to student participants and audiences. However, they also may include publications which students, parents, and members of the public reasonably perceive to be sponsored or approved by the District. The author’s name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

2. The District will not restrict student freedom of expression when such expression is within the rules of responsible journalism and is consistent with the four factors outlined below. The principal of each school shall meet with the publication advisor, student editors, and student writers to establish guidelines for achieving a maximum of student freedom of expression subject to the limitations set forth in this policy.
3. All publications must be reviewed and approved by the building principal prior to distribution. The building principal shall have the authority to determine the appropriateness of any particular item for publication. In exercising such authority, material will not be considered suitable for publication that is ungrammatical, inadequately researched, obscene, defamatory, advocates racial or religious prejudice, invades the privacy rights of others, is unsuitable for the audiences for which the publication is intended, contributes to the disruption or interruption of the educational process or the operation of the school, or otherwise is contrary to District policy or applicable federal or state law. The school principal may also exclude material that may serve to associate the District with any position other than neutrality on matters of political controversy.
4. The principal of each secondary school shall have the authority to determine whether advertising will be accepted for inclusion in school-sponsored student publications. The District has an important interest in avoiding the impression that it has endorsed a viewpoint at variance with its educational mission. Consequently, if advertising is accepted, each school principal shall have authority to exclude certain categories of advertising. For example, drug, drug paraphernalia, or alcoholic beverage advertisements or any other advertisements that may be viewed as encouraging action that might endanger the health and welfare of students may be excluded. Similarly, advertisements which are factually inaccurate, defamatory, obscene, advocate racial or religious prejudice, contain either explicit or implicit sexual content or overtones, or are of poor production quality may be excluded. The school principal may also exclude advertising that may serve to associate the District with any position other than neutrality on matters of political controversy.
5. In the event that the building principal determines that material is not suitable for publication, students may appeal such decision to the Superintendent or his/her designee. The decision of the Superintendent or his/her designee will be final.
6. Copies of each issue of the student publication shall be sent to the Superintendent and each member of the Board of Trustees.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Policy History:

Adopted on: 3/12/2012

Reviewed on: 4/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

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 District's policy to limit the distribution of materials to parent and student organizations sponsored by the District or other governmental agencies. Materials that provide information valued or needed by the District may also be distributed.

Students should not be used to distribute partisan materials or information pertaining to a school or general election, budget or bond issue, or negotiations. Students should not be exploited for the benefit of any individual, group or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the chief 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 Superintendent before materials may be distributed. The Superintendent will use the guidelines listed above in the approval of the distribution of the materials.

In order to facilitate the distribution of materials with information about student activities offered in the community, each school will do the following:

- A. Maintain a centrally located bulletin board for the posting of bulletins.
- B. Maintain a table where flyers and other information can be made available to students.
- C. Include announcements for student related activities in newsletters that go home to students. The announcements must be submitted one (1) week prior to the newsletter in which the announcement is to go home, must advertise a youth-oriented activity, and must be of non-religious or political nature.

It is the intent to post all notices and place flyers on the distribution table except those that are viewed by the principal as likely to be disruptive, libelous or obscene.

Cross Reference: 3430 Distribution of Fund Drive Literature Through Students
 4240 Distribution of Fund Drive Literature Through Students

Policy History:

Adopted on: 3/12/2012

Reviewed on: 4/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3255

Student Dress

One of the fundamental purposes of school is to provide the foundation for the creation and development of a proper attitude toward education. In order to further this purpose, it is essential to create and maintain an effective teaching and learning environment. Student attire impacts the teaching and learning environment. It can either promote a more effective educational environment, or it can disrupt the educational climate and process. Student attire that is acceptable for some social settings may not be acceptable for the educational environment of school.

Students are reminded that their appearance, clothing, and grooming, significantly affect the way others respond to them. Matters of dress remain primarily the responsibility of students, in consultation with their parents or legal guardians. Nevertheless, since it is the duty of the Board of Trustees to provide an educational atmosphere conducive to learning; minimizing disruptions or distractions; and to protect the health, safety, and morals of students, all students will adhere to the following certain minimum standards of dress when the student is on any school premises or at any school sponsored activity, regardless of location.

In general, students are not to wear or carry items of apparel (clothing, accessories, cosmetics, tattoos, jewelry—including body piercings) which depict or allude to, by picture, symbol, or word, drugs, including alcohol and tobacco; controlled substances; drug paraphernalia; gangs; violence; sexually explicit, lewd, indecent, or offensive material; or illegal acts. The wearing, use, or display of any gang clothing or attire jewelry, emblem, badge, symbol, sign, codes, or other things which evidence membership or affiliation in any gang (based upon the principal's or his or her designee's reasonable belief that gangs may be present in a school) is prohibited on any school premises or at any school sponsored activity, regardless of location.

Head coverings are inappropriate in the school building during regular school hours, unless the principal or designee specifically makes an exception to the policy.

Unless the principal or designee indicates otherwise, students will wear footwear at all times.

The Board of Trustees urges parents and students to exercise sound judgment, based upon the standard of appropriateness for the school setting. For example, clothing exposing bare midriffs, shorts, and short skirts will not be allowed. The Superintendent or his or her designee is hereby authorized to promulgate regulations consistent with the provisions of this policy.

Interpretation and Implementation of Policy

The building principal/designee shall use reasonable discretion in interpreting and implementing the provisions of this policy. If a conflict arises in the interpretation of this policy, the

interpretation of the building principal or designee shall be final. Principals, administrators, and teachers shall use reasonable discretion in enforcing this policy.

Enforcement

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 asked to leave school 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.

Temporary Exceptions

In order to allow appropriate attire for a particular educational or school activity, the building principal or his or her designee has the authority to grant temporary exceptions to specific provisions of this policy and related regulations. An example of such an exception might be where a specially scheduled school event required a group of students to dress unusually on a particular day.

Legal Reference:	I.C. 33-506	Organization and Government of Board of Trustees
	I.C. 33-512(6)	Governance of Schools

Policy History:

Adopted on: 3/12/2012

Reviewed on: 4/11/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3260

Bring Your Own Technology Program

The District recognizes the importance and potential educational benefits of technology. The use of portable electronic devices in the classroom can add educational value when such devices deliver content and extend, enhance, or reinforce the student learning process. Classroom teachers shall determine the appropriateness of in-class use of electronic devices, consistent with District instructional objectives, District policies, and with the approval of the building principal.

The Board directs the Superintendent to work with appropriate stakeholders to ensure that Board-approved Bring Your Own Technology (BYOT) programs are implemented in a way that is mindful of available and required infrastructure, digital equity issues, student and system safety issues, and the need for all students to be able to access a device. The Superintendent may convene a taskforce including such members as teachers, administrators, parents, technology staff, and/or students to set guidelines about the use of BYOT devices

The District respects each family's right to decide whether or not to provide the student with a device for this program.

Students at the middle and high school level are permitted to use approved personal electronic devices for educational purposes under the direction of a classroom teacher.

Neither the District nor any of its schools is liable for any device stolen, lost, or damaged on District property or proceeding to or from District property, whether due to the action/inaction of the student or that of any third party. The student and his or her parent/guardian shall be solely responsible for any such loss, theft, or damage. If a device is stolen or damaged, it will be handled through the administrative office as other personal items that are stolen or damaged. It is recommended that skins, decals, and other school appropriate custom touches be used to identify physically a student's device from others. Additionally, protective cases for technology are encouraged.

Rules Regarding Use of BYOT Devices

Personal electronic devices may only be used in a responsible and legal manner, and may not be used in a manner that disrupts the educational process and/or is contrary to any District policy, procedure, or rule. Students using their own devices are subject to District acceptable use

guidelines, BYOT guidelines, student conduct and discipline rules, and all other Board policies and procedures and school rules. Failure to adhere to these guidelines may result in the revocation of the privilege to use personal electronic devices in the classroom and in disciplinary action as appropriate.

Students may only use a personally-owned device as part of the BYOT program once a Form 3260F Bring Your Own Technology Permission Form and Form 3270F Internet Access Conduct Agreement, signed by both the student and parent/guardian, are on file with the school.

The following personal electronic devices may be used in BYOT programs:

1. Laptop computers;
2. Tablet PCs;
3. E-readers;
4. Cell phones

To ensure compliance with the Children's Internet Protection Act, students using their own electronic devices may access only the wireless Internet provided by the District. Internet access from outside sources, such as using a data plan associated with a personally-owned device, is not permitted on school grounds. Students are prohibited from attempting to bypass the District's Internet gateway, and are directed to report any inappropriate content and conduct to their classroom teacher. If a student accesses the Internet from outside sources, at a minimum, the student will lose the privilege to participate in the BYOT program.

Students may only access files and sites that are relevant to the classroom curriculum and suggested or authorized by a teacher. Teachers shall closely supervise students to ensure appropriate use of technology in the classrooms.

BYOT activities are implemented at the discretion of classroom teachers and building administrators. BYOT devices shall be turned off unless students have been directed to use them. Students are to turn off and keep BYOT devices in the sight of the teacher during assessments unless otherwise directed by a teacher. Any teacher's instruction to shut down BYOT devices or to close the screen is to be followed immediately. All BYOT devices must be kept in silent mode unless otherwise directed by the classroom teacher.

Students shall charge all BYOT devices prior to school every day. Because power cords stretched across classrooms can become a safety issue both for the students and devices, charging the device in any classroom, hallway, or any other location that may be a safety concern is prohibited. Personal devices cannot be left on school grounds before or after school hours.

The District will not service, repair, or maintain any non-District owned technology brought to and used at school by students.

When electronic devices are used to enhance learning in the classroom, students without an approved, charged personal device will be provided access to an appropriate District-owned

digital device. Students may not share any BYOT device with another student unless their parent/guardian has approved this in writing and the teacher has directed it.

Violations of any Board policies, regulations, or school rules involving a student's personal electronic device may result in the loss of use of the device in school and/or disciplinary action. The school reserves the right to inspect a student's personal electronic device if there is reason to believe that the student has violated Board policies, regulations, school rules or has engaged in other misconduct while using their personal electronic device. Any search will be conducted in compliance with Board policies.

The controls on electronic communication devices contained in this policy do not apply to special education or Section 504 students or students with an Individualized Education Plan when any of these or other such similar plans conflict with uses outlined herein.

Cross Reference:	3260F	Bring Your Own Technology Permission Form
	3265	Student-owned Electronic Communications Devices
	3270	District-provided Access to Electronic Information, Services, and Networks
	3270P	Acceptable Use of Electronic Networks
	3275	District-provided Mobile Computing Devices
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying, Menacing
	3370 & 3370P	Searches and Seizure

Legal Reference: Children's Internet Protection Act, P.L. 106-55420 U.S.C. § 6801, et seq.

Policy History:

Adopted on: 05/09/2016

Revised on:

Clark County School District No. 161

STUDENTS

3260F

Bring Your Own Technology Permission Form

Student: _____

School Year: _____

Dear Parents/Guardians:

Clark County School District allows students to participate in a curriculum-based Bring Your Own Technology (BYOT) Program. Signed agreement to the following terms and discussing them with your child are required before your child can participate in the District's BYOT Program.

Your child must also sign Form 3270F Internet Access Conduct Agreement to participate in the BYOT Program. If you have not read and signed this document or do not know whether one is already on file in the District, contact your building principal. You may also ask your building principal for any other policies, procedures, or forms referenced below.

The use of an approved personal electronic device is a privilege and students may be denied access at any time. The violation of any laws or District policies while participating in the program may result in the loss of your child's privilege to participate in the program.

Please sign below, indicating whether you agree to allow your child to participate in the BYOT Program, and return this form to the building principal at: 43 West 2nd South, Dubois, ID 83423

Parents/guardians and their children share the responsibility for technical support and providing a properly charged BYOT device. If a BYOT device has technical difficulties a District-owned device may be provided, if available, or the student may be asked to partner with another student who has a functioning BYOT device during a lesson. The District will also expect you and your child to keep the BYOT device free from viruses, malware, and/or any other harmful programs that could damage the District's electronic network. Neither the District, nor any of its schools, is liable for any device that is stolen, lost, or damaged on District property or proceeding to or from District property, whether due to the action/inaction of the student or that of any third person. Finally, the right to privacy in your child's BYOT device is limited while it is on any District property.

Participation Authorization and Responsible Use Agreement

Please indicate agreement by initialing in the space available.

_____ I hereby request that my child be allowed to participate in the District's BYOT program.

_____ I have read this agreement. I understand the program is designed for educational purposes and that the District's Internet gateway must be accessed to minimize access to inappropriate material. I also understand that at no time shall there be any attempt to bypass the District's Internet gateway or the use of any private Internet access.

_____ I will hold harmless the District, its employees, agents, and Board members for any harm caused by materials or software obtained via the District's network.

_____ I have previously signed Form 3270F Internet Access Conduct Agreement. I have also read and discussed with my child the following documents. My child and I agree to abide by these policies, procedures, and forms.

1. Policy 3260 Bring Your Own Technology (BYOT) Program
2. Form 3260F Bring Your Own Technology (BYOT) Permission Form
3. Policy 3270 District-Provided Access to Electronic Networks
4. Procedure 3270P Acceptable Use of Electronic Networks
5. Form 3270F Internet Access Conduct Agreement

_____ I understand that my child and I share responsibility for technical support, providing a properly charged BYOT device, and keeping the BYOT device free from viruses, malware, and any other harmful programs that could harm or infect the District's electronic network.

_____ I understand that the District does not provide liability protection for BYOT devices, and is not responsible for any damage, loss, or theft whether caused by my student or any third party.

_____ I understand that my child's privacy rights in his or her BYOT device while on any school property are limited as outlined in District policy.

_____ I consent that my child may share another student's BYOT device, or may be asked to share his or her BYOT device with another student, from time to time as directed by the classroom teacher.

Parent/Guardian's Name (please print): _____

Parent/Guardian's Signature: _____

Student's Signature: _____

Date: _____

To be read and signed by any student and parent/guardian who elects NOT to participate in the BYOT Program:

I have decided **not to participate** in the BYOT program sponsored by the School District for the remainder of this school year. In order for me to participate in the BYOT program at a later date, I understand that I must contact the building principal and sign the above Bring Your Own Technology (BYOT) Permission Form.

Parent/Guardian's Name (please print): _____

Parent/Guardian's Signature: _____

Student's Signature: _____

Date: _____

Clark County School District No. 161

STUDENTS

3265

Student-Owned Electronic Communications Devices

Students, with permission of their parent(s)/guardian(s), or the student him or herself if over 18 years of age, may be in possession of personal electronic devices such as smart phones, cellular telephones, pagers/beepers, laptops, tablets, e-readers, or other related electronic devices on school property. The devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger *or a certified District employee authorizes the student to do otherwise* (such as use in class), use of devices shall be limited to the period before classes begin in the morning, during the student's lunch period, and after the student's last class in the afternoon.

Access to the devices is a privilege and not a right. Each student will be required to follow the Acceptable Use of Electronic Networks Policy and the Internet Access Conduct Agreement.

Students may only access the internet through the filtered District connection, regardless of whether they are using their personal device or a District-issued device. District staff will not provide software or technical assistance for student-owned devices.

Because power cords stretched out in classrooms become a safety issue both for the students and devices, charging the device in any classroom, hallway, or any other location that may be a safety concern will not be allowed.

The use of cameras in any type of electronic device is strictly prohibited in locker rooms, restrooms, and classrooms unless *a certified District employee authorizes the student to do otherwise*. Where students are allowed to use electronic devices, they are required to obtain permission before taking a photograph or video of any individual. Students must also obtain permission from any individual appearing in a photograph or video prior to posting on any social networking site or other internet site.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on any student assessment, project, or assignment shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.

Students are responsible for safeguarding devices they bring to school. The District shall not be responsible for loss, theft, damages, or destruction of student owned 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.

Students violating the provisions of this policy are subject to disciplinary action, including losing the privilege of bringing the device onto school property, detention, suspension, or expulsion. In addition, an administrator will confiscate the devices, which shall only be returned to the student's parent(s)/guardian(s). Where appropriate, police authorities may be contacted.

The controls on electronic communication devices contained in this policy do not apply to special education or Section 504 students or students with an Individualized Education Plan when any of these or other such similar plans conflict with uses outlined herein.

Policy History:

Adopted on: 12/09/2013

Revised on: 05/09/2016

Clark County School District No. 161

STUDENTS

3270

District Provided Access to Electronic Information, Services, and Networks

General

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

In order for the District 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 District-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 District'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 District shall provide an appropriate planned instructional component for internet safety which shall be integrated into the District'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 and the characteristics of cyber-bullying and recommended responses.

The use of the District's electronic networks shall be consistent with the curriculum adopted by the District, as well as the varied instructional needs, learning styles, 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 District's educational goals, use the internet throughout the curriculum.

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

Acceptable Uses

- 1. Primarily for Educational Purposes.** The District provides students with an electronic network to support education and research and for the conduct of school business. Student personal use of computers that is consistent with the District's educational mission may be permitted during class when authorized by a student's

teacher or appropriate administrator. Personal use of District computers and networks outside of class is permissible, but must comply with District policy. Use is a privilege, not a right. Students have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District 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 instant messages.

2. **Unacceptable Uses of Network.** The following are considered examples of unacceptable uses and constitute a violation of this policy. Additional unacceptable uses can occur other than those specifically listed or enumerated herein:
- A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use or purchasing any substance the possession or use of which is prohibited by the District's student discipline policy, local, state, or federal law; viewing, transmitting or downloading pornographic materials or materials that encourage others to violate local, state, or federal law; information pertaining to the manufacture of weapons; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials;
 - B. Uses that cause harm to others or damage to their property, person or reputation, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating; reading another person's communications; sharing another person's pictures, private information, or messages without their permission; or otherwise using his/her access to the network or the internet;
 - C. Uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information. Users will immediately notify the school's system administrator if they have identified a possible security problem. Users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.
 - D. Uses amounting to harassment, sexual harassment, bullying or cyber-bullying defined as using a computer, computer system, or computer network to convey a message in any format (audio or video, text, graphics photographic, or any combination thereof) that is intended to harm another individual.
 - E. Uses that jeopardize the security of student access and of the computer network or other networks on the internet; uses that waste District resources including downloading very large files without permission from a teacher, unnecessary printing, and consuming excess file space on shared drives.
 - F. Uses that are commercial transactions, including commercial or private advertising. Students and other users may not sell or buy anything over the internet. Students and others should not give information to others, including credit card numbers and social security numbers.
 - G. The promotion of election or political campaigns, issues dealing with private

- or charitable organizations or foundations, ballot issues, or proselytizing in a way that presents such opinions as the view of the District;
- H. Sending, receiving, viewing, or downloading obscene materials, materials harmful to minors or materials that depict the sexual exploitation of minors.
 - I. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications; sharing one's password with others or allowing them to use one's account.
 - J. Downloading, installing, or copying software or other files without authorization of the Superintendent or the Superintendent's designee;
 - K. Posting or sending messages anonymously or using a name other than one's own;
 - L. Attempting to bypass internal or external security systems or controls using District equipment (students and staff may only access the internet using the District network);
 - M. Plagiarism of material accessed online. Teachers will instruct students in appropriate research and citation practices;
 - N. Using the network while access privileges are revoked;
 - O. Students are prohibited from using e-mail; this includes District e-mail accessed through a web browser. E-mail access may be given to students on a case-by-case basis (e.g., foreign exchange students keeping in contact with home). Students are prohibited from joining chat rooms, using school equipment or school systems for any such activity, unless it is a teacher-sponsored activity.

Internet Safety

Each District computer with internet access shall have a filtering device that blocks entry to visual depictions that are (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee.

The District 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 for minors. The Superintendent or designee shall enforce the use of such filtering devices.

The term "harmful to minors" is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as meaning any picture, image, graphic image file, or other visual depiction that:

- Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; or
- Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The term "harmful to minors" is defined in Section 18-1514(6), Idaho Code as meaning one or both of the following:

- The quality of any material or of any performance of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
 - Intimate sexual acts, normal or perverted, actual or simulated; or
 - Masturbation, excretory functions or lewd exhibits of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors, according to prevailing standards in the adult community, with respect to what is suitable for minors.
- The quality of any material or of any performance, or of any description or representation, in whatever form, which, as a whole, has the dominant effect of substantially arousing sexual desires in persons under the age of eighteen (18) years. Internet

Filtering

Filtering is only one of a number of techniques used to manage student's access to the internet and encourage acceptable usage. It is not viewed as a foolproof approach to preventing access to material considered inappropriate or harmful to minors. Anything that falls under at least one of the categories below shall be blocked/filtered. This list will be updated/modified as required.

- Nudity/ pornography – prevailing U.S. standards for nudity, provocative semi- nudity, sites which contain pornography or links to pornographic sites
- Sexuality – sites which contain material of a mature level, images or descriptions of sexual aids, descriptions of sexual acts or techniques, sites which contain inappropriate personal ads
- Violence – sites which promote violence, images or description of graphically violent acts, graphic autopsy or crime-scene images
- Crime – information on performing criminal acts (e.g., drug or bomb making, computer hacking), illegal file archives (e.g., software piracy)
- Drug Use – sites which promote the use of illegal drugs, material advocating the use of illegal drugs (e.g. marijuana, LSD) or abuse of any drug. Exception: material with valid-educational use
- Tastelessness – images or descriptions of excretory acts (e.g., vomiting, urinating), graphic medical images outside of a medical context
- Language/Profanity – passages/words too coarse to be softened by the word filter, profanity within images/sounds/multimedia files, adult humor

- Discrimination/Intolerance – Material advocating discrimination (e.g., racial or religious intolerance), sites which promote intolerance, hate or discrimination
- Interactive Mail/Chat – sites which contain or allow inappropriate email correspondence, sites which contain or allow inappropriate chat areas
- Inappropriate Banners – advertisements containing inappropriate images or words
- Gambling – sites which allow or promote online gambling
- Weapons – sites which promote illegal weapons, sites which promote the use of illegal weapons
- Self Harm – sites containing content on self harm including cutting, and sites that encourage anorexia or bulimia, etc.
- Judgment Calls – whether a page is likely to have more questionable material in the future (e.g., sites under construction whose names indicate questionable material)

Filtering should also be used in conjunction with:

- Educating students to be “Net-smart;”
- Using recognized internet gateways as a searching tool and/or homepage for students, in order to facilitate access to appropriate material;
- Using “Acceptable Use Agreements;”
- Using behavior management practices for which internet access privileges can be earned or lost; and
- Appropriate supervision, either in person and/or electronically.

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

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 18 and older.

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 Superintendent 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.

Confidentiality of Student Information

Personally identifiable information concerning students may not be disclosed or used in any way on the internet without the permission of a parent or guardian and the student or, if the student is 18 or over, the permission of the student. Students should be aware that conduct on the District’s computer and/or using the District’s server may be subject to public disclosure depending upon the nature of the communication. Users should never give out private or confidential information about themselves or others on the internet, particularly credit card numbers and social security

numbers. Staff members may approve exceptions in the case of applications for college or employment. A supervising teacher or administrator may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.

Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media websites and are responsible for complying with District policy. Students may not disrupt the learning atmosphere, educational programs, school activities, and/or the rights of others.

All requirements of this policy apply to use of social media through the District network or equipment or as part of a class assignment.

Internet Access Conduct Agreements

Each student and his/her 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 District's computer system and/or internet Service.

Warranties/Indemnification

The District 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 District 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. The District will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the District and shall indemnify and hold the District, its trustees, 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. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the District in the event of the school's initiating an investigation of a user's use of his/her access to its computer network and the internet.

Violations

If any user violates this policy, the student's access to the District's internet system and computers will be denied, if not already provided, or withdrawn and he/she may be subject to additional disciplinary action. The system administrator and/or the Internet Safety Coordinator and/or the building principal 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 his/her/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 District discipline policies, said student shall be subject to additional possible disciplinary action based upon these

Policy History:

Adopted on: 12/09/2013

Reviewed on:

Revised on:

Clark County School District No. 161

STUDENTS

3270P

Acceptable Use of Electronic Networks

All use of electronic networks shall be consistent with the District'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. **The 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. Personal use of computers by students that is consistent with the District's educational mission may be permitted during class when authorized by the teacher. Personal use of District computers and networks outside of class must comply with District policy.
2. Privileges – The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator (and/or building principal and/or Internet Safety Coordinator) 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 Superintendent within seven 7 (days). His/her decision is final.
3. Unacceptable Use – The user is responsible for his/her 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 other contracts, or transmitting any material in violation of any U.S. or state law;
 - b. Accessing information pertaining to the manufacture of weapons;
 - c. Uses that cause harm to others or damage property;
 - d. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;
 - e. Downloading copyrighted material;

- f. Using the network for private financial or commercial ~~gain~~-activities;
 - g. Wastefully using resources, such as file space;
 - h. Hacking or gaining unauthorized access to files, resources, or entities; uploading a worm, virus, or other harmful form of programming;
 - i. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
 - j. 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;
 - k. Posting material authored or created by another, without his/her consent;
 - l. Posting anonymous messages;
 - m. Using the network for commercial or private advertising;
 - n. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, bullying, or illegal material; and
 - o. Using the network while access privileges are suspended or revoked;
 - p. Promotion of political, personal, or religious causes in a way that presents such opinions as the view of the District;
 - q. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications;
 - r. Any other unacceptable uses as outlined in District Policy 3270.
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 electronic mail (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.
 - f. Consider all communications and information accessible via the network to be private property.
5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District 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 District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
 6. Indemnification – The user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District, relating to or arising out of any violation of these procedures.
 7. Security – Network security is a high priority. If the user can identify a security problem on the internet, the user must notify the system administrator, Internet Safety Coordinator, or building principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do 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.
 8. Vandalism – Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.
 9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
 10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the republishing of text or graphics found on the internet or on District 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. Printed 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 may not be considered 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.

11. Use of Electronic Mail.

- a. The District’s electronic mail system, and its constituent software, hardware, and data files, are owned and controlled by the District. The District 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 District 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 as 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. Electronic messages transmitted via the District’s internet gateway carry with them an identification of the user’s internet “domain.” This domain name is a registered domain name and identifies the author as being with the District. 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 District. Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.
- f. Any message received from an unknown sender via the internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any internet-based message is prohibited, unless the user is certain of that

message's authenticity and the nature of the file so transmitted.

- g. Use of the District's electronic mail system constitutes consent to these regulations.

Internet Safety

1. Internet access is limited to only those "acceptable uses," as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in District policy and procedures, and will otherwise follow District policy and procedures.
2. Staff members shall supervise students while students are using District 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 District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. Students must use the District's filtered network for all online activities on school grounds or using District equipment.
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 District policy and procedures for content posted using a District computer, network, or software and/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 District computer, network, or software may be subject to public records requests. Students may not disrupt the learning atmosphere, educational programs, school activities, and/or the rights of others.

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

Legal Reference: Children's Internet Protection Act, P.L. 106-55420 U.S.C. § 6801, et seq.
47 U.S.C. § 254(h) and (l)

Policy History:

Adopted on: 12/09/2013

Revised:

Clark County School District No. 161

STUDENTS

3275

District Provided Mobile Computing Devices [Students Allowed to Take Devices Home]

Clark County School District #161 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 District-issued mobile computing devices on and off District 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 or guardian if they are less than eighteen years of age.

The District may provide parent orientations on the mobile computing device program. A student's parents or guardians are encouraged to attend an orientation before the student takes a device home with them. The student will also be required to pay an insurance fee of \$25 before they may take the device home.

Parents or 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 District's device, network, and/or 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 District directs the Superintendent 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 Superintendent 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 District and are expected to observe the following precautions:

- No food or drink is allowed next to a device while it is in use;
- Insert and remove cords, cables and removable storage devices carefully;

- Shut down the device when not in use to conserve battery life.
- Stickers, drawings, or permanent markers may not be used on the device;
- Do not vandalize the devices or any other school property;
- Devices must never be left in any unsupervised area.
- Students are responsible for keeping their device's battery charged for school each day;
- Do not place anything near the device that could put pressure on the screen;
- Clean the screen with a soft, dry cloth or anti-static cloth;
- Devices should not be stored in a student's vehicle, or anyplace else subject to extreme temperatures;

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

Use at School

Devices are intended for use at 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. Repeat failures to comply with these requirements will result in disciplinary action.

If students leave their device at home, they may phone parents/guardians to bring them to school. Students without a device will use a computer in the classroom or a device from the lending pool depending upon availability 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 teachers' permission during class or breaks. All printing should be limited to educational purposes.

Personalizing Mobile Computing Devices

While at no time does the device become the personal property of students or staff; students may place individualized items on the device, which are limited to music, pictures, and other items that do not hinder the network or device functionality.

Students may be permitted to select their own screen savers and backgrounds provided they are appropriate. Screensavers, backgrounds, or other pictures containing guns, weapons, pornographic materials, inappropriate language, alcohol, drugs, gang related symbols or pictures, the student's password or other items deemed inappropriate by the administration will result in disciplinary actions.

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 such items may be accessed or viewed by District staff at any time, for any reason, including randomly selected device reviews. No content placed on District 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 Superintendent will set a procedure for where students and teachers should save important documents.

Students should also back up their work frequently using removable file storage or by e-mailing important document to themselves. 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 District 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 and/or school activities.

Students wishing to add 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 his/her device.

Inspection and Filtering

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

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 18 and older.

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 District policy is discovered, all files and the hard drive may be reformatted. Only authorized software will be installed. The District 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 District staff to ensure appropriate use. The District 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 District 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/or 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 district technology personnel/the building principal.

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

Cross Reference:	3270F	Internet Access Conduct Agreement
	3270P	Acceptable Use of Electronic Networks
	3270P2	Device Acceptable Use Policy

Legal Reference: I.C. § 33-1627 Online courses – mobile computing devices and teacher training
Technology Task Force Final Task Force Recommendations
Children’s Internet Protection Act, P.L. 106-55420 U.S.C. § 6801, et seq.
47 U.S.C. § 254(h) and (l)

Policy History:

Adopted on:12/09/2013

Revised on:

Clark County School District No. 161

STUDENTS

3275F

MOBILE COMPUTING DEVICE AGREEMENT

This Agreement is valid for the _____ 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 Clark County School District's policies regarding District-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.

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

User's Signature: _____ Date: _____

Address: _____

Status: _____ 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 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 loses 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/replacement cost.

I have read the District 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/her access privileges to the internet or use of a mobile computing device can be suspended or terminated,

that he/she will forfeit any fees paid for use of the device, and that he/she may face other disciplinary measures, regardless of whether the misuse was committed by him/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: _____

Policy History:

Adopted on: 12/09/2013

Revised on:

Clark County School District No. 161

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, ethnicity, 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. Any student may file a discrimination grievance using the procedure that follows this policy.

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 or intimidation should be directed to the District Title IX Coordinator or Superintendent. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, the District will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator and will be carried in all handbooks.

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

Legal Reference: I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on: 12/09/2013

Revised on: 02/10/2020

Clark County School District No. 161

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 District premises, or at any District sponsored activity, regardless of location including, but not be 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 impacts a District 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 Superintendent or Board.

Students or third parties may also be referred to law enforcement officials. Should the District or any of its' employees have reason to believe that a child under the age of eighteen (18) year 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.

The Superintendent is hereby directed to develop administrative procedures to implement this policy. 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.

Other References: Questions and Answers on Title IX and Sexual Violence, U.S. Department of Education Office for Civil Rights

Legal References:	I.C. § 16-1601 et seq.	Child Protective Act
	I.D.A.P.A. 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on: 10/13/2014

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3290

Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in the District. An employee, District agent, or student engages in sexual harassment whenever he/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:

- I. 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
- II. 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/Superintendent or administrator who will assist them in the complaint process. 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 District 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 District 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.

The District will make every effort to insure that employees or students accused of sexual harassment or intimidation are given an appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

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

An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross Reference: 3210 Uniform 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: 12/09/2013

Revised on: 02/10/2020

Clark County School District No. 161
STUDENTS

3290F

Sexual Harassment Reporting Form for Students

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 _____

Clark County School District No. 161

STUDENTS

3295

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

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, cyber bullying, or bullying by students, or third parties is strictly prohibited and shall not be tolerated in the District. This includes actions on school grounds and actions at locations outside of school grounds that can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

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 Superintendent or Board.

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

The Superintendent is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, as needed, and provisions to ensure notice of this policy is provided to students, and third parties. The Board shall review this policy annually.

Legal References: I.C. § 18-917 Hazing
 I.C. § 18-917A Student Harassment – Intimidation – Bullying
 I.C. § 33-205 Denial of School Attendance
 I.C. § 33-512 Governance of Schools
 I.C. § 67-5909 Acts Prohibited
 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
 34 CFR Part 106
 I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: 12/09/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3295P

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

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

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at inter-district and intra-district athletic competitions or other school events.
2. “District” includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district 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 district-sponsored activity or grade level attainment, i.e., 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, sexual orientation, physical characteristic, cultural background, socioeconomic status, ~~or~~ geographic location, familial status, or expression, or weight.
5. “Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:
 - a. Physically harming a student or damaging a student’s property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
 - c. Creating a hostile educational environment.

6. “Cyber bullying” includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs through the District’s computer network and the internet, whether accessed on campus or off campus, during or after schools hours or through any private electronic device done when the student is present at school. In the situation that cyber bullying originated from a non-school computer, but has been brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be severely disruptive of the educational process and/or in violation of District policy or state law. 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, or sexual orientation.
8. “Menacing” includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

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 is often very distressing for the victim and those who suffer harassment may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and/or complaints are dealt with allowing for as much confidentiality as can be provided while at the same time allowing for a thorough and appropriate investigation and reporting, where appropriate.

Policy Distribution

Information about this policy must be distributed to the school community. Faculty and staff will be reminded annually about the policy. Information about the policy will be included in student orientation material and in the student handbook. All new faculty and staff members will be given a copy of the policy as part of their orientation program. Policy information will include a discussion of cyber bullying.

Complaint Procedures

Building principals and the Superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, cyber-bullying or menacing. 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 he/she has been a victim of hazing, harassment, intimidation, bullying, cyber bullying or menacing in violation of this policy [shall] [is encouraged to] immediately report his/her concerns.

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

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

Step II The District 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 District official will arrange such meetings as may be necessary with all concerned parties within [five] 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 District 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 Superintendent.]

Step III If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within [10] working days after receipt of the Step II decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant's appeal within [10] 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. Such appeal must be filed within [10] working days after receipt of the Step III decision. The Board shall, within [20] working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the District'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 [10] 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. Direct complaints related to employment may be filed with the Idaho Department of Commerce & Labor, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation, bullying or menacing complaints and documentation will be maintained as a confidential file in the District office.

Cross Reference: 3210 Uniform Grievance Procedure

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments 34
CFR Part 106
I.C. § 18-917A Student Harassment – Intimidation - Bullying
I.C. § 67-5909 Acts Prohibited
Technology Taskforce: Final Taskforce Recommendations

Policy History:

Adopted on: 12/09/2013
Revised on: 02/10/2020

Clark County School District No. 161

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 Uniform 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: 12/09/2013

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3296

Bullying Awareness Week

The Clark County School District is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing or bullying by students, staff or third parties is strictly prohibited and will not be tolerated in the district. It is important that the students and parents have an awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause, which may include the increased risk of teenage suicide.

Therefore, the District hereby designates the first week of October of each year Bullying Awareness Week.

The Superintendent or designee shall designate certain activities for Bullying Awareness Week. The objectives for the activities for Bullying Awareness Week should include, but are not limited to:

1. Recognize that bullying is a serious issue that has damaging effects for our society such as the tragic school shootings which occurred on April 20, 1999 in Littleton, Colorado at Columbine High School.
2. Recognize that bullying is not an acceptable part of how we should treat each other
3. Teach students and staff the District's policy on bullying and the consequences
4. Help students and staff recognize that bullying behaviors have different forms
5. Recognize the tremendous leadership potential of our youth
6. Celebrate/recognize those who are making a difference in addressing bullying
7. Prepare for further work that needs to be done in the future

Cross Reference:	3210	Uniform Grievance Procedure
	3295	Hazing, Harassment, Intimidation, Bullying

Legal References:	20 U.S.C. § 1681, et seq.	Title IX of the Educational Amendments
	34 CFR Part 106	
	I.C. § 18-917A	Student Harassment--Intimidation--Bullying
	I.C. § 67-5909	Acts Prohibited

Policy History:

Adopted on: 04/14/2014

Revised on: 02/10/2020

Clark County School District No. 161

STUDENTS

3300

Drug Free School Zone

The Board recognizes that the misuse of drugs 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 dangerous controlled substances as so designated and prohibited by Idaho law;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. “look-alikes”;
- F. anabolic steroids;
- G. 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 District property, within the Drug-Free School Zone, or at any district-related event. Furthermore, the Superintendent 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 superintendent 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:

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Clark County School District No. 161

STUDENTS

3310

Gangs and Gang Activity

The Board is committed to ensuring a safe and orderly environment, where learning and teaching may occur void of physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs, defined below, shall be restricted from school grounds or school activities.

Definitions

“Gang”

Any group of three (3) or more persons, whether formal or informal, that has a common name or common identifying sign or symbol, associate together to advocate, conspire, or commit:

1. One or more criminal acts; or
2. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.

or;

As defined in I.C. 18-8502.

Students on school property or at any school-sponsored activity shall not:

1. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
2. Display tattoos which may be affiliated with any gang and/or representative of any gang;
3. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
4. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - A. Soliciting membership in or affiliation with any gang;
 - B. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - C. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
 - D. Engaging in violence, extortion, or any other illegal act or other violation of school property.

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: 3260 Student Dress

Legal Reference: I.C. 33-506 Organization and Government of Board of Trustees
I.C. 33-512 Governance of Schools
I.C. 18-8500 Idaho Criminal Gang Enforcement Act
I.C. 18-8502 Definitions
Stephenson v. Davenport Community Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

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Revised on:

Clark County School District No. 161

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. It is the desire of the District 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 District relating to use, possession or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). It is the philosophy of the District that the District will help those who desire to help themselves.

The District's desire is to create an environment where students feel safe from the many harmful influences that are prevalent in our society. For those students that 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 District having reasonable suspicion, the District will provide counseling to any such student and make recommendations for referral to appropriate agencies for screening and assessment. The parent or legal guardian of the student will be immediately notified and the District will cooperate with and work with the parent in the establishment of plan to assist the student in whatever means are deemed necessary and appropriate. Only persons on a "need to know" basis may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others.

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.

If the District 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 District may take whatever action deemed appropriate, including but not limited to, notifying the parent or legal guardian and notifying local law enforcement, suspension and/or expulsion. 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 he/she has used and/or is 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. Law enforcement will be called when deemed appropriate.

5. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to twenty (20) days and/or recommended for expulsion.
6. As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. The District will provide counseling services and any other services available to the student and/or the student's parents.
7. 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 or any other school property used by the student may be subject to search. 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 will be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

The District 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.

Cross Reference: 3370 Searches and Seizures
3330 Student Discipline
3340 Corrective Actions and Punishment.
3360 Discipline of Students with Disabilities

Legal Reference: I.C. § 33-210 Students using or under the influence of controlled substances
Drug Free Schools and Community Act of 1988 – PL 100-690 and all subsequent amendments

Policy History:

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Clark County School District No. 161

STUDENTS

3330

Student Discipline

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

- Habitual truancy.
- Incurability.
- Academic dishonesty.
- Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District.
- Conduct or presence of a student when the same is detrimental to the health and safety of other pupils.
- Using, possessing, distributing, purchasing, or selling tobacco products.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession.
- Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy.
- Using, possessing, controlling, or transferring a weapon in violation of the “Possession of Weapons in a School Building” section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s property.
- Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or any disruptive activity.
- Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing – For purposes of this policy, the term “hazing” shall have the meaning set forth in I.C. § 18-917.
- Initiations

- The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school.

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

- On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
- Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
- Traveling to and from school or a school activity, function or event; or
- Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with school purposes of an educational function.

Disciplinary Measures

Disciplinary measures include, but are not limited to:

- expulsion
- suspension
- detention, including Saturdays
- clean-up duty
- loss of student privileges
- loss of bus privileges
- notification to juvenile authorities and/or police
- restitution for damages to school property

No person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, shall be expelled for a definite period of time of at least one (1) calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with I.C. § 33-205 and Policy 3340.

Possession of a Weapon On School Property – Misdemeanor

No person shall possess a firearm or other deadly or dangerous weapon while on school property or in those portions of any building, stadium or other structure on school grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this state or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program or event regardless of location.

As used in this section of this Policy only:

- (a) "Deadly or dangerous weapon" means any weapon as defined in 18 U.S.C. section 930;
- (b) "Firearm" means any firearm as defined in 18 U.S.C. section 921;

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 District.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess, carry or store a weapon in a school building.

This section of this policy does not apply to:

1. law enforcement personnel;
2. Any adult over eighteen (18) years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his vehicle in an unobtrusive, nonthreatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students or school employees to and from school or a school activity;
4. A person or an employee of the school or District who is authorized to carry a firearm with the permission of the board of trustees of the District or the governing board.

Delegation of Authority

Each teacher, and any other school personnel when students are under his/her charge, is authorized to impose any disciplinary measure, other than suspension, or expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

Cross Reference:	3295	Hazing, Harassment, Intimidation, Bullying
	3340	Corrective Actions and Punishment
	4320	Disruption of School Operations
Legal Reference:	I.C. § 33-205	Denial of school attendance
	I.C. § 917	Hazing
	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
	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

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Clark County School District No. 161

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 and building administrators 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 their principals, 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 building administrator(s).

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 district 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.

Policy History:

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Clark County School District No. 161

STUDENTS

3340

Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

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

1. “Temporary Suspension” is the exclusion from school or individual classes for a specific period of up to five (5) school days.

The Superintendent or the Principal of any school may temporarily suspend any pupil 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 Superintendent or Principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Superintendent or Principal who suspended him or her on reasonable conditions prescribed by the Superintendent or Principal. The Board of Trustees 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 for an additional ten (10) school days. Only the Superintendent (or the Board) can extend an initial temporary suspension.
3. “Prolonged Temporary Suspension” is the exclusion from school or individual classes for an additional five (5) school days. Only the Board can extend a temporary suspension for an additional five (5) days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils’ health, welfare or safety.
4. “Expulsion” is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, who is corrigible, 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 pupils or who has been expelled from another school district in the State of Idaho or any other state. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five (5) days of the Board’s actions.

No pupil shall be expelled nor denied enrollment without the Board of Trustees having first given written notice to the parent or guardian of the pupil stating the grounds for the

proposed expulsion or denial of enrollment and the time and place where such parent or guardian may appear to contest the action of the Board. The notice shall also state the rights of the pupil to be represented by counsel, to produce witnesses and submit evidence on his own behalf, and to cross-examine any adult witnesses who may appear against him. Within a reasonable period of time following such notification, the Board of Trustees shall grant the pupil and his or her parents or 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 pupil and his or her parents or guardian to prepare their response to the charge.

5. “Discipline” constitutes all other 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 District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. If a student with a disabling condition accrues ten (10) or more days suspension per incident, the Child Study Team who has knowledge of the student’s disabling condition will determine if there is causal relationship between the disabling condition and the student’s misconduct. If such a relationship exists, the student’s educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student’s misconduct. The Board shall consult legal counsel before expelling any disabled student.

When a disabled student is acting in such a way that he/she poses a danger to himself/herself or to another student or property, or substantially disrupts his/her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The principal shall convene the Team for reviewing the student’s record before the student is readmitted to school and no later than the tenth (10th) day of suspension.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or state authorities, in order that such authorities may address the student’s needs.

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.

Cross Reference: 3330 Student Discipline
 3360 Discipline of Students with Disabilities

Legal Reference: 20 U.S.C. 1400, et seq. Individuals with Disabilities Education Act
 I.C. § 33-205 Denial of school attendance
 I.C. § 33-512 Governance of schools
 I.C. § 33-1630 Requirements for Harassment, Intimidation, and Bullying
 Information and Professional Development

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Clark County School District No. 161

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 (1) 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 or 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 or guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Superintendent.
4. Upon request of the parent or legal guardian, a review of the suspension shall be conducted by the Superintendent. At the review, the student and parent or legal guardian may appear and discuss the suspension with the Superintendent. After the meeting, the Superintendent shall take such action as appropriate. That action is final.
5. Students who are absent as a result of an out-of-school suspension do not have the right to make up the work missed.
6. The suspension of a student may be extended by the Superintendent and/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 school only by the Board, and only after the following due process procedures have been followed:

1. The student and parent or 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 (5) 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 or legal guardian by submitting a request showing good cause to the Superintendent at least two (2) school days prior to the date of the hearing as originally scheduled. The Superintendent 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.

Procedures for Suspension and Expulsion of Students with Disabilities

The District shall comply with the provisions of the IDEA when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures, except that the disabled student shall continue to receive education services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for ten (10) days of school per incident, regardless of whether the student's gross disobedience or misconduct is a manifestation of the student's disabling condition. Any special education student who has or will exceed ten (10) days of suspension may be temporarily excluded from school by court order or by order of a hearing officer if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or others. The student shall continue to receive educational services in accordance with the IDEA during such period of suspension.

A special education student 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 shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days in accordance with the IDEA.

Procedure History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3345

Use of Restraint, Seclusion and Aversive Techniques for Students

Conduct of Employees Directed Toward Students:

The use by appropriately trained District personnel towards or directed at any student of any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a District employee, that the conduct of the student has placed the student, the employee or any other individual in imminent danger of serious bodily harm.

The employee or any employee who is a witness to this event shall immediately seek out the assistance of the school's administration and if such administrator is not available a certificated or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior trained individual on seclusion or restraint shall take control over the situation.

Seclusion and/or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him/herself or to any other third person and/or if it is determined that the student is exhibiting extreme distress and/or at such time that appropriate administrative personnel have taken possession of the child and/or upon such time that the parent/legal guardian of the child has retaken possession of the child.

Regardless of employee training status, no District personnel shall use any form of aversive technique against any school student.

If a situation occurs where a properly trained District employee must use acts of restraint or seclusion against a school student, the following shall occur:

1. The employee shall immediately report to their building principal, in writing, the following information:
 - a. The date the event occurred
 - b. The circumstances leading to the event
 - c. The student involved
 - d. Other witnesses or participants to the event
2. The building principal shall notify the Superintendent's Office of the event, providing the Superintendent's Office with a copy of the report of events.
3. The building principal shall ascertain if any of the school's video equipment captured the event on a recording.

- a. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Superintendent's Office for the Superintendent's official records of the event.
4. The Superintendent or designee shall ascertain the special needs status of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not such events were consistent with or contraindicated due to the student's psychiatric, medical or physical condition(s).
5. The Superintendent or designee of the Superintendent shall notify the parent or legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.
6. The Superintendent or designee of the Superintendent shall provide the parent/legal guardian of the student with written notice of the event of restraint or seclusion of their student.
7. The Superintendent's office shall maintain documentation as to events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to state and federal regulations.

Training of School Personnel:

As part of the training and preparation of each certificated administrator, certificated teacher and in-building classified employee of the District, the following may occur:

1. Training to personnel as to proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and/or restraint, safe physical escort, de-escalation of student crisis situations and positive behavioral intervention techniques and supports.
2. Training of personnel in crisis/conflict management and emergency situations which may occur in the school setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting.
3. Techniques to utilize to limit the possibility of injury to the student, the employee and any other third party in the area.
4. Information as to the school's student seclusion areas in each respective school building to which the employee is assigned.
5. Training in CPR and basic first aid.
6. Provision of the employee with a copy of this policy.

It is a goal that all new employees are trained in the area of student restraint and seclusion during their first week of employment. However, this may not be able to occur due to realities of the operation of a school district. If an employee has not yet undergone training and a situation necessitating student restraint or seclusion occurs, and another properly trained employee of the

District is present at the event, the properly trained employee shall take the lead in addressing the student crisis.

Designated Locations:

Each school building for which students are present must have a building designated location for student seclusion.

It is the responsibility of the building's principal, or designee of the principal, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.

Appropriate supervision shall include an adult in the seclusion location which has continuous visual observation of the secluded student.

Definitions:

For the purposes of this policy, the following definitions shall apply:

Restraint – the immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through: chemical, manual method, physical or mechanical device, material or equipment.

Seclusion – involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believing that the he/she can leave or be prevented from leaving through: manually, mechanically or electronically locked doors that when closed cannot be opened from the inside; blocking or other physical interference by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.

Aversive Technique – physical, emotional or mental distress as a method of redirecting or controlling behavior.

Annual Review:

On an annual basis, the Superintendent or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and/or should be proposed to the District's board.

In conducting this annual review, such individual shall also review the reports of all events of seclusion and/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, whether additional training activities are necessary or if there is any weakness in the implementation of this policy that can be strengthened.

Cross Reference: 3360

Discipline of Students with Disabilities

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3350

Detention

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

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged, and/or the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member. Parents 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 the staff member or designee.

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3360

Discipline of Students with Disabilities

Code of Conduct Violations by Students with Disabilities, Resulting In Disciplinary Consequences of Ten (10) School Days or Less

ISBA recommends use of the guidelines developed by the Idaho Department of Education in its *Idaho Special Education Interim Manual*. As of the development of this amended policy, the most recent version of this manual is September 2005. Please refer to Chapter 12, Discipline, of the manual. The manual can be found on the internet by going to the Special Education section of the State Department website or by accessing the following link: <http://www.sde.idaho.gov/sped/files/shared/Idaho-Special-Education-Manual-2018-Final.pdf>

Procedure History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3365

Student Sex Offenders

Definition

A Student Sex Offender is defined as a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

Notification to School District

The Superintendent of Public Instruction is required by state law to notify a school district or private school regarding the enrollment of a registered juvenile sex offender. The Superintendent of Public Instruction is also required to notify the district or school of the offender's probationary status or treatment status, if known. The Superintendent of the district or his designee shall make contact with the State Department of Education in order to receive regular updates of this information.

Educational Placement

The Superintendent of the district or his designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent or his/her designee shall consider such factors as the safety and health of the student population. The Superintendent or designee shall develop guidelines for managing each student sexual offender in District schools. If the Superintendent or designee determines that, in the best interest of District schools, the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Convicted juvenile sex offenders shall not attend a school attended by their victims or a victim's sibling. The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a District school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Staff

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community. However, each circumstance involving a student probationary juvenile offender attending a District school shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any

acts of harassment or vigilantism against the student. Although federal and state laws and rules permit the release of information concerning a student registered sex offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Legal Reference: I.C. §18-8402 Findings
 I.C. §18-8403 Definitions
 I.C. §18-8408 Providing List To Superintendent Of Public Instruction
 I.C. § 18-8412 Exemption from Civil Liability
 I.C. §18-413 Penalties for Vigilantism or other misuse of information
 I.C. §33-205 Denial of School Attendance

Procedure History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3370

Searches and Seizure

To maintain order and security in the schools, 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 as well as 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 the student, without notice or consent of the student. This applies to student vehicles parked on school property. Building principals may require each high school 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 Superintendent 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 or 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 is reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating the law or the District'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.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District'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: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3370P

Searches and Seizure

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

1. The Superintendent, 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 to believe 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 District, 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/her possession, which constitutes an imminent danger to the property of any person or the District, 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. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness, and a written record of the time, date and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.
7. 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.
8. 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 to and comply with the directions of any public law enforcement agency.

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3380

Extracurricular and Co-Curricular Participation Policy

Extracurricular or co-curricular activities are supplements to the regular instructional programs and afford students opportunities for enrichment. **However, participation in extracurricular and co-curricular activities is a privilege, not a right.** I.C. § 33-512(12). As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

General Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

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

“Co-Curricular Activities” are district and/or school authorized activities held in conjunction with an accredited class, but taking place outside of the regular school day including, but not limited to, debate, drama, drill team, band or choir.

“Activity Suspension or Suspension from Extracurricular or Co-Curricular Activities” means that suspended students shall not travel, dress in uniform, associate or participate with the team or group at its scheduled event(s). Suspended students may be allowed to participate in practices/meetings; however, the principal or designee may deem it necessary for students to be withheld from practices/meetings for the duration of the suspension.

“Controlled Substances” include, but are not limited to opiates, opium derivatives, hallucinogenic substances, including cocaine, and cannabis and synthetic equivalents or the substances contained in the plant, any material, compound mixture or preparation with substances having a depressant effect on the central nervous system, and stimulants.

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

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

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

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

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

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

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

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

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

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

“School Days” include only those days when school is in session. [Eligibility](#)

Requirements for Extracurricular and Co-Curricular Participation

To be academically eligible a student must be enrolled full-time in his/her school (four classes or more), on target to graduate and have received passing grades in the required number of courses during the previous reporting period (IHSAA Rule 8). If a Clark County student receives one or more F's at the end of a semester, or has an accumulative grade point average of less than 2.0, that

student will be ineligible throughout the next semester. Previous semester grades will be checked at the beginning of each activity season.

There will be a current grade check at the beginning of each sport season and two weeks before other activity events take place. Current grades will also be checked each Monday thereafter throughout the duration of the season or activity.

Students will be responsible to turn in a completed grade check form at the end of the first school day of each week.

1. If a student is passing all classes with 70% or above, he/she has unrestricted eligibility.
2. If a student is not passing all classes with 70% or above, he/she is immediately put on academic probation. They must attend an assigned study group after school, or Friday school, to remain eligible to practice or play.
3. After, the next weekly grade check,
 - a. If the student is passing with 70% or above they will again have unrestricted eligibility.
 - b. If the student is not passing with 70% or above they will remain on academic probation and must continue to attend an assigned study group after school, or Friday school. They will be eligible to practice, but not participate in games, performances, etc.
4. After, the next weekly grade check,
 - a. If the student is passing with 70% or above they will return to unrestricted eligibility.
 - b. If the student is not passing with 70% or above they must continue to attend an assigned study group after school, or Friday school, and will become ineligible to practice or play

Summary:

- 1st week below 70%-academic probation-attend study group-can practice & play
- 2nd week below 70%-academic probation-attend study group-can practice but not play.
- 3rd week below 70%-ineligible-attend study group-cannot practice or play

Coaches may have stricter rules if they are reasonable and approved by the administration.

Extracurricular or Co-curricular Activity Suspension

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

At the beginning of each semester, teachers or coaches of co-curricular courses will identify for students how participation in the co-curricular activity impacts their course grade. Co-curricular students who are suspended as a result of this policy will have the co-curricular course grade affected only if the reason for the suspension was related to course work or course expectations. Students who miss a co-curricular activity because of a suspension may ask to do, or be required to do, alternative assignments or special projects to make up the missed activity.

I. Activity Suspension as a Result of a School Suspension

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

Consequences:

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

II. Activity Suspension for Repeated Minor Infractions or a Major Infraction During an Activity

CODE OF OFFENSES AND CONSEQUENCES

Scope of Code: This code shall apply to all students participating and/or representing the Clark County School District and will be in effect throughout the calendar year.

Reporting of Infractions: All infractions will be investigated.

Issuing and Appealing the Accusation and Consequences:

1. An Activities Review Committee shall review infractions covered by the Activities Code of Conduct and issue appropriate consequences.
2. The Activities Review Committee shall be composed of the Athletic/Activities Director, the Coach/Advisor of that activity, the ASB President, one Student not involved in the activity and one Faculty member selected by the student.
3. The Review Committee will be convened as quickly as possible and will reach a decision by the end of the hearing.
4. Co-curricular students may appeal a decision by the Activities Review Committee to the Activity Appeals Board. The Activity Appeals Board will consist of the Superintendent, one member of the Board of Trustees, one Teacher not involved in the Activity, one Parent not involved in the activity and one Student not involved in the activity.
5. The student must submit a request for a hearing by the Activity Appeals Board in writing to the principal within three school days of his/her notification that he/she is to be punished under the rules of the Activity Code.

Areas Covered by the Activity Code:

1. Criminal misconduct when determined by a court of law.
2. Possession, use or sale of tobacco, alcohol, or controlled substance (drugs).
3. Misuse or abuse of over the counter drugs or inhalants of any kind.
4. Attendance at a function where alcohol and drugs are being illegally used shall be a violation of this code if the student does not leave immediately.
5. Possession, use or sale of legend drugs (cocaine, marijuana, steroids and misuse of prescription drugs).
6. A participant shall not engage in conduct detrimental to the group or school; i.e., language, misconduct, endangerment to others, etc.
7. A participant will follow all eligibility rules including academics and school attendance.

Consequences for infractions:

A. Category I: Language, eligibility rules, misconduct while representing the school, etc.

First infraction – Activities Review Committee will set the consequences up to 30 calendar day suspension from all activities.

Second infraction – Activities Review Committee will set the consequences up to the remainder of the season but not less than 30 calendar days.

Third infraction – Activities Review Committee will set the consequences up to the remainder of the school year but not less than one full season.

Fourth infraction – Suspension from all participation for the district for one full calendar year from the date of the infraction.

B. Category II: Drugs, alcohol, endangerment to others, court convictions, etc.

First infraction – Activities Review Committee will set the suspension consequences but not less than 30 calendar days. When participants are removed from a team/activity for possession of or use of alcohol or drugs, they must meet with the alcohol/drug counselor for an assessment. If additional counseling or other action is recommended by the alcohol/drug counselor, the athlete is required to complete those recommendations as a condition for being allowed to participate on an athletic team or school activity.

Second infraction – Activities Review Committee will set the suspension consequences but not less than the remainder of the school year or 90 calendar days.

Third infraction – Suspended from participation in all activities for the remainder of the student's high school career.

Infractions and consequences for violators in grades 9-12 will begin at the start of their freshman year and will accumulate through their senior year.

Infractions and consequences for participants' in grades K-8 will be on a year to year basis. Records will be erased at the end of his/her eighth grade year.

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

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

IV. Informal Hearing Process

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

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

Unless other travel arrangements are authorized before the trip begins, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin

in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is in extenuating circumstances, such as an injury that requires a student to be taken by private vehicle or ambulance for medical attention, the activity advisor will communicate with the Clark County Sheriff's Office that said student will not be on the bus.

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

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

If a student causes a disruption or hazard on the bus, a hearing will be held with the principal, driver, instructor\coach\ or adult sponsor, parent/guardian and student. The driver, instructor\coach\ or adult sponsor, parent/guardian and the student will have the opportunity to share with the principal their perceptions of the problem. If the principal finds that there has been an infraction of bus rules, he will take the following action:

1. On the first infraction, the student will be warned that following any further infraction he/she will be declared ineligible for transportation to the extracurricular or co-curricular activities for one event.

2. On the second infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activity for two events.

3. On the third infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activities for the remainder of the semester.

Based on the severity of the problem as it relates to respect and safety for others, the principal may bypass step #1 and/or step #2 above and immediately declare the student ineligible for transportation for two weeks or for the remainder of the semester.

VI. Appeal Process

1. This appeal process may be used by students and their parent/guardian only in those instances where an activity suspension or transportation to an extracurricular or co-curricular activities exceeds nine (9) school days.
2. The parent/guardian must request an appeal in writing within two (2) school days from the notification of the activity suspension decision.
3. The Superintendent will appoint a three-member panel composed of certificated staff members who have not been involved in the disciplinary action in question. The hearing panel will notify the student and the parent/guardian of the date, location, and time of the hearing; the student will have an opportunity to present additional evidence regarding the circumstances of the suspension or reasons to reduce the length thereof. The appeal must be scheduled within five (5) school days of the request.
4. If the panel determines that the evidence reviewed at the appeal supports the suspension,

the suspension of the student from extracurricular and/or co-curricular activities shall be continued.

5. The student and the parent/guardian will be notified in writing of the panel's findings and determination with respect to the student suspension from extracurricular and/or co-curricular activities within two (2) school days of the panel's decision.
6. The panel's determination is final, and is not appealable to the Superintendent or Board of Trustees.

VII. Elementary Students

Students in kindergarten through sixth (K-6) grade who are in violation of this policy may have the length of the activity suspension reduced by the principal or other authorized administrator.

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3390

Extra- and Co-Curricular Chemical Use Policy

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

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

Policy Coverage

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

Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Infractions and consequences for participants' in grades K-8 will be on a year to year basis. Records will be erased at the end of his/her eighth grade year. Violations are cumulative, through the student's period of attendance in grades 9-12. The Administration shall publish the participation rules annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

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

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

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

Policy History:

Adopted on: 4/14/2014

Revised on:

Clark County School District No. 161

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 or to administrative rules and regulations.
- 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. Attendance at high school social events and dances shall be limited to high school students, and middle school social events shall be limited to middle school students, unless prior permission is received from the principal.

3. Extracurricular Activities

- a. Academic and behavior eligibility rules are established by Idaho High School Activities Association (IHSAA) rules and District policy.
- b. Any student convicted of a criminal offense may, at the discretion of school officials, become ineligible for such a period of time as the school officials may decide.
- c. In establishing an interscholastic program, the Board directs the administration to:
 - i. Open all sports to all students enrolled in the District with an equal opportunity for participation.
 - ii. Recommend sports activities based on interest inventories completed by the students.

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161**STUDENTS****3420**Student Fund Raising Activities

The Board acknowledges that the solicitations of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose, including the collection of money by students in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may be permitted by the Superintendent providing that the instructional program is not adversely affected.

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3430

Distribution of Fund Drive Literature Through Students

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of the District to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered when recognized student or school-affiliated organizations of the District request permission to participate in such activity.

Cross Reference: 4310

Contact with students

Policy History:

Adopted on: 04/14/2014

Revised on:

Clark County School District No. 161

STUDENTS

3440

Student Fees, Fines, and Charges/Return of Property

The District shall charge no fee for any course for which academic credit is awarded.

A student may be charged a reasonable fee for any non-credit course or non-curricular activity such as an extra-curricular activity, student-activity, or membership in a voluntary club or association. The Board may waive the fee in cases of financial hardship.

The Board delegates authority to the Superintendent to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the Board regarding fee schedules.

Additional fees may be charged for “enhanced programming and materials” which are voluntary enrichments to the curriculum beyond what is necessary to meet the learning expectations for a particular grade or course (i.e. students may wish to use a superior product or consumable than that provided by the school, in which case they may be asked to pay the additional cost for the upgrade).

A student shall be responsible for the cost of replacing materials or property lost or damaged due to negligence. If school property in a student’s possession is lost, broken, or otherwise damaged, the student may be charged the lesser of the fair market value of the item at the time or the cost of repair.

The District may require, as a condition of graduation, issuance of a diploma or certificate, or issuance of a transcript, that all indebtedness incurred by a student be satisfied, or that all books or other instructional material, uniforms, athletic equipment, advances on loans, or other personal property of the District be returned.

Legal reference: I.C. § 33-603 Payment of Fees or Returning of Property

Policy History:

Adopted on: 04/14/2014

Revised on: 05/09/2016

Clark County School District No. 161

STUDENTS

3450

Student Vehicle Parking

Students are permitted to park on school premises as a matter of privilege, not of right. Patrols and inspections may be conducted without notice, without student consent, and without a search warrant. Students are required to unlock vehicles for reasonable inspection when required to do so by an administrator. Failure to cooperate may result in the loss of permission to drive a vehicle onto campus, in-school suspension or short-term suspension from school. In cases involving drugs, alcohol or firearms, the local sheriff or police may be called.

Students will be permitted to park their vehicle in the school parking lot provided they have:

- a. Current vehicle insurance policy;
- b. Driver's license; and
- c. Vehicle registration.

Additional parking requirements include:

1. The Clark County School District assumes no responsibility of automobiles left in the lot overnight.
2. The Clark County School District is not responsible for theft or damage to automobiles parked in the student parking lot.

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3500

Student Health/Physical Screenings/Examinations

The Board may arrange each year for health services to be provided to all students. Such services may include, but not be 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. Consulting services of a qualified specialist for staff, students, and parents.
3. Vision and hearing screening.
4. Scoliosis screening.
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.

In general, the District will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. 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 District is conducted which is:

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

Parents or eligible students will be given the opportunity to opt out of the above-described non-emergency, invasive physical examination or screening.

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 District policies, rules, and regulations.

All parents will be notified of the requirements of the District'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.

Legal Reference: General Education Provisions Act, 20 U.S.C. 1232h(b) Policy

History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3505

Concussion Protocol

Many students within Clark County School District, No. 161 participate in extra- curricular activities of a nature whereby physical injury may result. Though the District takes care to ensure all extra-curricular activities are as safe as practicable, it is not possible to remove all danger from such activities, and the District acknowledges that concussions may result. The purpose of this policy is to address situations in which student concussions have occurred or are suspected to have occurred.

This policy only applies to organized athletic league or sport in which any District student participates as an athlete or youth athlete. For the purposes of this policy, athlete or youth athlete means an individual who is eighteen (18) years of age or younger and who is a participant in any middle school, junior high school, or high school athletic league or sport. A school athletic league or sport shall not include participation in a physical education class.

Pre-Season Education

The Administration and coaches will work to ensure that athletes, youth athletes, parents, volunteers, and assistant coaches are educated about concussions. Prior to being allowed to engage or participate in any school athletic league or sport:

1. Each student desiring to participate in such school athletic league or sport, and the student's parents or guardians, shall be provided notice of and/or copies of any concussion guidelines or information available from the State Department of Education and the Idaho High School Activities Association, and also this policy.
2. Each student desiring to participate in such school athletic league or sport, and the student's parents or guardians, shall acknowledge that they have been provided the guidelines or information available from the State Department of Education and the Idaho High School Activities Association, as well as this this policy, and have had the opportunity to review and have reviewed such information. Further, each student and the student's parents or guardians shall sign an applicable waiver for participating in such school athletic league or sport.
3. The signed waiver and acknowledgment of review of the appropriate information shall be returned to the District.
4. Coaches, referees, game officials, game judges and athletic trainers shall be provided with a copy of notice any concussion guidelines or information available from the State Department of Education and the Idaho High School Activities Association, and also this policy. All coaches, referees, game officials, game judges, and athletic trainers shall review such information upon employment and biannually thereafter. This information

will also be made available to the general public through the District website. **[Optional:** Records of these activities will be maintained by the District.]

5. As part of any required pre-athletic league or sport participation medical examination or physical, the medical provider performing the examination shall check for signs of previous concussions. Such medical provider shall indicate whether signs of previous concussions are indicated, and whether the student should or should not be allowed to participate in the school athletic league or sport.

Athletes will not be allowed to participate in school athletic leagues or sports until the above requirements are met.

Protocol on Suspected Concussion

If, during any school athletic league or sport practice, game, or competition, an athlete exhibits signs or symptoms of a concussion, makes any complaint indicative of a possible concussion, or a coach, assistant coach, volunteer coach, or other school District employee has reason to believe a concussion has occurred, such student shall be removed from play or participation in the practice, game, or competition. According to the Centers for Disease Control and Prevention, and for the purposes of this policy, signs observed by coaching staff which could be indicative of a concussion include if the athlete:

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (*even briefly*)
- Shows mood, behavior, or personality changes
- Can't recall events *prior* to hit or fall
- Can't recall events *after* hit or fall

According to the Centers for Disease Control and Prevention, and for the purposes of this policy, symptoms reported by the athlete which could be indicative of a concussion include:

- Headache or “pressure” in head
- Nausea or vomiting
- Balance problems or dizziness

- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Does not “feel right” or is “feeling down”

Coaches should not try to judge the severity of the injury themselves. Health care professionals have a number of methods that they can use to assess the severity of concussions. Coaches should record the following information, if possible, to help health care professionals in assessing the athlete after the injury:

- Cause of the injury and force of the hit or blow to the head or body
- Any loss of consciousness (passed out/knocked out) and if so, for how long
- Any memory loss immediately following the injury
- Any seizures immediately following the injury
- Number of previous concussions (if any)

Athletes may not be returned to play or participate in any student athletic league or sport (except on an administrative basis, such as team manager), until and unless the athlete has been evaluated and is authorized to return to play or participate by a qualified health care professional who is trained in the evaluation and management of concussions, including a physician or physician’s assistant licensed under chapter 18, title 54, Idaho Code, an advanced practice nurse licensed under Idaho Code 54-1409, or a licensed health care professional trained in the evaluation and management of concussions who is supervised by a directing physician who is licensed under chapter 18, title 54, Idaho Code. Such authorization must be in writing and must be provided to the District prior to the student being returned to play. If the authorization is signed by a licensed health care professional trained in the evaluation and management of concussions, such authorization must also be countersigned by the directing physician.

Legal Reference: I.C. § 33-1625 Youth athletes – concussion and head injury guidelines
Title 54, Chapter 18 Idaho Code

Other Reference: <https://idhsaa.org/concussion>
<https://www.cdc.gov/headsup/index.html>
https://www.cdc.gov/headsup/basics/concussion_symptoms.html

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3505F1

ACKNOWLEDGMENT OF RECEIPT OF CONCUSSION GUIDELINES

Parent's/Guardian's Signature

I, (print name) _____, acknowledge that I am the parent or guardian of the student (below), that I have received from the District information related student athlete concussions, including information from the State Department of Education, the Idaho High School Activities Association, and District Policy 3505, and have had the opportunity to review and have reviewed such information. I understand that participation in school athletics leagues or sports is dangerous, and hereby agree to waive all liability against Clark County School District, No.161, its employees, agents, and trustees, related to any injury or damages that my student may experience or incur as a result of participation in such school athletics leagues or sports.

Signature

Date

Student's Signature

I, (print name) _____, acknowledge that I am a student of Clark County School District, No.161, or otherwise am allowed to participate in school athletics leagues or sports, that I have received from the District information related student athlete concussions, including information from the State Department of Education, the Idaho High School Activities Association, and District Policy 3505, and have had the opportunity to review and have reviewed such information. I understand that participation in school athletics leagues or sports is dangerous, and accept the risk of the potential consequences of such dangers.

Signature

Date

NOTE: Both signature lines must be filled in and this form must be provided to the District prior to the student athlete participating in any school athletic leagues or sports.

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3505F2

AUTHORIZATION TO RETURN TO PLAY OR PARTICIPATE IN STUDENT SPORTS

I hereby state that I am a:

____ Physician licensed pursuant to chapter 18, title 54, Idaho Code.

____ Physician's assistant licensed pursuant to chapter 18, title 54, Idaho Code.

____ Advanced practice nurse licensed under section 54-1409, Idaho Code.

____ A licensed health care professional trained in the evaluation and management of concussions who is supervised by a directing physician licensed under chapter 18, title 54, Idaho Code. My directing physician is_____, and his/her license number is_____, and address is_____.

I further state that I have met with_____ (hereinafter referred to as "student athlete") to evaluate the student athlete for a concussion. I have discussed with the student athlete the potential ramifications of continuing to play sports after having received a concussion or exhibiting concussion like symptoms. I am satisfied that the student athlete can return to play and/or participate in school athletic leagues or sports without significant likelihood of danger or injury, and I therefore authorize student athlete to return to play and/or participation in school athletic leagues or sports.

Signature

Date

License No.

Address

Signature of Directing Physician
(if signed by a Licensed Health
Care Professional)

Date

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3510

Administering Medicines to Students

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

1. May assist in the self-administration of any drug that may lawfully be sold over the counter without a prescription to a pupil in compliance with the written instructions, if the pupil's parent or guardian consents in writing.
2. May assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a practitioner, if the pupil's parent or guardian consents in writing.

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. 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.

Administering Medication

The Board will permit the administration of medication to students in schools in its jurisdiction. Pursuant to the written authorization of a physician or dentist, as well as the written authorization of a parent or guardian, the school nurse (who has successfully completed specific training in administration of medication) may administer medication to any student in the school or may delegate this task pursuant to Idaho law.

Emergency Administration of Medication

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or delegate may administer emergency oral and/or injectable 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 (I.C. § 54-1401 et seq.) who has completed training in administration of medication, may give emergency medication to students orally or by injection. 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-Administration of Medication

Students who are able to self-administer specific medication may do so provided:

1. A physician or dentist provides a written order for self-administration of said medication;
2. There is written authorization for self-administration of medication from the student's parent or guardian; and
3. The principal and appropriate teachers are informed that the student is self-administering prescribed medication.

Self-Monitoring and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent or 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.

Self-Administration of Asthma Medication or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication or epinephrine auto-injectors, if a parent or legal guardian chooses to have his or her child self-medicate:

1. The parents or guardians of the pupil shall provide to the Board or designee written authorization for the self-administration of medication.
2. The parents or guardians of the pupil shall provide to the Board or designee written certification from the physician of the pupil that the pupil has a severe allergic reaction (anaphylaxis), asthma, or another potentially life-threatening respiratory illness 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, Policy 3515 Food Allergy Management, and any related procedures shall be followed. For students with a severe allergic reaction, asthma, or another potentially life-threatening respiratory illness, 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. A list of the child's asthma triggers or allergies.

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 Medication

The Board or Board designee will inform the parents or guardians of the pupil in writing that the District 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 District, 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 District, its employees, or its agents, or in the absence of such nurse, to the school administrator.

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

As used in this section:

1. "Medication" means an epinephrine auto-injector, a metered dose inhaler, or a dry powder inhaler or 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 a 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 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 Medications

All medications, including those approved for keeping by students for self medication, 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, name of student, medication name, dosage, and 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
5. 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 forty-five (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 (7) day period of notification by school authorities will be destroyed by the school nurse in the presence of a witness

Legal Reference: I.C. § 33-520	Policy Governing Medical Inhalers or Epinephrine Auto-Injectors
I.C. § 54-1401	Purpose- License Required-Representation to the Public

Policy History:

Adopted on: 05/12/2014

Revised on: 10/13/2014

Clark County School District No. 161

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 District 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

Clark County School District No. 161**STUDENTS****3510F2**

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, Board of Education, Board of Education 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 Board of Education, Board of Education 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_____
Principal's Signature_____
Date of Agreement

Clark County School District No. 161

STUDENTS

3515

Food Allergy Management

Food-allergic reactions can develop into severe or life-threatening reactions and, even with proper treatment, can be fatal. A student's ability to learn may be drastically altered by their fears of a reaction. The Board will endeavor to provide a safe and healthy environment for students with severe and life-threatening food allergies and to address food allergy management in District schools in order to:

1. Reduce the likelihood of severe or potentially life-threatening allergic reactions;
2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction; and
3. To provide students, through necessary accommodations, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

Food allergy management will focus on prevention, education, awareness, communication, and emergency response.

District and school administrators, will endeavor to be knowledgeable about and follow all applicable federal laws, including the Americans with Disabilities Act, Section 504, Individuals with Disabilities Education Act, and the Family Educational Rights and Privacy Act, as well as all State laws and District policies and guidelines that may apply to students with allergies. Administrators or their designees may make all of the appropriate allergy forms available to parents, explain the procedures for completing and returning them, and ensure that all forms and health records submitted by parents and physicians are reviewed by the appropriate personnel. Administrators and school nurses may also meet with parents and listen to their needs and concerns.

When a student has been identified as having food allergies verified by a physician, nurse practitioner, or physician assistant, individual written management plans may be used to determine accommodations to be made on a daily basis to prevent and prepare for an allergic reaction. An emergency care plan may be used to provide direction in the event of a life-threatening allergic reaction at school or at a school event. Key staff members may be trained to use emergency medications and may be notified of the location of those medications at school and at any special function.

The Superintendent or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, may develop administrative regulations to implement this policy, including regulations pertaining to all classrooms and instructional areas, school cafeterias, outdoor activity areas, school buses, field trips, and school activities held before or after the school day.

Administrative regulations may address the following components:

1. Identification of students with food allergies and provision of school health services;
2. Development and implementation of individual written management plans;
3. Medication protocols, including methods of storage, access, and administration;
4. Development of a comprehensive and coordinated approach to creating a healthy school environment;
5. Ensuring that the needs of children with documented allergies are taken into consideration in planning for District programs;
6. Communication and confidentiality;
7. Emergency response;
8. Professional development and training for school personnel;
9. Awareness education for students and parents/guardians;
10. Training for District staff and volunteers; and
11. Policy monitoring and evaluation.

Allergy-related policies, protocols, and plans may be updated annually or after any serious allergic reaction occurs at school or at a school-sponsored activity.

The Superintendent or designee may annually notify students, parents/guardians, staff, and the public about the District's food allergy management policy by publishing such in handbooks and newsletters, on the District's website, through posted notices, or other efficient methods.

Students with allergies will be treated in a way that encourages the student to report possible exposure to allergens and any symptoms of an allergic reaction and to progress toward self-care with his or her food allergy management skills. Allergy-related bullying will not be tolerated.

The parent/guardian is expected to provide an adequate supply of the medication to be dispensed, and to retrieve any unused medication at the end of the school year or at the withdrawal of the student. Medication that is not retrieved by the parent/guardian by the student's last day of attendance during the school year will be disposed of by the District. This disposal will be verified by two people.

Cross Reference:	2400	Special Education
	2410	Section 504 of the Rehabilitation Act of 1973
	3510	Administering Medicines to Students
	3510F1	Authorization for Self-Administered Asthma/Emergency Medication
	3510F2	Indemnification/Hold Harmless Agreement for Self- Administration of Medication

Policy History:

Adopted on: 05/09/2016

Revised on:

Clark County School District No. 161

STUDENTS

3515P

Food Allergy Management

Medical Plans of Care

There are several written documents individualized for a particular student with a severe or life-threatening food allergy which may be used to address the student's needs throughout the school day. These may be developed with input from a core team, which may include the student (if appropriate), the student's parent/guardian, the principal or his or her designee, the student's teacher, the school nurse, the cafeteria manager, the counselor, transportation staff, coaches, and other personnel deemed necessary to make decisions about food allergies. Medical plans of care may include the:

Emergency Care Plan: A medical plan of care distributed to all school personnel who have responsibilities for the care of the student. This plan specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed. In the event the student reports exposure to a food allergen or shows symptoms of anaphylaxis, he or she may be treated according to the Emergency Care Plan. This plan may be developed from information provided by the student's physician and parent/guardian prior to the student's entry to school, or immediately after the student is diagnosed with a severe allergy. Similar plans may also be developed for staff members with severe allergies.

Individualized Healthcare Plan: A medical plan of care that may be developed by the school nurse in collaboration with the student's health care provider and core team to provide written direction for school personnel to follow in accommodating the student's needs throughout the day. It may address conduct and use of allergen-containing products in the classroom, the cafeteria, the library, at recess, on field trips, during extracurricular activities, and in other environments the student will face during the school day or during District-sponsored activities. The plan may describe functional problem areas, set goals for overcoming problems, list tasks or interventions to meet the goals, and identify staff members responsible for implementing the plan. This plan may be developed prior to the student's entry to school or immediately after the student is diagnosed with a severe or life-threatening allergy. Input from the core team may be sought before changes are made to this plan. Similar plans may also be developed for staff members with severe allergies.

If a student's severe or life-threatening allergy is determined to be a disability, it may also be addressed in a Section 504 Service Agreement and/or in the Related Services Component of their Individualized Education Program (IEP).

A complete set of a student's current medical plans of care related to food allergies may be maintained by the school nurse. The Superintendent or building principal may also require that copies of the Emergency Care Plan be kept in other places where they may be needed, such as with epinephrine auto-injectors kept in other places in the school.

The school nurse may provide information or copies of the different components of a student's medical plans of care to appropriate personnel, including teachers, cafeteria staff, District staff supervising school-sponsored extracurricular activities, and others who may be involved in the implementation of the medical plans of care. Such information may be provided to substitute teachers along with contact information for the school nurse.

Students With Disabling Special Dietary Needs

When a student's food allergy is identified, evaluated, and determined to be a disabling condition, the District shall make appropriate accommodations, substitutions, or modifications for such students in accordance with the applicable policies relating to students with disabilities.

In such cases, the student may be required to have a written medical statement signed by a licensed physician to be included with the student's Individualized Healthcare Plan. The medical statement may identify:

1. The student's special dietary disability;
2. An explanation of why the disability restricts the student's diet;
3. The major life activity(ies) affected by the disability;
4. The food(s) to be omitted from the student's diet; and
5. The food or choice of foods that must be provided as the substitute.

Students With Non-Disabling Special Dietary Needs

The District may, at its discretion, make appropriate accommodations, substitutions, or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision may be required to have a written medical statement signed by a physician, physician assistant, or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet;
2. The food(s) to be omitted from the student's diet; and
3. The food or choice of foods to be substituted.

Allergy In-Service Training

The District may provide periodic training to teachers, aides, volunteers, substitutes, food service personnel, transportation personnel, and others as needed on any of the following topics:

1. Basic information such as signs, symptoms, and risks associated with food allergy and anaphylaxis;
2. Awareness of food and non-food items that might present risk;
3. Strategies that reduce risk of exposure to identified allergens throughout the school day;

4. Designation and maintenance of allergen-free zones;
5. Basic food handling procedures, including hand washing, avoiding cross-contamination, and cleaning surfaces;
6. District and school level policies, procedures, and plans for managing students with chronic health conditions including allergies;
7. How to respond in the case of a possible severe or life-threatening allergic reaction;
8. Local emergency medical service procedures;
9. Proper storage and administration of epinephrine auto-injectors, antihistamines, and other medications;
10. Strategies to manage student privacy and confidentiality while maintaining an inclusive class environment; and
11. How to deal with food allergy-related bullying.

Epinephrine and Other Medications

Students with severe allergies may be permitted to carry an epinephrine auto-injector with them, in accordance with Policy 3510. A student's epinephrine may also be kept in other locations where it would be easily accessible for the student, such as in their classroom, with a District employee supervising lunch or recess periods, or on their bus. Locations for storage will follow the manufacturer's guidelines. Staff may be notified of the locations of epinephrine in the school. The Superintendent or building principal may require that whenever students are present at a school, at least one person who has been trained to administer an epinephrine auto-injector also be present.

The Clark County School District may choose to keep stocks of epinephrine at its schools to be used in emergencies for students with unknown allergies who develop an anaphylactic response and for those students with known allergies if their personal emergency medication is found to be flawed. This epinephrine may be kept in a place that is accessible at all hours when school is in session.

Any student who receives epinephrine at school must be immediately transported to a hospital for evaluation by a licensed healthcare provider and further observation or immediately released into the care and custody of their parent(s)/guardian(s).

The Cafeteria

The Superintendent or building principal may require that cafeteria staff take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Prohibit specific foods;
2. Clean and sanitize kitchen surfaces and equipment to avoid cross contamination with potential food allergens;
3. Wear non-latex gloves, and change or wash gloved hands during extended use to avoid cross-contamination with potential food allergens;
4. Have photos of students with severe or life-threatening allergies placed in the kitchen, only for kitchen staff to view;
5. Make appropriate substitutions or modifications to meals served to students with serious

- allergies;
- 6. Be prepared to make food ingredient lists used in food production and service available. Maintain food labels from each food served to a child with allergies for at least twenty-four (24) hours following service in case the student has a reaction from a food eaten in the cafeteria; and
- 7. With parental approval, set up cafeteria procedures such as entering a student's allergy into computerized database. Such information would remain confidential and shared on a need-to-know basis in compliance with federal privacy regulations.

Allergies and the Classroom

The school nurse, teacher, and parents of any children with severe or life-threatening allergies, may set a classroom protocol regarding the management of food in the classroom. This protocol will be communicated by the teacher to the students and parents of the affected class, and may include any of the following accommodations:

1. Parents of students with severe or life-threatening allergies may provide allergen-free snacks to be kept in the classroom and given to the student when treats are served in the classroom;
2. Students, parents, and staff may be prohibited from bringing homemade treats or specified foods for in-class consumption. Only commercially prepared treats with intact ingredient labels may be allowed in class;
3. Teachers may notify parents in writing of any school related activity that requires the use of food in advance of the project or activity;
4. Use of food for instructional lessons may be limited or eliminated;
5. Use of food or candy as part of a school project related to the curriculum may be prohibited; and
6. Allergen-containing foods may be prohibited in classrooms during after-school activities when that classroom will be used by a student with a known food allergy during the school day.

The Superintendent or building principal may require teachers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Post signs indicating rules for preventing exposure to life-threatening allergens in the classroom and ensure that these rules are enforced;
2. Eliminate the use of food allergens in the allergic student's educational tools, school-provided supplies, and incentives;
3. Participate in planning students' re-entry into school after an anaphylactic reaction; and
4. Send notices to parents of students in the classroom that the classroom is a free zone with regard to a specified food.

Teachers may be required to develop and implement age-appropriate lessons on allergies for such subjects as health, family and consumer sciences, biology, and physical education. Such lessons may emphasize:

1. Support for, and inclusion of, classmates with chronic health conditions, such as food

- allergies;
- 2. Bullying prevention, including reporting harassment, hazing, and bullying to school personnel;
- 3. Knowledge of potential allergens and the symptoms of a potentially life-threatening reaction;
- 4. Differences between life-threatening allergies and food intolerances;
- 5. Appropriate response to emergency situations such as life-threatening allergic reactions;
- 6. Developmentally-appropriate self-management of food allergies; and
- 7. The importance of following District health policies and guidelines, such as those regarding hand washing, food-sharing, and allergen safe zones.

Transportation

The school bus drivers may be informed when they are transporting a student with a life-threatening allergy. The Superintendent or building principal may require bus drivers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

- 1. Strictly enforce a policy of no eating on the bus. Students with medically documented needs may be permitted to eat allergen-safe foods on the bus;
- 2. Refrain from handing out food treats; and
- 3. Assign seats to students, and/or seat students with life-threatening allergies immediately behind and to the right side of the bus driver.

The Superintendent or building principal may require the transportation department to send letters to parents of all students who use District transportation informing them that at least one student at the school has a life-threatening allergy, requesting that their child wash their face and hands after breakfast and before boarding the bus, and informing them of rules prohibiting students from eating on the bus.

Field Trips

The Superintendent or building principal may require that those organizing field trips take any of the following steps to accommodate students with severe or life-threatening allergies:

- 1. Take into consideration the potential for exposure to the student's food allergens when determining sites for field trips, and consider ways of avoiding allergen exposure during the field trip;
- 2. Notify parents of students with severe or life-threatening allergies and the school nurse as soon as possible of any upcoming field trip;
- 3. Allow parents of students with severe or life-threatening allergies to accompany the student on field trips;
- 4. Store meals for students with food allergies separately to minimize cross-contamination;
- 5. Ensure that students do not eat on the bus;
- 6. Prepare ways for participants to wash hands before and after eating, such as with hand wipes;
- 7. Appoint a District employee attending the field trip to implement any student's

- Emergency Care Plan if necessary, and bring all supplies necessary to do so; and
8. Note the location of closest medical facility ahead of time.

Other Accommodations

The Superintendent or building principal or the designee may require that any of following steps be implemented to accommodate students with severe or life-threatening allergies:

1. Prohibit food and utensil trading and sharing, and post signs in schools informing students that they are expected to neither trade nor share food or utensils;
2. Designate particular tables in the cafeteria, particular classrooms, areas within classrooms, or other areas as allergen-free zones. These zones may be designated by a universal symbol, and be cleaned with a separate wash bucket and cloth with District-approved cleaning agents;
3. Post signs at points of entry to each school and/or on the school or District website advising that there are students with life-threatening allergies. Such signs may not disclose the identity of the student with the food allergy unless his or her parent has consented to that disclosure;
4. Have letters sent to all parents of children attending school with a least one student known to have a life-threatening allergy, notifying them of the severity of the health threat, signs and symptoms to be aware of, and a concise list of foods and a materials of concern and school policy regarding them. This will be done in a way that protects the confidentiality of the student with the life-threatening allergy. If other students or parents may be able to guess or deduce which student has the life-threatening allergy, approval of the student's parent may be sought before the letter is sent;
5. Hold Emergency Care Plan drills to assure the efficiency and effectiveness of such plans;
6. Ensure that there is at least one functioning emergency communication device, such as a walkie-talkie or cell phone, available at all times in classrooms, on field trips, at recess, during physical education class, at school-sponsored extracurricular activities, and/or on school buses;
7. Develop a cleaning protocol to ensure that the threat of allergens is minimized;
8. Prohibit the sale of particular food items in the school; and
9. Request that students refrain from bringing foods to which a student is known to have a severe or life-threatening allergy to school, and request that parents refrain from sending such foods to school. A Superintendent or building principal may completely prohibit particular food items from the school or school grounds when it is felt that the benefits of doing so would outweigh the difficulty of enforcing such a ban and the controversy such a measure is likely to provoke.

Confidentiality

The District will endeavor to maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. District staff shall maintain the confidentiality of student records as required by law, regulations, and Board policy.

Expectations of Students with Severe or Life-Threatening Allergies and their Parents

The Board expects students with life-threatening allergies to do the following, as age appropriate:

1. Take as much responsibility as possible for avoiding allergens, including refraining from sharing or trading of foods or eating utensils with others, refraining from eating anything with unknown ingredients or a known allergen; avoid putting anything in mouth such as writing utensils, fingers, or other foreign objects;
2. Use proper hand washing before and after eating and throughout the school day;
3. Learn to recognize personal symptoms;
4. Notify an adult immediately if they eat something they believe may contain a food to which they are allergic;
5. Notify an adult if they are being bullied, harassed, hazed, or threatened by other students as it relates to their food allergy;
6. Carry their epinephrine auto-injector with them at all times if they are permitted to do so, or know where the auto-injector is kept and who has access to it;
7. Know how to get to the nurse's office;
8. Develop an awareness of their environment and their allergen-free zones; and
9. Know their overall Individual Healthcare Plan and understand the responsibilities of the plan.

The Board encourages parents of students with serious allergies to do the following, as age appropriate:

1. Teach their child to:
 - A. Not share snacks, lunches, drinks, or utensils;
 - B. Know which foods are and are not safe for them to eat, and to read labels, and understand ingredient safety;
 - C. Understand the importance of hand washing before and after eating;
 - D. Recognize the first symptoms of an allergic or anaphylactic reaction;
 - E. Communicate with school staff as soon as he or she feels a reaction is starting;

- F. Understand rules and expectations about bullying related to food allergies, and report such teasing and/or bullying;
 - G. Carry his or her own epinephrine auto-injector when appropriate, or know where the epinephrine auto-injector is kept and who has access to it;
 - H. Administer his or her own epinephrine auto-injector and be able to train others in its use; and
 - I. Develop awareness of their environments, including allergy-controlled zones.
- 2. Inform the school nurse of their child's allergies prior to the opening of school, or as soon as possible after diagnosis. All food allergies must be verified by documentation from physician, nurse practitioner, or physician assistant;
 - 3. Work with the core team collaboratively to develop the Individualized Healthcare Plan, and provide an Emergency Care Plan completed by the student's physician;
 - 4. Complete and submit all requested and required forms. Provide the school with current cell phone, pager, and other emergency contact numbers;
 - 5. Allow District health personnel to consult with the student's physician or healthcare provider, and provide current contact information for the healthcare provider;
 - 6. Provide the school nurse with up-to-date emergency medications so they can be placed in all required locations for the current school year. Parents may be requested to provide two (2) or more epinephrine auto-injectors. Medications must comply with the District medication policy of proper labeling and expiration;
 - 7. Consider providing a medical alert bracelet for their child;
 - 8. If requested, provide "safe snacks" for their student's classroom in case of an unplanned special event. Parents may also be asked to provide a nonperishable safe lunch to be kept at school in case the student forgets to bring lunch;
 - 9. Review policies, procedures, and plans with the core team annually and following any allergic reaction at school; and
 - 10. Provide the school administration with at least annual updates on their child's allergy status. Inform the school of any changes in the child's life-threatening allergy status and provide a physician's statement if the student no longer has food allergies.

Procedure History:

Adopted on: 05/09/2016

Revised on:

Clark County School District No. 161

STUDENTS

3515B

Food Allergy Management — Background

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE ADOPTED AS A POLICY OR PROCEDURE.

A food allergy is an abnormal, adverse reaction to a food that is triggered by the body's immune system. It is different from a food intolerance, which does not involve the immune system and is not life-threatening. Allergic food reactions can span a wide range of severity of symptoms. The most severe and potentially life threatening reaction is anaphylaxis. Anaphylaxis refers to a collection of symptoms affecting multiple systems in the body, the most dangerous of which are breathing difficulties and a drop in blood pressure. Eight foods (peanuts, tree nuts, milk, eggs, soy, wheat, fish, and shellfish) account for more than ninety percent (90%) of all food allergies, while peanuts and tree nuts together account for more than ninety percent (90%) of severe and fatal allergic reactions to food. Exposure may occur by eating the food or by food contact. Severe allergic reactions can occur within minutes of ingestion, but a reaction can be delayed for up to two hours. Some reactions are "biphasic" in nature with an initial period of symptoms, then a symptom free period of two (2) to four (4) hours followed by severe shock-like symptoms.

The most commonly prescribed medications for the treatment of anaphylaxis are epinephrine, with brand names that include, but are not limited to, EpiPen®, EpiPen Jr®, and Twinject®. Epinephrine is relatively safe and its side effects, if administered unnecessarily, are mild and temporary. Delaying use of epinephrine during an allergic reaction can be fatal.

If a student has a severe or life-threatening allergy or an allergy that impairs a major life activity their condition may qualify as a disability and may be covered under the Federal Americans with Disability Act (ADA), and Section 504 of the Rehabilitation Act of 1973. The student's physician usually makes this determination. In some circumstances, the Individuals with Disabilities Education Act may also apply.

While some schools have sought to protect students with life-threatening allergies by banning allergen-containing foods from school grounds, such bans are often controversial and difficult to enforce. In many cases, simply designating and maintaining particular lunchroom tables, desks, classrooms, or other specific areas of a school as allergen-free is sufficient. Allergen management is often easier for students of middle-school age or older, as they are able to take greater responsibility for avoiding allergens.

Clark County School District No. 161

STUDENTS

3515F

Emergency Care Plan

Name: _____
Date _____ of _____ Birth: _____
School: _____
Grade: _____

Known Allergies: _____

Asthmatic? Yes:* _____ No: _____

**Higher risk for severe reaction*

Insert
Student's Picture

STEP 1: TREATMENT

NOTE: Different symptoms may occur with any reaction and the severity of symptoms can change rapidly. Delay in treatment can be fatal. A high level of vigilance must be maintained for any symptoms exhibited by a student with food allergies. **Act quickly!**

Symptoms

Select the medication to be given in each circumstance (To be determined by physician authorizing treatment).			
Food allergen has been ingested, but no symptoms:	Epinephrine:		Antihistamine:
MOUTH: Itchy, tingling, or swelling of lips, tongue, mouth	Epinephrine:		Antihistamine:
SKIN: Hives, itchy rash, swelling of the face or extremities	Epinephrine:		Antihistamine:
GUT: Nausea, abdominal cramps, vomiting, diarrhea	Epinephrine:		Antihistamine:
THROAT: Tightening of throat, hoarseness, hacking cough	Epinephrine:		Antihistamine:
LUNG: Shortness of breath, repetitive coughing, wheezing	Epinephrine:		Antihistamine:
HEART: Thready pulse, low blood pressure, fainting, pale, blueness	Epinephrine:		Antihistamine:
OTHER:	Epinephrine:		Antihistamine:
If more than one of the above areas is affected	Epinephrine:		Antihistamine:

Dosage (to be determined by physician authorizing treatment)

Epinephrine: (circle one) EpiPen EpiPen Jr. Twinject 0.3 mg Twinject .15mg
Inject intramuscularly (see following page for instructions)

Antihistamine: _____
(medication/dose/route)

Other: _____
(medication/dose/route)

Important: Asthma inhalers and antihistamines cannot be depended on to replace epinephrine in anaphylaxis.

STEP 2: EMERGENCY CALLS

Important: Even if a parent or guardian cannot be reached, do not hesitate to medicate or take the child to a medical facility.

1. Call 911. State that an allergic reaction has been treated and additional epinephrine may be needed. Send someone to meet the emergency services personnel at the school entrance and direct them to the site of the incident. The student will need to be transported to the hospital for further observation.

2. Notify the school nurse and school principal. Normally the administrator or their designee will make the rest of the emergency calls.

3. Dr. _____ Phone Number: _____

4. Parent: _____ Phone Number: _____

Parent: _____ Phone Number: _____

5. Emergency Contacts:

Name/Relationship: _____

Phone Number(s): _____

Name/Relationship: _____

Phone Number(s): _____

Parent/Guardian Signature: _____ Date: _____

Doctor's Signature: _____ Date: _____

Epinephrine Directions

The following staff members have been trained to use the epinephrine auto-injectors:






Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

<p>EpiPen® and EpiPen® Jr. Directions</p> <ul style="list-style-type: none"> ▪ Pull off gray activation cap.  <ul style="list-style-type: none"> ▪ Hold black tip near outer thigh (always apply to thigh).  <ul style="list-style-type: none"> ▪ Swing and jab firmly into outer thigh until Auto-Injector mechanism functions. Hold in place and count to 10. Remove the EpiPen® unit and massage the injection area for 10 seconds. 	<p>Twinject™ 0.3 mg and Twinject™ 0.15 mg Directions</p>  <ul style="list-style-type: none"> ▪ Pull off green end cap, then red end cap. ▪ Put gray cap against outer thigh, press down firmly until needle penetrates. Hold for 10 seconds, then remove. <p>SECOND DOSE ADMINISTRATION: If symptoms don't improve after 10 minutes, administer second dose:</p> <ul style="list-style-type: none"> ▪ Unscrew gray cap and pull syringe from barrel by holding blue collar at needle base. ▪ Slide yellow or orange collar off plunger. ▪ Put needle into thigh through skin, push plunger down all the way, and remove.  
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Once the EpiPen or Twinject is used, call 911. Take the used unit with you to the emergency room. Plan to stay for observation at the Emergency from for at least 4 hours.

Clark County School District No. 161

STUDENTS

3520

Contagious or Infectious Diseases

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at 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 District 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 school nurse or other responsible person designated by the Board 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 District 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 District 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 school nurse or other responsible person designated by the Board to determine appropriate measures to protect student and staff health and safety. The school nurse or other responsible person designated by the Board, 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.

Pediculosis (Head Lice)

Pediculosis is the infestation of the hair, skin or pubic area with adult lice, larvae or nits (eggs).

The psychological, social and economical impact of head lice infestations can create a problem in the community. Every attempt will be made to educate students and parents on the prevention and eradication of head lice before and after an infestation is detected.

To avoid embarrassment and to contain the infestation, whole classrooms will be checked for head lice upon the report of possible infestation by a classroom teacher. The principal, his/her designee, school nurse or another qualified professional will examine the child in question and their classmates. Siblings of students found with lice and their classmates will also be checked if there is the suspicion that infestation may exist. Due to the possible and very probable epidemic infestation of head lice in the school environment, anyone exhibiting head lice will be isolated immediately.

Any student found to have head lice will be removed from the classroom with their belongings. The parent/guardian and/or listed emergency contact will be contacted so they can pick up the student and begin treatment immediately. A student suspected of infestation will not ride the bus. The student will be held in the front office or the nurse's office until the parent/guardian arrives in order to avoid further infestation.

Parents/guardians should be provided with printed educational information on head lice treatment. The educational material should include details explaining the problem, lists the procedures for treatment and requirements for reentering school.

The student may return to school after being successfully treated so that no live lice or eggs are detected by the school nurse or a designated school official. The student's parent/guardian must accompany the student upon returning to school and remain present during the recheck. With the presence of nits or lice at the time of recheck, the student will continue to be excluded from school.

In the interest of the health and welfare of students enrolled in the District, no student will be permitted to attend classes if they are infested with head lice or the eggs of head lice.

All other children in the classroom where lice or nits have been reported will be checked and given a letter to take home explaining the situation and the need for parents to inspect their children carefully. Any child who is suspected of having lice will be treated with the utmost discretion.

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

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161**STUDENTS****3525****Immunization Requirements**

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child who does not provide a immunization record to the school regarding the child's immunity to certain childhood diseases. Immunity requirements are met if the child has received or is in the process of receiving immunization as specified by the Board of Health and Welfare or has previously contracted the disease. The parent or legal guardian of the child must comply with the immunization requirements at the time of admission and before attendance for the child.

Summary of Immunization Requirements			
Immunization Requirement	Child born after September 1, 2005	Child born after September 1, 1999 through September 1, 2005	Child born on or before September 1, 1999
Measles, Mumps, and Rubella (MMR)	2 doses	2 doses	1 dose
Diphtheria, Tetanus, Pertussis	5 doses	5 doses	4 doses
Polio	4 doses	3 doses	3 doses
Hepatitis B	3 doses	3 doses	3 doses
Hepatitis A	2 doses	0 doses	0 doses
Varicella	2 doses	0 doses	0 doses

Summary of Seventh Grade Immunization Requirements		
Immunization Requirement	Child admitted to 7 th grade prior to the 2011-2012 school year	Child admitted to the 7 th grade during the 2011-2012 school year and each year thereafter
Diphtheria, Tetanus, Pertussis	0 doses	1 dose
Meningococcal	0 doses	1 dose

Immunization Certification

The immunization record must be signed by a physician or physician's representative or another licensed health care professional including osteopaths, nurse practitioners, physicians' assistants, licensed professional nurses, registered nurses, and pharmacists stating the type, number, and dates of the immunizations received.

Intended Immunization Schedule

The schedule of intended immunizations statement must be provided by the parent or legal guardian of a child who is in the process of receiving or has been scheduled to receive the required immunizations. A form is provided by the Department of Health and Welfare or a similar one may be used provided it includes the following information:

1. Name and date of birth of child;
2. School and grade child is enrolling in and attending;
3. Types, numbers, and dates of immunizations to be administered;
4. Signature of the parent, custodian, or legal guardian; and
5. Signature of a licensed health care professional providing care to the child.

Children admitted to school and failing to continue the schedule of intended immunizations will be excluded from school until documentation of administration of the required immunizations is provided by the child's parent, custodian, or legal guardian.

Exemptions

1. Any child who submits a certificate signed by a physician licensed by the State Board of Medicine stating the physical condition of the child is such that all or any of the required immunization would endanger the life or health of the child is exempt from the immunization requirements.
2. Any minor child whose parent or guardian submits a signed statement to school officials stating their objections on religious or other grounds is exempt from the immunization requirements.
3. A child who has laboratory proof of immunity to any of the childhood diseases listed above will not be required to be immunized for that disease.
4. A child who has had varicella (chickenpox) diagnosed by a licensed physician upon personal examination will not be required to be immunized for the disease provided they submit a signed statement from the diagnosing physician.

A child exempted under one of the above requirements may be excluded by the District in the event of a disease outbreak.

Reporting

The District shall submit a report of each school's immunization status to the State Department of Education on or before the first day of November of each year. The report shall include:

1. Inclusive dates of the reporting period;
2. Name and address of the school, school district, and county;

3. Grade being reported and total number of children enrolled in the grade;
4. Name and title of the person completing the report form;
5. Number of children who meet all of the required immunizations listed in the tables above;
6. Number of children who do not meet all of the required immunizations listed in the tables above, but are in the process of receiving the required immunizations; and
7. Number of children who claimed exemption to the required immunizations listed in the tables above.

Legal Reference:

I.C. § 39-4801	Immunization Required
I.C. § 39-4802	Exemptions
IDAPA 16.02.15	Immunization Requirements for Idaho School Children

Policy History:

Adopted on:

05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3530

Suicide

Although neither a school district (nor a teacher) has a duty to warn of the suicidal tendencies of a student absent the teacher's or school district's knowledge of direct evidence of such suicidal tendencies, the District may, in its sole discretion, provide the following programs in order to prevent adolescent suicide by:

1. offering and providing help and assistance including early identification;
2. support and/or counseling by school support personnel for low-risk students;
3. referral to appropriate sources outside the school for high and moderate-risk students;
4. attendance to the rights of the student and his/her family; and
5. after care support by the school for faculty, staff, and students after a sudden death has occurred.

Legal Reference: I.C. § 33-512B Suicidal tendencies – Duty to warn.

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3540

Emergency Treatment

The Board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

Each parent or guardian must provide an emergency telephone number where the parent or designee of the parent can be reached.

When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse or a doctor. The principal or designated staff member should immediately contact the parent so that the parent can arrange for care or treatment of the injured student.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

1. Isolate the child immediately from other children in a room or area segregated for that purpose.
2. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
3. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the principal or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he/she may elect to continue the treatment or make other arrangements.

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3545

Student Interviews, Interrogations or 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 or legal custodian. Another adult should be present during the questioning of students.

Interrogations by School Administrators (Student Suspect)

In situations where a student is suspected of violating board policy or school rule, the principal or designee may question the suspected student without the prior consent of the student's parent, guardian, or legal custodian. The school official must first have reasonable grounds, however, 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 any involvement or culpability, the student will be afforded the opportunity to present his or her side of the story, orally or in writing.

Interviews and Interrogations by Law Enforcement Officials (School-Related Violation)

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or 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 and interrogations is necessary. When law enforcement officers question a student victim, witness or suspect in such instances, school officials shall make an effort to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation.

When students are interviewed or interrogated by law enforcement officers, the principal or designee shall request that police officers observe all procedural safeguards prescribe by law. However, district personnel are not responsible for a police officer's compliance with the law. If a parent or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

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.

Interviews and Interrogations by Law Enforcement Officers (Non-School-Related Violation)

The District strives to maintain cooperative working relations between law enforcement, child protective and school authorities. Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstance exist, such interviews and interrogations are discouraged during the student's class time. 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 and interrogations. In the event of disagreement, the principal or designee shall immediately contact the area administrator or district legal counsel for assistance.

Before any student interview or interrogation 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 principal or designee shall request that all procedural safeguards prescribed by law are observed by the law enforcement officers when interviewing student witnesses or interrogating student suspects. An effort shall be made to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation regarding suspected criminal activity. Whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision. **In cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family, such parent/guardian contact would not be warranted. The Idaho Department of Health and Welfare or law enforcement may exclude school personnel from any child abuse investigations/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 or if the student's parent, guardian, or legal custodian and the student consent to such release. 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, school officials will make every reasonable effort to notify the student's parent, guardian, or legal custodian. The school official will document such effort in writing. Before removing the student from school, the police shall sign a release form in which they assume full responsibility for the

student. If a school official has reason to believe that a student was removed from the school by a law enforcement officer without making a valid arrest or without the consent of the student and the parent, guardian, or legal custodian, the school official will attempt to immediately contact the area administrator or legal counsel.

School officials will notify the appropriate area administrator of the removal of any student from school by law enforcement under any circumstance. School officials shall request that all procedural safeguards prescribed by law are observed by law enforcement officers conducting an arrest. District personnel are not, however, responsible for an officer's legal compliance with respect said arrest.

Definitions:

1. "Interview"—The questioning of a student who may be a witness or victim of an incident.
2. "Interrogation"—The questioning of a student suspected of violating Board and/or District policy, school rule or criminal law.
3. "Reasonable Grounds to Suspect"—More than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred. For example, it may be based upon, among other things, direct observations or the reported observations or experiences of others. It involves a common-sense conclusion about human behavior based upon all of the circumstances presented.
4. "Probable Cause"—A set of probabilities grounded in factual and practical considerations, which would cause a reasonable person to believe that a violation has occurred. It requires having more evidence for than against.

Cross Reference: 4400 Relations with Law Enforcement and Child Protective Agencies
 4410 Investigations and Arrests by Police
 5260 Abused and Neglected Child Reporting

Legal Reference: I.C. § 6-904(1) Exceptions to Governmental Liability
 I.C. § 16-1605 Reporting of abuse, abandonment or neglect
 I.C. § 16-1606 Immunity
 I.C. § 16-1607 Reporting in bad faith—Civil Penalties
 I.C. § 16-1631 Authorization for Department to Act
 I.C. § 20-516 Apprehension and Release of Juvenile—Detention Idaho
 Attorney General Opinion 93-2

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3545F1

Student Interviews, Interrogations or Arrests

Student Arrest Form

FORM FOR SIGNATURE OF ARRESTING OFFICER

I, _____, a duly sworn peace officer and member of
the _____ Department,
_____ division, have asked that _____, a student in
the _____ School, be surrendered
to me, and pursuant thereto have taken said student into my custody and am assuming full
responsibility for the student's arrest.

Date _____ Signature _____

Time _____ Badge Number _____

School Action

Date and time parents notified (if more than one attempt is made, include
such information here) _____

Signature of Administrator

1 copy for School Records 1
copy for Parent Mailing
1 copy for Police Officer
1 copy for Witnessing Administrator

Policy History:

Adopted on:

Revised on:

Clark County School District No. 161

STUDENTS

3545F2

Student Interviews, Interrogations or Arrests

Student Interview Form

FORM FOR SIGNATURE OF INTERVIEWING OFFICER

I, _____, a duly sworn peace officer and member of
the _____ Department,
_____ division, have asked that _____, a student in
the _____ School, be made
available for interview.

Date _____ Signature _____

Time _____ Badge Number _____

School Action

Date and time parents notified (if more than one attempt is made, include

such information here) _____

Signature of Administrator

1 copy for School Records
1 copy for Parent Mailing
1 copy for Police Officer
1 copy for Witnessing Administrator

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3550

Removal of Student During School Hours

The Board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with District procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the principal, evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the principal. The Superintendent is directed to establish procedures for the removal of a student during school hours.

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3550P

Removal of Student During School Day

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy 4410P.
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. Proper identification is required before the student shall be released.
3. A student shall be released to the custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.
4. The school should always check with the custodial parent before releasing the student to a non-custodial parent.
5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody, unless an emergency situation justifies a waiver.
6. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: 4400

Relations with the Law Enforcement and Child Protective Agencies

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

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 District, as well as safeguard District facilities and equipment. Having carefully weighed and balanced the rights of privacy of students, staff and visitors against the District's goal of ensuring the safety of every student, employee and visitor while they are on school district property and also accomplish the goal of safeguarding District facilities and equipment, the Board hereby authorizes the use of video cameras on District 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 District property, and to safeguard District facilities and equipment.

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

Review of any video recordings is restricted to those who have a security, safety or a legitimate educational interest.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The District 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 &/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 District to investigate violations of School District 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 Superintendent, 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 District.

Cross-Reference: 3570 Student Records

Legal Reference: I.C. § 33-512
Books v. Logan, 127 Idaho 484, 903 P.2d 73 (1995); Rife v. Long, 127 Idaho
841, 908 p.2d 143 (1995).
I.C. § 18-6701 et. seq.
34 C.F.R. Part 99
Family Educational Rights and Privacy Act (FERPA)

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3570

Student Records

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 District 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 Superintendent shall implement this policy consistent with State and federal law and may develop administrative procedures to assure compliance with State and federal law. The Superintendent 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 Reference: 3575 Student Data Privacy and Security
 4260 Records Available to the Public

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 Student Data – Use and Limitations
 I.C. § 33-209 Transfer of Student Records -- Duties
 I.C. § 32-717A Parents' Access to Records and Information
 No Child Left Behind Act of 2001, P.L. 107-334

Policy History:

Adopted on: 05/12/2014

Revised on: 05/09/2016

Clark County School District No. 161

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 District will maintain a file for each student that shall contain the information, including but not limited to the following:

- unique student identifier
- 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 District 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 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 District 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 District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District 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 District 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 District 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 District 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 District may release directory information regarding students, limited to:

- name
- address
- gender
- grade level
- birth date and place
- parents'/guardians' names and addresses
- academic awards, degrees, and honors
- information in relation to school-sponsored activities, organizations, and athletics
- major field of study
- period of attendance in school

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 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 District 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 District not release this information, and the District will comply with the request.

7. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District 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

Policy History:

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3570P

Student Records

Maintenance of School Student Records

The District shall maintain a record for each student that shall contain information, including but not limited to the following:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Verified reports or information from non-educational persons;
14. Verified information of clear relevance to the student's education;
15. Log pertaining to release of student's record; and
16. Disciplinary information.

Information in student files shall be maintained for a period of (6) years after a student graduates or permanently leaves the District.

Records for a special education student with disabilities who graduates or permanently withdraws from the District, including eligibility documentation, IEPs, consents, and written notices will, for at least six years, be maintained until such time or when the District has been given written consent from the parent(s) and/or adult former student to destroy the records or transfer the records to the parent(s) or to the student if the student has succeeded to the rights of the parents. Such written records of individual students are confidential and shall be shredded under supervision of the staff member responsible for the records if not released to the parent(s) and/or adult former student. The records manager should maintain a log that documents the date of destruction or release of records.

The Superintendent's designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with the District's procedure established by the Superintendent.

The unique student identifier is a number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled. The unique student identifier shall follow the student from each school district or local educational agency (LEA) or upon return to a school district or LEA after an absence no matter the length of absence.

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District 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.
2. The parents of a student under 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 15 days of the District's receipt of such a request.

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 District 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 18 years of age, graduates from high school, marries, enters military service, or becomes legally emancipated all rights and privileges accorded to the parent become exclusively those of the student. The parents of dependent students, as defined by the Internal Revenue Service (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish, 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 District may grant access to, or release information from, student records to employees or officials of the District 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. For purposes of an audit or evaluation by a federal or State-supported education program, and to comply with federal requirements related to such a program. The receiving entity must be a State or educational authority or another entity allowed by the Family Educational Rights and Privacy Act (FERPA), or must be an authorized representative of such an entity.

For each new audit, evaluation, or enforcement effort, the District shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The District shall be responsible for using reasonable methods to ensure, to the greatest extent practicable, that the authorized representative

- i. Uses the personal information only for the authorized purpose;
 - ii. Protects the personal information from further unauthorized disclosures or other uses; and
 - iii. Destroys the personal information when it is no longer needed for the authorized purpose. Such destruction shall be effected by any specified time period set forth in the written agreement.
5. The District 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. Any such release in this regard shall be consistent with Idaho Code and Policy 3575 relating to the limitations on the release of student data.
6. The District 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).

7. The District shall grant access to or release information from any student record as specifically required by federal or state statute.
8. The District shall 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 copy of the consent form will be kept in the records, and one copy shall be mailed to the parent or eligible student by the Superintendent. Whenever the District 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.
9. The District may release student records to the Superintendent 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.
10. Prior to the release of any records or information under items 6, 7, 8, and 9 above, the District shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 6. 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.
11. The District 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 District 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.
12. The District 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).

13. The District may charge a fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship. See Policy 4260 for information regarding the District copy fee schedule.
14. 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 requesting the release or access;
 - D. The legitimate interests the parties had in requesting or obtaining the information;
 - E. The date of the release or grant of access;
 - F. A copy of any consent to such release; and
 - G. Any additional information required by State or federal law.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

1. Name;
2. Address;
3. Gender;
4. Grade level;
5. Birth date and place;
6. Parents'/guardians' names and addresses;
7. Academic awards, degrees, and honors;
8. Information in relation to school-sponsored activities, organizations, and athletics;
9. Major field of study; and
10. Period of attendance in school.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District 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. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The parents may challenge the accuracy, relevancy, or propriety of the records, except for grades, and references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

1. The right to present evidence and to call witnesses;
2. The right to cross-examine witnesses;
3. The right to counsel;
4. The right to a written statement of any decision and the reasons therefore; and
5. The right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

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.

Policy History:

Adopted on: 05/12/2014

Revised on: 05/09/2016

Clark County School District No. 161

STUDENTS

3575

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 District 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 District 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 District shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Superintendent 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 District shall be restricted to:

- (1) the authorized staff of the District 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 District shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. The District shall immediately notify the Executive Director of the Idaho State Board of Education and the State Superintendent of Public Instruction in the case of a confirmed Data Breach or confirmed

Unauthorized Data Disclosure. The District 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.

District 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 District shall clearly define what data is determined to be directory information.

If the District 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

Policy History:

Adopted on: 09/22/2014

Revised on:

Clark County School District No. 161

STUDENTS

3580

Relations with Non-custodial Parents

Access to Students

The parent with whom the student primarily resides shall be recognized by the District as the custodial parent unless a current legal document or signed parental agreement indicates otherwise. Unless there are specific court-imposed restrictions on custody or visitation, such as: 1.) a final divorce decree; 2.) interim orders (in the case that the parents are separated); or 3.) a restraining order, the non-custodial parent, upon written request, may visit the child briefly at school. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of all relevant court orders, to the Superintendent, which curtails these specific rights.

While both parents, absent a court document described above can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel anticipate possible student abduction, law enforcement personnel are to be notified immediately.

Access to Student Records

Unless informed otherwise, the Clark County School District assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of all relevant court orders, to the Superintendent, which curtails these specific rights. Otherwise, the non-custodial parent, upon written request may view the student's educational, medical, or similar records maintained in such student's cumulative record, receive school progress reports, and have an opportunity to conference with the student's teacher(s).

The custodial parent has the responsibility to keep the school office informed as to the address of the student's primary residence, in a manner determined by the school, and how he or she may be contacted at all times. The School District reserves the right to request verification in the form of a certified court document from any party presenting legal documents.

Legal Reference: Federal Family Educational Rights and Privacy Act of 1974
 Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802) regs.
 Implementing
 FERPA enacted as part of 438 of General Education Provisions Act (20
 U.S.C. 1232G) – parent and student privacy and other rights with respect to
 educational records

Policy History:

Adopted on: 05/12/2014

Revised on:

(ISBA 7/05 UPDATE)

Clark County School District No. 161

BOARD OF TRUSTEES

3610

Records of Missing Children

Upon notification by the Idaho state police of a missing or runaway child currently enrolled in the District, that student's records shall be flagged in such a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing or runaway child. If request is made for a flagged record, the record shall not be forwarded and the local law enforcement agency shall be notified of the request for the flagged record.

Any request concerning flagged records or knowledge as to the whereabouts of a missing or runaway child shall immediately be reported to the local law enforcement agency. Upon notification by the Idaho state police of the return of the missing or runaway child, the school shall remove the flag from the student's record.

Legal Reference: I.C. § 18-4511 School Duties—Records of Missing Child—
Identification Upon Enrollment—Transfer of
Student Records

Policy History

Adopted on: 05/12/2014

Revised on:

Clark County School District No. 161

STUDENTS

3620

Transfer of Student Records

Receiving School

Within fourteen (14) days after enrolling a transfer student, the elementary or secondary school shall request directly from the student's previous school a certified copy of his record and exercise due diligence in obtaining the copy of the record requested.

Forwarding School

A certified copy of the permanent, or cumulative, file of any student and the file containing special education records of any student shall be forwarded by mail, or electronically, to a local educational agency or accredited school in which the student seeks to or intends to enroll within ten (10) days after receipt of a written or electronic request, except as provided in 3605—Records of Missing Children. The files that are forwarded must include information concerning violent or disruptive behavior or disciplinary action, however, such information shall be contained in a sealed envelope, marked as “confidential” and addressed to the principal or other administrator of the receiving school.

Cross Reference:	3570 - 3570P 3610	Student Records Records of Missing Children
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Legal Reference:	I.C. § 18-4511 I.C. § 33-209	School Duties—Records of Missing Child—Identification Upon Enrollment—Transfer of Student Records Transfer of school records - Duties
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Policy History:

Adopted on: 05/12/2014

Revised on: