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- A. The Board of Trustees shall protect the rights of each student and promote the welfare of all students.
- B. Policies in this Series are enacted to aid in providing quality experiences for students in all activities related to the educational program. It shall be the purpose of the Board to provide opportunities for all students to become useful and productive citizens.

**ADOPTED:**

6-13-1977

- A. Students enrolled in the Weiser School District are required to be in school ninety percent (90%) of the time that school is in session. Each school shall keep accurate attendance records.
- B. Excluded from the calculations for determining student attendance rates are extraordinary absences. Absences for district approved curricular, extra-curricular, or athletic events shall be classified as school activities and will not be included in calculating student attendance rates. Other extraordinary absences may include: illnesses, funerals, doctor and/or dentist appointments, or other emergencies where documentation verifying the unavoidable nature of the absence is provided.
- C. Examples of absences not included as extraordinary absences may include, but are not limited to: hunting trips, shopping trips, work, senior skips, absences of family convenience, or other non-sanctioned activities.
- D. When a student reaches a total number of absences that exceeds 10% of the days school and/or individual classes are in session in a semester, the student and the parents or guardians will be notified that the student may be classified an habitual truant and may lose credit in any classes in which the student has exceeded the number of allowable absences.
- E. According to Idaho Code 33-206 (1)(a), an habitual truant is any public school pupil who, in the judgment of the board of trustees has repeatedly violated the attendance regulations established by the board. Students that are declared habitual truants will not receive credit for classes wherein they have exceeded the attendance policy. "A child who is declared an habitual truant by the board of trustees shall come under the purview of the juvenile corrections act if he or she is within the age of compulsory attendance at the time of the violations" (Idaho Code 33-206 (2)).
- F. Each school will provide written notification to the parents of students who are in violation of the 90% attendance policy. Parents of high school students who have been declared habitual truants will be given an opportunity to meet with a Credit Review Committee at the high school if they feel the accounting for absences is incorrect or to present documentation that absences used in the attendance calculations are extraordinary and should not be included in the attendance calculations. The Credit Review Committee will be formed by the principal to address any such appeals from parents or legal guardians at a time established by the principal, but no later than 10 days after the initial notification is sent to parents.

- G. The Credit Review Committee, at their discretion and with the approval of the principal, may establish rules and conditions for reinstatement of denied credits in classes that a student was passing, but who violated the 90% attendance policy and was declared an habitual truant in, dependent on that student meeting the attendance conditions for reinstatement set by the committee for the subsequent term of school following the semester in which credit is denied. The Credit Review Committee and the principal will ensure that all such conditions are uniformly applied to all students with similar attendance issues. The Credit Review Committee will NOT reinstate credits or establish conditions for reinstatement of credits for any courses in which a student who violated the 90% attendance policy received a failing or incomplete grade, regardless of their attendance in any subsequent term.
- H. The principal of each building will present any declarations of habitual truancy and/or credit denial to the Board of Trustees for approval at the next regular board meeting following written notice being submitted to the parent or legal guardian.
- I. An absence which has not been cleared by the school, parent, or legal guardian will be considered a truancy. A truancy may be for an entire day or a single period. A student who leaves school grounds without checking out through the office is considered truant.
- J. Truancies are serious disciplinary infractions and may lead to expulsion from school. In cases of truancy, no credit will be given for the day(s) missed and students will not be allowed to make up assignments or exams for credit. If a student is truant 3 times in a school year, the student may be suspended and may be referred to the local Board of Trustees for an expulsion hearing. Any student declared to be an habitual truant by the board of trustees shall be expelled from the Weiser School District for the remainder of the current term and the subsequent term if the 3<sup>rd</sup> truancy occurs within 10 calendar days of the end of the semester. Any student expelled for truancies shall come under the purview of the Juvenile Corrections Act if he or she is within the age of compulsory attendance (Idaho Code 33-206 (2)).
- K. Tardies: Being on time is a desirable lifelong trait for the students of Weiser schools. Each building will establish a tardy policy and follow their own building procedures to motivate students to attend class on time. In grades 6-12 students will be considered tardy if they attend class after class begins and before the first fifteen (15) minutes of the period. If a student arrives to class after the first fifteen (15) minutes, he/she will be considered absent and the absence will be included in that student's attendance calculations.

**ADOPTED:  
06-09-2009**

**Revised  
10-12-2015**

- A. Age Requirements: All students enrolling in kindergarten must be five (5) years old on or before September 1 of the school year in which the student enrolls. All students enrolling in first grade must be six (6) years old on or before September 1 of the school year in which the student enrolls. Any student five (5) years old who completed a private or public out-of-state kindergarten for the required four hundred fifty (450) hours, but has not reached the "school age" requirement will be allowed to enter the first grade.

For resident students with disabilities who qualify for special education and related services under Public Law 94-142 and subsequent amendments thereto, and applicable State and federal regulations, "school age" will begin at the age of three (3) and continue through the semester of school in which the student attains the age of twenty one (21) years.

- B. Proof Of Identification And Age Required: Upon enrolling of a student for the first time in this District's elementary or secondary schools, the school will notify, in writing, the person enrolling the student that within thirty (30) days a certified copy of the student's birth certificate or other reliable proof of a student's identity and birth date must be provided to the school. If other reliable proof is provided, rather than a birth certificate, that proof will be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate. Other reliable proof of a student's identity and birth date may include a passport, visa or other governmental documentation setting forth a student's identity. Immunization records are required upon enrollment.

1. If the person enrolling the student fails to comply with the proof of age and identification requirements, the school will immediately notify the local law enforcement agency of such failure, and will notify the person enrolling the student, in writing, that he/she has ten (10) additional days to comply.

2. The school will immediately report to the local law enforcement agency any documentation or affidavit received to prove the student's identity and age which appears inaccurate or suspicious in form or content.

3. If a school in which a student is currently enrolled receives notification by the Department of Law Enforcement of a missing or runaway child report regarding a particular student, the school will flag the record in a manner that whenever a copy of or information regarding the record is requested, the school will be altered to the fact that the record is that of a missing or runaway child. The school will immediately report any request concerning

flagged records or knowledge as to the whereabouts of the missing or runaway child to the local law enforcement agency. The flag on a student's record will be removed by the school upon notification by the Department of Law Enforcement.

4. A parent/guardian enrolling a student in this School District who fails to provide the require documentation of a birth certificate to this School District after being requested by the local law enforcement agency may be found guilty of a misdemeanor.

- C. Upon enrolling a student for the first time in the Weiser School District, the parent or guardian of the enrolling student shall provide an immunization record signed by a physician of licensed health care professional that demonstrates that the student has completed or is in the process of completing all the required immunizations set forth by the Idaho Department of Health and Welfare. Parents or guardians who feel their child is eligible for a medical, religious, or philosophical exemption to this policy shall submit a form approved by the Idaho Department of Health and Welfare for this purpose. Children without who fail to complete these provisions will not be allowed to attend school in the Weiser School District. (See Policy #501.21)
- D. In order to enroll in a given grade a student of appropriate age shall present evidence of having completed the necessary prerequisites and/or demonstrate their ability to do the work. High School-aged students will only receive credit for credits earned in a program accredited by the regional accreditation agency unless: Non-accredited courses taken may provide the opportunity, at the District's discretion, for the student to challenge basic Weiser High courses. The student must demonstrate adequate knowledge in the subject area as determined by District assessment. Eligibility to challenge Weiser High courses will be determined by the District after consultation with parents or guardians.
- E. The School District reserves the right to classify all students subject to District policy. Administrators and teachers shall decide all matters pertaining to the grade placement of their students. Nontraditional students will be placed according to District policy after consultation with the student's parents or guardians.
- F. All students shall be required to submit information on residence and employment of parents as may be required to meet provisions of State and/or Federal laws.

Principals shall refuse to enroll any student who does not comply with this regulation. Enrollment of nonresident students is subject to the provisions of the School District Nonresident Enrollment Resolution (copies of Resolution available in the District office).

- G. A student who marries or who has been married may attend school. These students shall be subject to all rules which apply to students in general.
- H. Students under the age of eighteen (18) not living with parents must show proof of legal guardianship/power of attorney, with the exception of married students. Students, eighteen (18) or older, not living with parent or guardian are subject to
- 
- all rules which apply to students in general.

**LEGAL REFERENCE:**

Idaho Code Sections

33-201

33-208

18-4511

**ADOPTED:**

7-10-1995

**AMENDED:**

1996, 2002



At the time of first admission to any school in the Weiser School District, and before attending all students must provide an immunization record to the school authorities regarding the child’s immunity to certain childhood diseases. This record, signed by a physician, his representative, or other licensed health care professional, shall verify that such child has received or is in the process of receiving immunizations as specified by the Idaho State Board of Health and Welfare, or can effectively demonstrate, through verification in a form approved by the Idaho Department of Health and Welfare immunity gained through prior contraction of the disease.

<b>MINIMUM IMMUNIZATION REQUIREMENTS FOR SCHOOL ENTRY</b>	
<b>Immunization Requirement by Age</b>	<b>Doses of Vaccines Required</b>
<b>Children born on or before September 1, 1999</b> must have a minimum of:	(4) Diphtheria, Tetanus, Pertussis (DTaP) (1) Measles, Mumps and Rubella (MMR) (3) Polio (3) Hepatitis B
<b>Children born after September 1, 1999 through September 1, 2005</b> must have a minimum of:	(5) Diphtheria, Tetanus, Pertussis (DTaP) (2) Measles, Mumps and Rubella (MMR) (3) Polio (3) Hepatitis B
<b>Children born after September 1, 2005<sup>1</sup></b> must have a minimum of:	(5) Diphtheria, Tetanus, Pertussis (DTaP) (2) Measles, Mumps, and Rubella (MMR) (4) Polio <sup>3</sup> (3) Hepatitis B (2) Varicella (Chickenpox) <sup>4</sup> (2) Hepatitis A
<b>7<sup>TH</sup> GRADE IMMUNIZATION REQUIREMENTS</b>	
<b>Immunization Requirement by Grade</b>	<b>Doses of Vaccines Required</b>
<b>Children admitted to 7<sup>th</sup> grade during or after the 2011-2012 school year</b> must meet the following minimum immunization requirements in addition to school entry requirements:	(1) Tetanus, Diphtheria, Pertussis (Tdap) (1) Meningococcal

A conditional admission form must be signed for any child who has not received all required immunizations for school admission. To be eligible for conditional admission to school, a child must have received at least one dose of each required vaccine and currently be on schedule for subsequent immunizations.

If a student is admitted to school and fails to continue the schedule of intended immunizations, that student will be excluded from school until documentation is presented setting forth the administration of the required immunization(s).

**EXEMPTION FROM IMMUNIZATION**

Idaho law allows a parent/guardian to claim an exemption from immunization requirements for their child for medical, religious, or personal reasons. All exemptions must be documented on the official State of Idaho form provided by the Idaho Department of Health and Welfare, Immunization Program.

A medical exemption requires the signature of a licensed physician and certification that the child has a medical condition which prevents him or her from receiving required vaccinations. The law does not allow parents/guardians to claim an exemption because the shot record is lost or incomplete, or because it is too much trouble to contact the physician or clinic and obtain a copy. Schools should maintain an up-to-date list of pupils with exemptions so they can then be excluded quickly if an outbreak occurs.

**EXCLUSION FROM SCHOOL**

A student not in compliance with this policy upon first admission in preschool or in kindergarten through grade twelve (K-12) will be denied attendance by this district. Any student denies attendance will not be allowed to attend any schools within this district until he or she is in compliance with this policy.

This district will exclude from school students who are diagnosed or suspected of having a contagious or infectious disease and students who have been exposed to contagious or infectious diseases for which they have not been immunized. This district will also close school on order of the Idaho State Board of Health or local health authorities.

**REPORTING REQUIREMENTS**

A copy of a state mandated report of school's immunization status for Kindergarten, 1<sup>st</sup> and 7<sup>th</sup> grades, will be submitted to the State Department of Education on or before November 1<sup>st</sup> of each school year.

**LEGAL REFERENCE**

Idaho Code Sections

33-512(7)

39-4801

39-4802

39-4803

IDAPA 16.02.15

**ADOPTED**

12-10-2012

Students in the Weiser School District shall be assigned to schools by grade levels. Students assigned to grades preschool, kindergarten through grade three (3) shall attend the Pioneer Elementary School; students assigned to grades four (4) through five (5) shall attend the Park Intermediate School; students assigned to grade six (6), seven (7) or eight (8) shall attend the Weiser Middle School; and students assigned to grades nine (9) through twelve (12) shall attend the Weiser High School.

**ADOPTED:**

7-10-1995

Attendance records, as required by the Idaho State Department of Education, shall be the joint responsibility of each individual school and of the central administrative offices and shall be submitted promptly and accurately at such dates as delineated by the State Department of Education.

**ADOPTED:**

7-10-1995

- A. Resident students are those students residing as emancipated youth, married or dependents living with parent(s) or other person who has legal guardianship or power of attorney within the boundaries of the Weiser School District and who attend a school within the District.
- B. Nonresident students are those students residing outside the Weiser School District and who attend a school within the District. Enrollment of in-State nonresident students shall be subject to the provisions of the Weiser School District Nonresident Enrollment Resolution (copies at the District offices). Tuition shall be charged for all nonresident out of State students in accordance with State law and/or approved by the Board of Trustees.
- C. Foreign students are students visiting the United States on a student visa but not under the sponsorship of an exchange program. Enrollment of foreign students shall be subject to the provisions of the Administrative Regulation Foreign and Foreign Exchange Students. (Copies at the District Office)
- D. Foreign exchange students are students visiting the United States under the supervision of an exchange program and living with a host family within the boundaries of the Weiser School District. Enrollment of a foreign exchange student shall be subject to the provisions of the Administrative Regulation Foreign and Foreign Exchange Students.

**ADOPTED:**  
7-10-1995

- A. "Nonpublic students" shall be defined as any student who receives educational instruction outside a public school classroom and such instruction can include, but is not limited to, a private school or a home school.
- B. Homeschool and transfer students from other schools shall present evidence of having completed the necessary prerequisite courses and/or demonstrate their ability to do grade level work in order to enroll in grades kindergarten through the eighth (8th) grade in the Weiser School District. Homeschool or nontraditional students may enroll in Weiser school programs subject to compliance with the same rules and regulations that apply to traditional students.
- C. A 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 or equipment will be made to specially accommodate a nonpublic student.
- D. High school aged students who transfer or who come from homeschool programs must show evidence of completing the Weiser High School graduation requirements in an accredited program or school curriculum accredited by the regional accreditation agency in order to graduate from Weiser High School.
- E. Priority for enrollment shall be given to a student who is enrolled full-time in the Weiser School District.
- F. To participate in nonacademic public school activities the nontraditional student shall annually achieve a qualifying score on the State Board of Education approved test.
  - 1. Any nonpublic student involved in an extracurricular activity shall be subject to all the same eligibility standards as a regular full-time student.
  - 2. The parents or guardian of a nonpublic student are responsible for obtaining testing for their child at their expense in accordance with State statutes and State Board of Education rules. Test results from the IRI (Idaho Reading Indicator) and the ISAT (Idaho Standards Achievement Test) must be provided to the Building Principal as a condition of enrollment. Test results from a given year shall be used to determine academic eligibility for the following year and are only valid for a period of twelve (12) months from the date the test results are released.

- G. Nontraditional students must reside within the attendance boundaries of the Weiser School District.
- H. Homeschool students seeking enrollment will be placed in accordance with Policy Section '501.2, Entrance Requirements. Graduation for students who have spent some of their time in a homeschooled situation will be considered in accordance with Graduation Requirements, Policy Section '605.4.
- I. If a nonpublic student is dual enrolled in classes or activities which are not contiguous in time (i.e., a first period and a fourth period class), the student shall not be on the school premises other than when the program or activity for which the student is enrolled is taking place. The District shall not be responsible for the care or supervision of the student in any form for periods before, in between or after the programs or activities for which the student is properly enrolled. 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.

**LEGAL REFERENCE:**

Idaho Code Sections  
33-203

See also Sections 501.2 and 605.4 of this Policy Manual.

**ADOPTED:**

7-10-1995

The McKinney-Vento Homeless Assistance Act ensures that all children and youth who are homeless (in transition) receive a free appropriate public education and are given meaningful opportunities to succeed in our schools.

Schools in the Weiser School District will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy, including the educational rights of children and youth in transition, will be distributed to all students upon enrollment and once during the school year, 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 in transition receive services, including family and youth shelters, motels, campgrounds, welfare departments, health departments, and other social service agencies.

**Definitions**

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

- 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 a lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care.
- 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.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.

*Unaccompanied youth* means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth.

*Enroll* and *enrollment* means attending school and participating fully in all school activities.

*Immediate* means without delay.

*Parent* means a person having legal or physical custody of a child or youth.

*School of origin* means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

*Local liaison* is the staff person designated by our district and each district in state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

### **Identification**

Children and youth in transition in the district, both in and out of school will be identified. Data will be collected on the number of children and youth in transition in the district; where they are living; their academic achievement (including state and local assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

### **School Selection**

Each child and youth in transition 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.

Therefore, in selecting a school, children and youth in transition will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies 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.

### **Enrollment**

Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local liaison to assist with obtaining immunizations and/or immunization and other medical records.)
- Proof of guardianship
- Birth certificate



- Unpaid school fees
- Lack of clothing that conforms to dress code
- Any factor related to the student's living situation

Unaccompanied youth must be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

### **Transportation**

Parents and unaccompanied youth will be informed of this right to transportation before they select a school for attendance. At a parent's or unaccompanied youth's request, transportation will be provided to and from the school of origin for a child or youth in transition. Transportation will be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes. It is this district's policy that inter-district disputes will not result in a student in transition missing school. If such a dispute arises, the Weiser School District will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, children and youth in transition will also be provided with other transportation services comparable to those offered to housed Weiser School District students.

### **Services**

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

- Transportation
- Title I, Part A services - Children and youth in transition are automatically eligible for Title I, Part A services, regardless of what school they attend
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- Vocational and technical education programs
- Gifted and talented programs
- Before- and after-school programs
- Pre School – Weiser School District will ensure that children in transition receive priority enrollment in preschool programs operated by the district, including exempting children in transition from waiting lists. Children in transition with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). The local liaison will collaborate with Head Start and other preschool programs.

- Free meals - On the day a child or youth in transition enrolls in school, the district liaison will submit the student's name to the Weiser School District Food Service office through an email or letter identifying the student as immediate eligible for free meals. No paperwork is required on the part of the student or his parent/guardian.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused.

**Disputes**

If a dispute arises over any issue covered in this policy, the child or youth in transition 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 of a student in transition to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are delaying or denying the enrollment of children and youth in transition repeatedly. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

**Training**

The local liaison will conduct training regarding Title X requirements and sensitivity/awareness activities for all Weiser School District staff.

**Coordination**

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



**LEGAL REFERENCES: Idaho Code 33-1404**

- The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436
- Title I, Part A, of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315
- The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et. seq.
- Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. §§1751 et. seq.
- June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

**CROSS REFERENCE:**

1003.3 Handling of Complaints

**LEGAL REFERENCE:**

42 U.S.C. 11431, et seq. McKinney Homeless Assistance Act  
I.C. 33-1404 Districts to Receive Pupils

**ADOPTED:**

05/09/2016

Creating and preserving the conditions essential to the orderly progress of the schools, preparing students for effective participation in adult life and instilling the fundamental lessons of self-control shall be major purposes of the Weiser public schools. Since the ultimate goal of all procedures leading to the attainment of these purposes is self-discipline, students are encouraged and expected to exhibit a temperance in their actions that is commensurate with norms of behavior that are generally considered acceptable for their age groups and to obey regulations and standards designed to enhance the opportunities of other students to obtain educational experiences that are appropriate to their individual needs.

There is an occasional conflict between what appears best for an individual and what is most efficacious for the group, as a whole. In such instances, an attempt should be made to find a solution that is harmful to neither, but, if such a solution is unavailable, the best interests of the largest number should be served. Unfortunately, this sometimes makes it necessary to remove an individual in order to protect the rights of a greater number. A concern for the welfare of the whole, however, must not result in the abrogation of the rights of individuals.

In considering procedures that are designed to insure that the majority of students will not be hampered in their educational pursuits and that school activities will not be disorganized, it shall be the policy of the Weiser School District to recognize that:

- A. The right to academic freedom in the classroom, which is a recognized freedom, under certain conditions, for teachers, has a corollary in the students' right to learn, to know and to have access to all points of view.
- B. The right to know is relative and is based upon the students' ages and maturity.
- C. Students are entitled to freedom of expression of their view, so long as the expression of their views does not contribute to uncontrolled student behavior or disruption of the school.
- D. Students may engage in those legal activities which do not disrupt the on-going program of the school, invade the rights of others, or present a clear present or potential danger to the health, safety and welfare of others.
- E. With these rights, there follows corresponding responsibilities for students to uphold regulations designated by the Board of Trustees, administration and staff to protect the rights of other students and insure the equitable pursuit of educational objectives.

- F. The student shall accept the primary responsibility for maintaining acceptable standards of decorum in the classroom and on the school premises. Beyond that, it shall be the responsibility of teachers and administrators to enforce reasonable rules in regard to student conduct.
  
- G. If disciplinary measures are required to enforce rules established to guide student conduct and protect the rights of others, certain procedures may be employed with restraint, including: 1) conferences among the student, teacher(s), and the Building Principal; 2) conferences among the student, parents, teacher(s) and the Building Principal; 3) detention; 4) referral to the school psychologist for diagnosis and remedial suggestions, such as half-day sessions or placement in a special class; 5) corporal punishment; 6) transfer of the student to another class; 7) suspension from school; and 8) expulsion by the Board of Trustees. Teachers and administrators shall, insofar as possible, refrain from all forms of corporal punishment.
  
- H. It shall be the policy of the Weiser School District that the basic rights of each student, including those who are accused of misconduct and interference with the rights of others, shall be vigorously protected through the procedural protection of due process.
  
- I. In compliance with the Office of Civil Rights, the following disciplinary records shall be kept in the office of each school:
  - 1. An accounting for each student subject to disciplinary action, including a description of the offense or offenses for which disciplined, the title of the person or persons reporting the offense, the title of the person or persons imposing the action or actions, a concise procedural history leading to the disciplinary action or actions from the initial reporting of the offense through final disposition of the case, and an indication of which alternatives to the disciplinary action, if any, were considered prior to the imposition of the disciplinary action.
  
  - 2. A log or logs of any formal or informal hearing related to disciplinary actions by the Board of Trustees, the Superintendent of Schools, Building Principals or teachers. Entries shall include the nature of the offense or offenses, the form of notice given to the student and the hearing authorities, whether or not the hearing preceded removal from school, explanation of necessity for removal from school prior to hearing, if applicable, and the time elapsed before a hearing occurred, a description of the testimony offered, the findings and the disposition of the case.
  
  - 3. The kinds of disciplinary actions for which entries shall be kept include: a) expulsion, b) suspension reported by the number of school days, c) corporal punishment, and d) referral to special classes.

4. A log of referrals of discipline cases to juvenile authorities. Entries shall include a description of the offense or offenses and the disposition of the case.

**ADOPTED:**

7-10-1995

**A. Suspensions:**

1. Idaho Code allows the superintendent or principal of any school to temporarily suspend any pupil for disciplinary reasons or for other conduct disruptive of good order or of the instructional effectiveness of the school. A temporary suspension shall not exceed five (5) school days in length, except as provided by law. The superintendent may extend the temporary suspension an additional ten (10) days. The Board of Trustees may extend temporary suspension an additional five (5) days.

2. Prior to suspending a student, the Building Principal or his/her designee shall meet with the student and inform the student of the charges against them, and provide them with an opportunity to explain and defend their actions. If the suspension of the student is still deemed necessary, the Building Principal or designee shall immediately notify the parents or legal guardians of the student by telephone or by registered mail within twenty four (24) hours. Parents may request a hearing with the Building Principal or his/her designee regarding the suspension.

**B. The Board may deny a student enrollment, or may deny a student attendance at any of its schools by expulsion, for the following reasons:**

1. The student is a habitual truant, who is incorrigible, or whose conduct, in the judgment of the Board, is such as to be continually disruptive of school discipline or of the instructional effectiveness of the school, or whose presence in a public school is detrimental to the health and safety of other students.

2. The student has been expelled from another school district in this State or any other state.

3. The parent/guardian fails to furnish, or to request of a previous administration, out-of-state records for a student transferring into this District. The parent/guardian of a student transferring from out-of-state to a school in this District is required, if requested, to furnish the District accurate copies of the student's school records, including records containing information concerning violent or disruptive behavior or disciplinary action involving the student.

**C. The parent/guardian of any child resident of the Weiser School District between seven (7) and sixteen (16) years of age shall cause the child to attend public school or be instructed in subjects taught in the public schools of Idaho during a period in each year equal to that in which the public schools are in session to conform to the Weiser School District attendance policies.**

An habitual truant is any child who has repeatedly violated the district attendance regulations or whose parents/guardians have failed or refused to cause such child to be instructed as identified in the preceding paragraph.

Whenever the parent/guardian of such child has failed, neglected, or refused to place the child in school or knowingly has allowed the child to become an habitual truant, proceedings shall be brought against the parent/guardian under the provisions of the Juvenile Corrections Act.

The Board of Trustees may expel from school any child found to be an habitual truant.

- D. Any student having been denied enrollment or expelled may be enrolled or be admitted to school by the Board upon such reasonable conditions as may be prescribed by the Board of Trustees; but such enrollment or readmission will not prevent the Board from subsequently expelling such student for cause.
- E. The Board will expel from school for a period of not less than one (1) year, twelve (12) calendar months, or may deny enrollment to, a student who has been found to have carried a weapon or firearm on school property in this State or any other state, except that the Board may modify the expulsion or denial of enrollment order on a case-by-case basis. An authorized representative of the Board will report such student and incident to the appropriate law enforcement agency.
- F. Discipline of a student with disabilities will be in accordance with the requirements of federal law Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act as well as the provisions of this policy.
- G. No student will be expelled or denied enrollment without first receiving the following due process rights:
  - 1. The Board, through the Superintendent or his or her designee, will give written notice to the parent/guardian of the student;
  - 2. The notice will state the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the Board to deny school attendance;
  - 3. The notice will also state the right of the student to be represented by counsel, to produce witnesses, and submit evidence on his or her own behalf, and to cross-examine any adult witnesses who may appear against him or her.



4. Within a reasonable period of time following such notification, the Board will grant the student and his or her parent/guardian a full and fair hearing on the proposed expulsion or denial of enrollment.

5. The Board will allow a reasonable period of time between such notification and the holding of such hearing to allow the student and the parent/guardian to prepare their response to the charge.

6. Any student who is within the age of compulsory attendance, who is expelled or denied enrollment as herein provided, will come under the purview of the Juvenile Corrections Act, and an authorized representative of the Board will file a petition with the magistrate division of the district court of the county of the student's residence in such form as the court may require under the provisions of the Juvenile Corrections Act.

7. The duration of an expulsion shall be decided by the Board of Trustees except for the "zero tolerance" policy, which duration shall be for at least one year. If a minimum of three (3) weeks remain in the current semester or the school year, the period of expulsion may include the next succeeding semester as well. No student expelled will be re-enrolled until a hearing is held before the Board to consider any special conditions regarding his/her enrollment.

**LEGAL REFERENCE:**

Idaho Code Sections

- 33-202
- 33-205
- 33-206(b)
- 33-209
- 20-527

**ADOPTED:**

7-10-1995

**AMENDED:**

2002; 2006

This policy addresses disciplining students with disabilities, as defined by Section 504 of the 1973 Rehabilitation Act. For those students with disabilities under the Individuals with Disabilities Education Act (IDEA), the disciplinary procedures required by the IDEA will be followed. In the event a student has disabilities under both Section 504 and the IDEA, the IDEA policy shall be followed in determining appropriate disciplinary actions.

## **SUSPENSION**

A student with a disability, as defined by Section 504 of the 1973 Rehabilitation Act, may be suspended for not more than ten (10) consecutive school days per incident.

Whenever a school considers suspending a student with a disability for more than ten (10) cumulative school days in a school year, a *504 team* will be convened to determine if the cumulative suspensions constitute a significant change in placement by reviewing the following factors:

1. Whether the misconduct for which the student was suspended on the last occasion was substantially similar to the previous occasions;
2. The length of each suspension;
3. The proximity of the suspension to one another; and
4. The total amount of time the student is excluded from school.

The *504 team* will consist of individuals who are knowledgeable about the student, the evaluation data, and the placement options.

If the *504 team* determines that the exclusion would constitute a significant change in placement, the school will conduct a manifestation determination as set forth below.

## **EXPULSION**

Prior to submitting an expulsion recommendation to the board of trustees for any student with a disability as defined by Section 504 of the 1973 Rehabilitation Act, a *504 team* will make a "manifestation determination." A manifestation determination involves a review of the student's misconduct, the student's disability and the services provided to determine:

1. Was the conduct in question caused by, or did it have a direct and substantial relationship to, the student's disability?
2. Was the conduct in question the direct result of the district's failure to implement the 504 plan?

In reviewing the questions set forth above, the *504 team* will review information regarding the student's disability that is recent enough to afford an understanding of the student's current behavior. In the absence of reasonably current information about the student's disability, the school district will conduct or cause to be conducted additional evaluation(s) regarding the

student's disability before making the manifestation determination. If either manifestation determination question answer is "yes", the student will not be expelled. However, the *504 team* may determine that a placement change is necessary for that student.

If the answers to both the questions set forth above are "no", the school may proceed with the recommendation of expulsion to the board in the same manner as for similarly-situated students who do not have disabilities.

If the student's parent/guardian disagree with the *504 team's* determination of the manifestation determination, a hearing may be requested under this district's Section 504 hearing procedure. Although the parent/guardian may disagree with the manifestation determination findings, the student may be expelled after following the proper procedures. Educational services may cease after expulsion, to the same extent education services cease for non-disabled peers.

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**LEGAL REFERENCE:**

Section 504 of the 1973 Rehabilitation Act  
29 U.S.C. Ch. 16 Sacs 706(8) and 794-794b  
34 CFR Part 104

Idaho Code Section 33-205

*Akron (OH) City School District*, OCR Letter, 19 IDELR 542 (1992)

*Discipline of Students with Disabilities in Elementary and Secondary Schools*, OCR,  
October 1996

*Portsmouth (VA) Pub. Sch.*, 48 IDELR 229 (OCR 2006)

**ADOPTED: February 8, 2010**

**AMENDED:**

- A. Special circumstances for depriving children of recess periods or lunch periods shall be determined by the teacher. Detention, when required, may be conducted by the teacher before school in the morning; provided, that the teacher does not have a duty, or after school for no more than one hour.
- B. If the problem involves a student who rides a school bus or is otherwise transported to and from school, the school personnel concerned shall devise other procedures, such as notifying parents that their child will be retained on the following night so that special transportation can be arranged by the parents, if necessary.
- C. Nothing in this policy shall be interpreted as preventing teachers or other individuals in a supervisory capacity from taking immediate action to correct a situation which is imminently detrimental or dangerous to the health, safety or well being of one or more students or other individuals.

**ADOPTED:**

7-10-1995

The constitutional rights of students do not stop at the schoolhouse gates. Therefore, students have a right to be protected from unreasonable searches by school officials. However, it is the intent of the board of trustees to provide a safe and orderly environment for all students, conducive to the pursuit of educational goals. As a result, it may be necessary for school officials to search a student, his/her personal belongings, locker, desk, or vehicle, when it is in the interest of the overall welfare of other students or is necessary to preserve the good order and discipline of the school.

Only district personnel authorized by the superintendent may conduct a search pursuant to this policy. This policy applies to only those searches conducted by school officials; it does not apply to searches by law enforcement officers.

A. Definitions:

1. "Contraband" means all substances or materials which students are prohibited from possessing by district policy. Examples include, but are not limited to, cell phones, beepers, and articles containing gang symbols.
2. "Reasonable suspicion" means that the school official initiating the search has a well-founded suspicion—based on objective facts that can be articulated—of either criminal activity or a violation of district policy by a particular student(s). Reasonable suspicion is more than a mere hunch or supposition.

B. Random Searches: In the interest of maintaining safe and drug-free schools, school officials may conduct random or "blanket" searches of student lockers, student belongings, desks, and the school parking lot. School officials will conduct such searches in a random and systematic manner that is minimally intrusive, and it is not required that reasonable suspicion exist.

The superintendent or designee will develop and implement a "lottery" system by which lockers, desks, student belongings, and vehicles will be randomly selected to be searched. Random searches may be conducted for any reason at any time without notice, without student consent, and without a search warrant. Random searches may involve the use of drug dogs, metal detectors, or surveillance cameras.

C. Reasonable Suspicion Searches: To initiate a reasonable suspicion search, the school official must have a reasonable suspicion as to all of the following:

1. A crime or violation of school policy has been or is being committed;
2. A particular student has committed a crime or violated district policy;

3. Physical evidence of the suspected crime or violation of district policy is likely to exist; and
4. Such physical evidence would likely be found in a particular place associated with the student suspected of committing the crime or district policy violation.

The search based on reasonable suspicion must be reasonable in its scope. The areas or items to be searched and the methods utilized must be reasonably related to finding physical evidence of the crime or violation of district policy. The search must not be excessively intrusive, given the age and gender of the student and the circumstance of the search.

School officials will make a reasonable effort to obtain the consent of a student before initiating a reasonable suspicion search, unless the circumstances constitute an emergency.

- D. **Student's Person Or Possessions:** At any time when the student is on school property or at a school-sponsored event, school officials may search the student's person or possessions (backpack, purse, etc.) if the school official has reasonable suspicion to believe that the student is in possession of illegal or contraband materials or is otherwise secreting evidence of a crime or violation of district policy.

Such searches shall be conducted in an appropriate manner, in private and witnessed by another adult. Students may be required to remove outer clothing (jacket, shoes, etc.) and empty pockets as part of the search. If the search is of the student's person ("pat-down" search), the school official conducting the search and the witness must be of the same sex as the student. Under no circumstances is a school official authorized to conduct a "strip search" of a student.

- E. **Lockers:** Lockers assigned to students are the property of the school district and remain under the control of the district at all times. The student will be responsible for the proper care and use of the locker assigned for his or her use. Students are prohibited from using a locker for the storage of illegal, contraband, or potentially harmful items, including, but not limited to, weapons, drugs, and alcohol.

School officials may randomly open and inspect lockers for any reason at any time. If the random search produces evidence of criminal activity or violation of district policy, it may serve as a basis for a reasonable suspicion search of the locker's contents, including the student's property.

School officials may open and inspect lockers when there is reasonable suspicion that the lockers may contain illegal or contraband materials, other evidence of a crime or violation of district policy, or items which may be a threat to safety or security. Searches of lockers, whether random or reasonable suspicion, may be conducted without notice, without consent, and without a search warrant.

F. Automobiles: Students are permitted to park on school premises as a matter of privilege, not of right. School officials are authorized to conduct routine patrols of school parking lots, inspecting the exteriors of vehicles parked on school property. The interiors of vehicles on school property may be searched whenever an authorized school official has reasonable suspicion to believe that illegal or contraband materials, other evidence of a crime or violation of district policy, or items which may be a threat to safety or security, are contained inside. Such patrols and searches may be conducted without notice, without consent, and without a search warrant.

G. Use Of Drug Dogs: The district may elect to use specially trained drug dogs to alert the dog's handler to the presence of controlled substances, at the discretion of the superintendent or designee. The use of a drug dog shall comply with district policy and applicable law.

The drug dogs will be present for the purpose of detecting controlled substances in lockers, personal items or vehicles on district property only when there are no students or employees present. Only the trained dog's handler will determine what constitutes an alert by the dog.

A drug dog's alert constitutes reasonable suspicion for the district officials to search the lockers, personal items or vehicles. Such a search by district officials may be conducted without notice or consent, and without a search warrant.

H. Seizure Of Contraband Or Illegal Materials: School officials may seize and retain, or turn over to law enforcement officials, any contraband or illegal items, or evidence of a crime or violation of district policy, found as a result of any search conducted pursuant to this policy.

I. Notice: Students and parents/guardians shall be informed of this policy at the beginning of each school year through publication of the policy or an age-appropriate summary in the student handbook.

**LEGAL REFERENCE:**

Idaho Code Section 18-3302D  
*New Jersey v TLO*, 469 U.S. 325 (1985)  
*Tinker v. Des Moines*, 393 U.S. 503 (1969)

**ADOPTED:**

2003

- A. Schools are occasionally required to work closely with law enforcement agencies in the control of student behavior. In cases where the school official or officials have found student's conduct to be beyond their behavior controls, or in cases resulting in criminal conduct on the part of the student, the law enforcement agency may be called upon to assist in handling such cases.
- B. Prior to involving the law enforcement agencies, the school shall attempt to reasonably obtain permission from the parents, except in cases of child neglect or abuse, in which cases the school shall take reasonable steps without attempting to obtain parental permission.
- C. If parental permission is not obtainable, and the conduct of the student is such that it is beyond the control of the school officials, then law enforcement agencies shall be called to assist and reasonable action taken to protect the school operations.
- D. If, in the judgment of the law enforcement officials, it is a matter which they routinely handle because it is of a criminal nature, the school officials shall cooperate but defer all judgments in such cases to the law enforcement officials.

**Refer to Policy No. 505.4: Interviews with Students**

**ADOPTED:**  
7-10-1995



This District is committed to providing a safe environment for all students and staff when they are at school, on a school bus, or at a school-sponsored activity. The District's commitment includes the prohibition against any weapons or other objects/ substances which may pose a threat to the health and safety of other students, staff members, or visitors, or could be used to disrupt the educational process.

A. Students attending District schools are prohibited from:

1. Possessing or carrying objects/substances which are manufactured, used, or intended for use as a weapon, or facsimiles thereof, at school, on a school bus, or at any school-sponsored activity without prior permission of school officials.
2. Possessing, carrying, using, and/or threatening to use, any normally non-dangerous object or substance with the intent or result of causing harm to another individual at school, on a school bus, or at any school-sponsored activity.
3. Knowingly assisting another student(s) to possess, carry, or use a weapon at school, on a school bus, or at any school-sponsored activity.

B. Definitions:

1. "Possess" is defined as bringing an object, or causing it to be brought, onto the property of a school, or onto a vehicle being used for school-provided transportation, or exercising dominion and control over an object located anywhere on such property or vehicle. A student will be determined to possess a weapon when the item is found to be in any of the following locations:

- a. On a student's person;
- b. In the student's personal property, including, but not limited to, the student's clothing, backpack, purse, or any other item the student transports or carries and/or causes to be transported or carried to school;
- c. A vehicle parked in the school parking lot which the student drives and/or is transported in;
- d. The student's locker; or
- e. Any other school-related location.

2. "Weapon" is defined as any device, instrument, material, or substance designed to cause serious physical injury, or any item which, under the circumstances it is used, attempted, or threatened to be used, is readily capable of causing serious physical injury. Weapons may include, but are not limited to: firearm; dirk knife, bowie knife; dagger, or straight razor; metal knuckles; any explosive, incendiary, or poisonous gas; any combustible or flammable liquid; or any other item which is used to threaten, strike terror, or cause bodily harm or death even through it is normally considered to not present a danger to others.

C. Investigation And Disciplinary Actions:

1. The Superintendent or designee will immediately confiscate any item identified as a weapon. Students reasonably believed to be in possession of these items may be suspended from school until a thorough investigation is completed.

2. The individual circumstances and the severity of the incident will be taken into account in determining the disciplinary action. Disciplinary action may result in formal suspension and expulsion, or other appropriate penalties.

3. The Board of Trustees shall expel a student when the student's actions violate federal law regarding the prohibition of weapons:

***Gun-Free Schools Act.*** *A student is found by District personnel or by law enforcement personnel to have carried a dangerous weapon as defined by 18 United States Code Section 921 on school property. The definition of weapon, for purposes of expulsion under this provision, includes a firearm or destructive device which is designed to or may be readily converted to and expel a projectile by the action of an explosive or other propellant. Destructive devices such as any explosive, incendiary, or poisonous gas, bomb, or grenade are also defined as firearms. Antique firearms and rifles which the owner intends to use solely for sporting, recreational, or cultural purposes are specifically excluded from the definition.*

4. The expulsion will be for a period of not less than one year (12 calendar months). The Board may modify the expulsion order on a case-by-case basis, taking into account the individual circumstances and the severity of the incident. In addition, any student who brings onto school property a weapon or firearm, as defined under the Gun-Free Schools Act, must be referred to law enforcement.

5. For all violations of this policy, disciplinary action will be taken after reviewing all factors, including, but not limited to, the student's actions; the risk of harm to the students, District personnel, and patrons; student's academic standing; likelihood of a recurring violation; and the student's prior conduct. The Board may expel any student who violates this policy.
- D. Students With Disabilities: Disciplining students with disabilities, as defined by Public Law 94-142 and subsequent amendments, and Section 504 of the 1973 Rehabilitation Act, under this policy will follow federal guidelines.
- E. Denial Of Enrollment: This District will not admit a student who has been expelled from another school district for violation of a statute, regulation, or policy which prohibits weapons until the student is eligible to return to his or her home school district. If a student wishes to challenge that decision, he or she is entitled to a due process hearing pursuant to Idaho Code Section 33-205.

**LEGAL REFERENCE:**

Idaho Code Sections  
33-205  
18-3302D  
18 USC 921

**ADOPTED:**

2002

- A. Building Principals shall handle acts of theft, forced entry or destruction of school property in the manner suited to the development of respect for law and for civic responsibility. They shall take into account the specific nature of the offense and other circumstances.
- B. Any student who steals School District property, enters a locked building or enclosure or destroys or defaces any School District property shall be subject to prompt and decisive action. The student shall be suspended or expelled and/or referred to the police, probation or Sheriff's Department, if circumstances warrant.
- C. The student and his/her parents shall be held responsible, within the limits of the law, for restitution for damage to School District property. The law provides specifically that parents and students are responsible for instructional supplies and materials loaned to students. Minor damage may be dealt with by the Building Principal in a manner judged most suitable, with a report forwarded to the Superintendent of Schools. If the cost of the damage exceeds fifty dollars (\$50.00) and the parent does not voluntarily make restitution for damages maliciously or irresponsibly incurred as the result of student behavior, a full report of the case shall be referred by the Superintendent of Schools to the attorney of the School District for advice and for assistance in making recovery of the costs of such damage.

**LEGAL REFERENCE:**

Idaho Code Sections  
33-603

**ADOPTED:**

7-10-1995

**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 affects the way others respond to them. Matters of dress remain the primary 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, to minimize disruptions or distractions, and to protect the health, safety, and morals of students, all students will adhere to the following 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 piercing) 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, using, or displaying of any gang clothing or attire (based upon the principal/designee's reasonable belief that gangs may be present in a school) jewelry, emblem, badge, symbol, sign codes or other things which evidence membership or affiliation in any gang 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.

Specifically prohibited: tube tops, midriff tops, tank tops, half shirts or shirts with cutouts. Tops should have 3 inches of material covering the shoulder and show no cleavage. Shorts, skirts or dresses may be no higher than 6 inches from the center of the kneecap. Spandex-type shorts, tights (with or without shorts or other garments covering them) are not permitted. It is inappropriate to wear pajamas, boxers, or slippers to school.

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. The superintendent or his 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/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/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.

**ADOPTED:**  
2011

LEGAL REFERENCE: I.C. § 33-506  
I.C. § 33-512(6)

**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, cyberbullying or bullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. 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 the Board of Trustees.

Individuals may also be referred to law enforcement officials. Staff will be reported to the Teacher Standards and Practices Commission.

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

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 business 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 or a nonverbal, verbal, written, electronic or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, [sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location].
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 Web site postings, including blogs through the District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours. In the situation that cyber bullying originated from a non-school computer, but 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. In addition, such conduct must also be in violation of a school policy or state law. 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 in confidence.

## **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.

## **Complaint Procedures**

Building principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, 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. Information may be presented anonymously. 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. 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 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. [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 designees 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] work days; conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.

Direct complaints related to education 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.

**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

**ADOPTED:**  
7-10-1995

**AMENDED:**  
2011

**REPORT FORM  
INCIDENT OF HARASSMENT**

School \_\_\_\_\_ Today's Date \_\_\_\_\_

Student/Complainant's Name \_\_\_\_\_

*(Should you feel uncomfortable leaving your name, you may submit an anonymous report.  
Please understand that an anonymous report will be much more difficult to investigate.  
Weiser School District assures you we will 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 the answer is Yes, please list the other individual(s) involved and explain their role:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did anyone witness the incident(s)?  Yes  No  
If the answer is Yes, please name the witnesses:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is there any evidence of the harassment (i.e., letters, photos)  Yes  No  
If the answer is Yes, please describe:

\_\_\_\_\_

\_\_\_\_\_

**REPORT FORM – INCIDENT OF HARASSMENT (page 2)**

School \_\_\_\_\_ Today's Date \_\_\_\_\_

Student/Complainant's Name \_\_\_\_\_

*(Should you feel uncomfortable leaving your name, you may submit an anonymous report.*

*Please understand that an anonymous report will be much more difficult to investigate.*

*Weiser School District assures you we will use our best efforts to keep your report confidential.)*

\*\*\*\*\*

Did you take any action in response to the incident?  Yes  No

If the answer is Yes, please explain what action was taken:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Were there any prior incident(s)?  Yes  No

If the answer is Yes, please describe any prior incident(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this form, you ascertain that all of the information is accurate and true to the best of your knowledge.

Signature of Complainant \_\_\_\_\_

Signature of Parents/Legal Guardian \_\_\_\_\_

**A. Prohibited:**

1. The Board of Trustees believes that students and employees of Weiser School District 431 have the right to learn and work in an atmosphere of appropriate and respectful conduct. Sexual harassment of students or employees whether verbal or physical and whether engaged in by employees of the District or students is prohibited and will not be tolerated.

2. The School District will investigate all complaints of sexual harassment whether the complaint is formal, informal, verbal or written and discipline any student or employee who sexually harasses a student or employee of the School District.

**B. Definition:** Recognizing that there is no established definition of "sexual harassment", Weiser School District 431, for the purpose of this policy, defines sexual harassment as follows:

1. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or advancement or of a student's participation in school programs or activities;

b. Submission to or rejection of such conduct by an employee or student is used as a basis for decisions affecting the employee or student;

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive work or learning environment.

2. "Sexual harassment", as defined above, may include but is not limited to the following:

a. Verbal: Sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, sexual advances or propositions, or repeated remarks to a person with sexual or demeaning implications;

b. Nonverbal: Making suggestive or insulting noises, leering, whistling or making obscene gestures;

c. Physical: Unwelcome touching, pinching, brushing the body, coercing sexual intercourse or sexual assault;

d. Other: Pressure for sexual activity, suggesting or demanding sexual involvement accompanied by implied or explicit threats or promises of preferential treatment concerning one's grades, job or otherwise; or the unwelcome display of sexually suggestive graffiti, objects or pictures.

Sexual harassment is a form of sex discrimination. As such, it is recognized by the Idaho Human Rights Commission as a violation of the Human Rights Act, title 67, chapter 59 of the Idaho State Code and by the Equal Employment Opportunity Commission as a violation of the Civil Rights Act of 1964, as amended, and by the Office of Civil Rights as a violation of title IX of the Education Amendment of 1972.

3. "Sexual harassment" does not refer to occasional compliments of a socially acceptable nature.

C. Reporting Procedures: Any person who believes he or she has been the victim of sexual harassment by a student or an employee of Weiser School District or any third person with knowledge or belief of conduct which may constitute sexual harassment should report the alleged acts immediately to an appropriate School District official using the report form available from the Principal of each building or available from the School District office.

1. In Each School Building: The Building Principal or work site supervisor is the person responsible for receiving reports of sexual harassment at the building level. If the complaint involves the Building Principal or central office staff, the complaint shall be filed directly with the Superintendent. If the complaint involves the Superintendent, the complaint shall be filed directly with the Chairman of the Board.

2. District Wide: The Board of Trustees hereby designates the Superintendent to receive reports or complaints of sexual harassment from any individual, employee or victim of sexual harassment and also from the Building Principals as outlined above.

3. Complainant's Future: Submission of a complaint or report of sexual harassment will not affect the individual's future employment, grades or work assignments.

D. Investigation: The Superintendent or a designated representative shall initiate an investigation within three (3) days of receipt of the complaint. Every effort will be made to conclude an investigation within a reasonable time of the alleged incident.

1. The investigation shall consist of: a) collection of any document related to the case, b) statement of witnesses, if any, c) The preparation of a report of the investigator's findings indicating "probable cause" or "no probable cause", and d) notification of the parent/guardian of all students directly involved in the investigation.

2. If the findings are "no probable cause" and the complainant accepts the determination, the investigation is closed. No record of investigation will be kept within the personnel or the student file after a "no probable cause" determination.

3. Due to the damage that could result to the career and reputation of any person falsely accused of sexual harassment, all investigations and hearings surrounding such matters will be designed - to the maximum extent possible - to protect the privacy of and to minimize suspicion toward the accused as well as the complainant.

4. This policy prohibits retaliation against employees or students for raising allegations of sexual harassment or for assisting in or participating in the investigation of sexual harassment charges. Any person who is found to have retaliated against another individual for exercising these rights will be subject to disciplinary action.

**E. Action and Resolution:**

1. If "probable cause" is found, the Superintendent or designated representative will take appropriate action. A substantiated charge against a staff member in the District shall subject such staff member to disciplinary action up to and including discharge. A substantial charge against a student in the School District shall subject that student to disciplinary action up to and including suspension or expulsion, consistent with the Student Discipline Code.

2. If the complainant does not accept a "no probable cause" determination, the complainant may take the matter to the Board of Trustees for review. The complainant may also file with outside agencies.

3. A staff member or student found by the District to have made false accusations of sexual harassment will be subject to appropriate disciplinary sanctions including discharge as related to a staff member, or suspension or expulsion as related to a student.

**F. Educational Policy:** In order to promote appropriate social interaction between males and females in the workplace and in the classroom, every effort will be made to sensitize employees and students to the nature of sexual harassment, the range of behaviors associated with it and the District's policy and procedures regarding it.

- G. Nonharassment: The School District recognizes that not every advance or conduct of a quasi-sexual nature constitutes harassment. Whether a particular action or incident is a personal social relationship and therefore without a discriminatory employment effect requires a determination based on all of the facts and surrounding circumstances.

**REFERENCE:**

See also Section 405.7 of this Policy Manual.

**ADOPTED:**

1994



- A. Philosophy: It is the Idaho Legislature's intent that parental involvement in all aspects of a child's education in Idaho public schools be part of each school district's policy. Drug prevention programs and counseling for students under the custody and care of the public schools are included in this intent.

The Board of Trustees of the Weiser School District recognizes that student use of chemical substances, including alcohol, is a serious problem of utmost concern in our society. Drug, alcohol, and tobacco use is detrimental to a state of well-being and undermines the aim of education, which is to enable individuals to develop to their full potential. The District seeks to ensure the highest standards of learning in the classroom and recognizes that use of chemical substances-including alcohol, tobacco, and controlled substances-creates educational, economic, and legal problems.

- B. Definitions: As used in this Section, the following words and terms will have the meanings herein ascribed to them:

**CONTROLLED  
SUBSTANCES:**

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

**COURSE OF  
CONDUCT:**

Course of Conduct involves a pattern or series of acts over a period of time, however short, evidencing a continuity of purpose. Course of conduct does not include constitutionally and statutorily protected activity.

**DRUG:**

Drug includes any alcohol or malt beverage, any tobacco product, any controlled substance, any illegal substance or mood altering substance, any abused substance, any medication not approved and registered by the school authorities, and/or any substance which is intended to alter mood.

**INTENTIONALLY  
HARASS:**

A knowing and willful course of conduct directed at a specific student which seriously alarms, annoys,

threatens, or intimidates the student and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress.

**INTERVENTION  
TRAINED:**

Intervention trained specialists include those District employees and independent contractors who have completed a State-accredited course related to illegal drugs, their physical characteristics, physiological effects, and how student behavioral changes typically associated with the use of such products may be evidenced in the classroom. Any District employee or independent contractor who has had a minimum of two (2) years experience as an intervention team member prior to May 31, 1997, is exempt from any additional training requirement.

**REASONABLE  
SUSPICION:**

Reasonable suspicion means an act of judgment by an intervention-trained District employee or independent contractor that leads to a reasonable and prudent belief that a student is in violation of "use" or "under the influence" provisions of Idaho Code Section 37-2732C, which defines controlled substances. The fact that a student has previously disclosed use of a controlled substance will not be deemed a factor in determining reasonable suspicion at a later date. An intervention-trained individual will not use reasonable suspicion solely for the purpose of intentional harassment of a difficult student.

**SCHOOL  
PREMISES:**

School premises includes all buildings, facilities, and property owned or leased by the District, school buses and other school vehicles, and the location of any school-sponsored activity or function.

- C. Policy: Students attending school in this District will not use, possess, sell, buy, or distribute drugs, including alcohol, tobacco, controlled substances, or related paraphernalia, on school premises.

Any student will violate the District's drug, alcohol, and tobacco use policy when:

1. He or she is on school premises, evidencing behavior that creates a reasonable suspicion that he or she may be illegally under the influence of drugs, including alcohol, tobacco, or controlled substances;

2. He or she admits to using, possessing, selling, buying, or distributing drugs, including alcohol, tobacco, or controlled substance, on school premises;
  3. He or she is found to use, possess, sell, buy, or distribute drugs, including alcohol, tobacco, controlled substances, or related paraphernalia, on school premises;
  4. He or she is found to possess drugs, including alcohol, tobacco, controlled substances, or related paraphernalia, or to have such substances on his or her person, or in his or her locker, vehicle, or other property on school premises.
- D. **Controlled Substances; Voluntary Disclosure:** Any student who voluntarily discloses using or being under the influence of any controlled substances before he or she is reasonably suspected to be in violation of the law and this policy will be provided anonymity to the extent that:
1. Disclosure is held confidential on a faculty need-to-know basis;
  2. Notification is provided to parent/guardian; and
  3. Available counseling is offered at the school level.
- E. **Controlled Substances; Referral To Law Enforcement:** Once a student is reasonably suspected of being in violation of the law and this policy regarding controlled substances, regardless of any previous voluntary disclosure, the building principal will immediately notify the local law enforcement agency and will seek a law enforcement evaluation of the student. The evaluation may seek transfer of school custodial responsibility to the state department of juvenile corrections.
1. Any student exhibiting inappropriate behavior that suggests "using " or "being under the influence " of controlled substances will be immediately escorted by a district employee to an administrative office for interviewing and observation by an intervention-trained specialist. Except in the case of an emergency, the student will not be left unattended and will not be allowed to leave the school premises.
  2. The principal or designee will refer the student to the law enforcement agency after an intervention-trained specialist, upon observing and/or interviewing the student, reasonably suspects that the student is using or under the influence of a controlled substance. The district employees will cooperate fully with any law enforcement investigation of a violation of this policy, including, but not limited to, providing access to lockers, desks, and other school property, and providing oral and/or written statements regarding the relevant events.

3. The intervention-trained specialist, the principal, and/or any other employee having observed the student's behavior will document his or her observations of the student, the documentation will be provided to the law enforcement agent, and a copy will be placed in the student's discipline record.

F. Enforcement Procedures: The procedures to enforce this policy are as follows:

1. Suspension/Expulsion: Students who violate this policy will be suspended by the principal. Suspension for the first offense of this policy will be for three to five (3-5) days, unless extraordinary circumstances exist. The time period for suspension for the second or third offense will be determined at the discretion of the principal and/or superintendent. The principal and/or superintendent will determine whether or not the suspension will be served in school or out of school.

If deemed appropriate by the Superintendent, he or she may request that the Board expel a student who has violated this policy for a second or third offense.

2. Referral To Law Enforcement: The student will be referred to the law enforcement agency, if appropriate. If the incident involves controlled substances, the student will be referred to the law enforcement agency. In all other situations, referral to law enforcement will be at the discretion of the school principal or designee.

3. Search And Seizure: A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school official has reasonable cause to believe that the student is in possession of drug paraphernalia or drugs, including alcohol, tobacco, or controlled substances. Any evidence of a violation of the law and this policy may be seized by the principal or designee.

a. Lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume) full responsibility for the security of their lockers and desks. Authorized school officials may open and inspect lockers and desks when there is reasonable cause that the locker or desk may contain items which may be a threat to safety and security. Such a search may be conducted without a search warrant, and without notice or consent.

b. Students are permitted to park on school premises as a matter of privilege, not right. The District retains the authority to conduct routine patrols of school parking lots and to inspect the exteriors of automobiles on school premises. The interiors of vehicles on school premises may be inspected

whenever an authorized school official has reasonable cause to believe that illegal materials are contained inside. Such patrols and inspections may be conducted without notice, consent, or a search warrant.

4. Parent Contact: The student's parent/guardian will be contacted as soon as possible following any violation of this policy.

5. Conduct Contract: Any student violating this policy must sign a conduct contract before returning to school. Violation of the conduct contract may result in additional disciplinary measures.

6. Drug, Alcohol, And Tobacco Assessment/Treatment: Any student violating this policy will complete an assessment for drug, alcohol, and tobacco abuse. This assessment will be administered by the school's intervention specialist or an approved agency at the student's expense. The terms of the suspension and/or conduct contract may be modified, at the discretion of the principal or superintendent, when the student completes a drug, alcohol, and tobacco education course and/or completes the assessment and/or treatment for drug, alcohol, and tobacco abuse.

- G. Students With Disabilities: Suspensions and expulsions of students with disabilities as defined by Public Law 94-142 and subsequent amendments (Individuals with Disabilities Education Act), Section 504 of the 1973 Rehabilitation Act and the Americans with Disabilities Act will follow federal guidelines as well as the provisions of this policy.
- H. Immunity For Good Faith Implementation: Intervention-trained specialists who implement this policy in good faith and with appropriate foundation are immune from civil liability.
- I. Intentional Harassment: Intervention-trained specialists who intentionally harass a student through the misuse of their authority pursuant to this policy are not immune from civil liability arising from the wrongful exercise of that authority. The individual may be found guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00).
- J. Notice: Upon adoption of this policy, the Board will provide notice of the policy to each student, parent/guardian, or custodian. Subsequently, a copy of the policy will be provided each new student, as well as to the parent/guardian or custodian, at the time of initial registration in a District school.

**LEGAL REFERENCE:**

Idaho Code Sections

33-205

20-516

33-210

37-2705

37-2732C

Drug-Free Schools and Communities Act of 1988 PL 100-690 and all subsequent amendments; Individuals with Disabilities Education Act PL 94-142 and subsequent amendments; Section 504 of the 1973 Rehabilitation Act Americans with Disabilities Act

**ADOPTED:**

2002

Normally the parent shall administer a child's medication either at home or at school. If the student is to self-administer his/her own medication the parent shall notify the school in order to avoid any confusion with illicit drugs.

When it is essential that a child (elementary school only) take oral medication during school hours and the parent cannot be at school to administer the medication, only the nurse or the principal's designee shall assist in the self-administration of the medication.

The Weiser School District Medication Permission Slip (Form A), identifying the child, the medication, the purpose of the medication, the time it is to be administered, the dosage, any possible side effects and termination date for administering the medication, must be filled out for each medication to be taken by the child at school

The person assisting in the self-administration of the medication shall:

- A. Inform appropriate staff of the medication,
- B. Keep a record of the administration of the medication,
- C. Keep the medication in a locked cabinet,
- D. Notify the parent when medication supply is running low or expired, and
- E. Return unused medication to the parent only.

The parent of the child will pick up unused and expired medication from the school. The school will contact the parent if medication is left at the end of the school year. If medication is not picked up when the office closes for the summer, the medication will be destroyed.

A copy of this medication policy shall be provided to the parent upon request, and the parent shall agree in writing that because of the schedule and other responsibilities it is permissible for a dosage or dosages to be delayed or missed. If the parent refuses to accept that condition, the Weiser School District shall reject the request.

**Self-administration of Asthma Medication or Epinephrine Auto-Injection (EAI)**

Pursuant to Idaho Code covering the self-administration of Asthma medication or EAI, if a parent or legal guardian chooses to have his/her child self-medicate:

1. The parents or guardians of the pupil shall provide to the school board or designee written authorization for the self-administration of medication. (Form B)
2. The parents or guardians of the pupil shall provide to the school board or designee written certification (Form B) from the physician of the pupil that the pupil has asthma, severe allergic reaction or another potentially life-threatening respiratory illness and is capable of, and has been instructed in, the proper method of self-administration of medication. Such 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; and
  - e) the possible side-effects of the medicine.

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.

The parents or guardians of the pupil shall sign a statement (Form C) 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 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; and

As used in this section:

1. Medication means an epinephrine auto-injector, a metered dose inhaler or a dry powder inhaler prescribed by a physician and having an individual label; and
2. Self-administration means a student's use of medication pursuant to prescription or written direction from a physician.
3. A student who is permitted to self-administer asthma medication pursuant to this section shall be permitted to possess and use a prescribed inhaler or EAI at all times.



No medication shall be administered by injection by staff except when a student is susceptible to a predetermined life-endangering situation. The parent shall submit a written statement which grants a staff member the authority to act according to the specific written directions (e.g., medication administered to counteract a reaction to a bee sting). Staff trained to administer such an injection shall administer such medication.

All medication shall be brought to school by the parent/guardian.

Medication shall be in an original updated pharmaceutical container which is properly labeled.

The Weiser School District, the Board, and its employees shall be immune from civil liability for damages or injuries resulting from assisting in the self-administration of medication to a student, provided such administration conforms to the requirements of this policy.

(See following page for form)

**MEDICATION PERMISSION SLIP**

All medication to be dispensed at school must come to the main office. It must be an up-to-date, labeled, prescription bottle. (Ask a pharmacist for a labeled bottle for school use.) It must be delivered by parent/guardian. The medication shall be inventoried upon receipt.

This medication permission slip must be filled out and presented with the medication. If this procedure is not followed, the medication will not be administered.

Date: \_\_\_\_\_

Name of Medication: \_\_\_\_\_

Purpose of Medication: \_\_\_\_\_

Starting date for administering medication: \_\_\_\_\_

Time of day to be given: \_\_\_\_\_

Dosage: \_\_\_\_\_

Possible side effects: \_\_\_\_\_

Termination date for administering medication: \_\_\_\_\_

Medication that is outdated or left at the end of the school year will be destroyed if not picked up by the parent when the school office closes for the summer.

I agree that due to school schedules and other responsibilities it is permissible for dosages to be delayed or missed.

I give my permission for Pioneer Elementary/Park Elementary/Weiser Middle School to assist my child in the self-administration of the prescribed medication.

\_\_\_\_\_  
Child=s First & Last Name

\_\_\_\_\_  
Parent/Guardian Signature

**Medication Inventory**

Date: \_\_\_\_\_

Amount of Liquid/Pill Received: \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
School Official Signature

**Form A**

**ADOPTED:**  
1996

**AMENDED:**  
2006

**STUDENTS**

**AUTHORIZATION FOR SELF-ADMINISTERED  
ASTHMA/EMERGENCY MEDICATION**

STUDENT'S NAME \_\_\_\_\_ GRADE \_\_\_\_\_ DOB \_\_\_\_\_

PARENT/GUARDIAN NAME: \_\_\_\_\_ PHONE (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 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 \_\_\_\_\_  
\_\_\_\_\_

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 designated school employee

Medication should be \_\_\_\_\_ Stored in health office  
\_\_\_\_\_ In the possession of the student

\_\_\_\_\_  
Type or print physician's name

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Date

**Form B**

**ADOPTED:**  
2006

**STUDENTS**

Indemnification/Hold Harmless Agreement  
For Self-Administration of Medication

Student Name: \_\_\_\_\_

The parent(s)/guardian(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)/guardian(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

\_\_\_\_\_  
School Official's Signature

\_\_\_\_\_  
Date of Agreement

**Form C**

**ADOPTED:**  
2006

Weiser School District reserves the right to define the educational value of any new electronic communication device that many become available in the future. Weiser School District also reserves the right to prohibit their use if they have little or no educational value or if such use creates learner distraction or disruption.

#### Use of Devices on School Grounds

In grades K-12 students may use Communication Devices before and after school, outside the building as long as they do not create a distraction or disruption. Use of Communication Devices during the school day is prohibited. They must be turned off completely (not in silent or vibrate mode) and out of sight, or kept in lockers if available. Communication Device usage is not allowed on any other portion of the school campus During the school day (8:20 a.m. – 3:20 p.m.)\*\*

#### Use of Devices on Buses

In order to reduce distractions and disruptions to the bus driver, students are not allowed to use Communication Devices on the bus. Communication Devices must be turned completely off and stored in pockets or backpacks. On an extra curricular bus trip, students will be allowed to use a cell phone to call parents and inform them of the bus arrival times.

\*\* Note: School administration may make an exception to this policy for educational purposes.

#### Disciplinary Action

It is the students= responsibility to ensure that their Communication Devices are turned off and kept in their locker during unauthorized times. Students who violate the above restrictions shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action including suspension as well as confiscation and return of the Communication Device to the student=s parents or guardians. Students shall be personally and solely responsible for the security of their Communication Devices. Weiser School District shall not assume responsibility for theft, loss, or damage of a Communication Device, or unauthorized calls made on a cell phone.

#### **ADOPTED:**

5-08-2006

#### **AMENDED:**

2011

The Student Council shall be the governing body of the Associated Student Body of the Weiser High School and/or the Weiser Middle School and shall be the official body which represents the interest of students in the resolution of matters of concern to both students and faculty.

**ADOPTED:**

7-10-1995

- A. No school shall permit the organization of any extracurricular organization, activity, club or other organization of students under its jurisdiction, except when a formal application for the establishment of such organization is made to the administration of the school. Each application shall delineate the name, type of organization, purpose, aims and means of financing the proposed organization. It shall then be the responsibility of the Principal to give the matter careful consideration, to approve such organizations as he/she may deem advisable, and to appoint sponsors, as required. Constitutions of all approved student organizations shall require the approval of the Student Council.
- B. The proper functions and operation of all school organizations shall be the responsibility of those sponsors who are appointed by the Building Principal.
- C. Financial transactions of all clubs and organizations shall be the responsibility of the school office. These shall be available for audit at all times.

**ADOPTED:**

7-10-1995

Secondary schools shall be permitted to produce publications, providing that they are produced under the direction of a school faculty sponsor and display quality work and acceptable articles which reflect acceptable school and community attitudes, values and morals.

**ADOPTED:**

7-10-1995

All intramural activities must be approved by the Building Principal and must be properly supervised.

**ADOPTED:**

7-10-1995



A. Policies, Generally: Extracurricular activities are an integral part of school life and often require as much careful planning and supervision as regular curricular subjects. The Superintendent, with the approval of the Board of Trustees, shall determine proper procedures for the conduct of extracurricular activities. These procedures shall conform to the best acceptable standards, the rules and regulations of the Idaho High School Activities Association of Idaho, the Snake River Valley Conference, the District Board of Control, the Weiser School District, local City ordinances and the laws of the State.

B. Athletics:

1. The Weiser High School provides participation in many major sports and in many other activities, including music, speech and leadership activities sponsored by the SRV Conference and the Idaho High School Activities Association. There are ample opportunities for everyone to participate. The Weiser High School Student Body sponsors the following athletic teams with full-time coaches and regular schedules:

Football.....	Varsity and JV
Basketball (girls) .....	Varsity, JV and Frosh
Basketball (boys).....	Varsity, JV and Frosh
Baseball .....	Varsity and JV
Track (boys and girls).....	Varsity and JV
Tennis (boys and girls).....	Varsity and JV
Golf (boys and girls).....	Varsity and JV
Wrestling.....	Varsity and JV
Cross Country (boys and girls).....	Varsity and JV
Volleyball (girls).....	Varsity and JV
Softball (girls).....	Varsity and JV
Soccer (boys and girls).....	Varsity and JV

2. The Weiser Middle School provides participation in football, basketball and track for both boys and girls, and volleyball and wrestling. A student shall not participate in more than one sport in any given season of athletic competition, i.e., track and baseball, cross country and volleyball.

**LEGAL REFERENCE:**

Idaho Code Sections  
33-512

**ADOPTED:**

7-10-1995

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 & 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 measure to protect student and staff health and safety. The school nurse or other responsible person designated by the Board, after consultation with an on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

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

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

**LEGAL REFERENCE:**

Idaho Code Sections I.C. § 39-609; I.C. § 39-610

**ADOPTED:**

7-10-1995

**AMENDED:**

2011

**A. Definitions:**

**CHILD ABUSE:** Nonaccidental physical injury caused by the acts or omissions of the child's parents or caretakers.

**PHYSICAL ABUSE:** Nonaccidental physical injury to a child. Physical neglect: failure on the part of the child's caretaker to provide adequate food, clothing, shelter or supervision.

**SEXUAL ABUSE:** Sexual exploitation of a child done for the sexual gratification of the offender or another person.

**B. Reporting Requirements:**

1. The State of Idaho specifically names school teachers and other school employees as persons required by Idaho Code section 16-1619 to report suspected cases of child abuse or neglect and circumstances which might reasonably result in abuse or neglect. Suspected cases must be reported within twenty four (24) hours of awareness. Any person who wilfully violates these provisions can be prosecuted.

2. School officials or employees reporting in good faith are immune from liability, both civil and criminal, according to Idaho Code section 16-1620.

3. School District employees should inform their administrator or his/her designee of their concerns. Contact the school Building Principal or the Child Protective Intake Unit of your local Department of Health and Welfare office directly or the local law enforcement agency.

4. A parent or guardian who is a convicted sex offender must complete the Record of Visits Request, if they wish to visit school grounds or attend a school sponsored event at any location.

**ADOPTED:**  
7-10-1995

**AMENDED:**  
2011

Building Principals shall see that temporary emergency first aid measures are administered to injured pupils and that the parents/legal guardians are contacted immediately in all serious cases of illness or injury. In the event that the Building Principal is unable to contact the student's parents or others who have been designated by the parents as contacts in the event of an emergency, the Building Principal shall have the right to refer the student directly to the student's doctor or the hospital and to provide emergency transportation thereto. Accident reports shall be completed for every accident which results in an injury.

**ADOPTED:**

7-10-1995

Students who ride bicycles to and from school are expected to observe all the appropriate laws which pertain to the operation of bicycles. Specifically, students are urged to observe the following safety regulations which reflect proper safety procedures:

- A. Ride on the right side of the street. Bicycles are vehicles and should be operated as such, subject to traffic signs, signals and regulations.
- B. Ride singly.
- C. The bicycle should be properly equipped for night riding, white headlight, red taillight or reflector, reflective tape for additional visibility.
- D. The bicycle should be in good working condition, including tires, steering, brakes and drive mechanism.
- E. The rider should be courteous. A bicycle can inflict injury just as surely as an automobile, if it is mishandled.
- F. Ride in single file, when there is a group. Not more than two (2) should be abreast on clear, unoccupied streets.

Bicycles are not to be ridden on school grounds during school hours. They should be placed in the racks provided for this purpose when students arrive at school and left there until the students leave. Students shall not be allowed to use the bicycles of other students, without the permission of the owner. Students are urged to bring bicycle chains and locks. Bicycles stolen or damaged while on school property shall not be the responsibility of the school.

**LEGAL REFERENCE:**

Idaho Code Sections  
49-714 et seq.

**ADOPTED:**

7-10-1995

- A. Students driving cars, motor bikes or motorcycles to Weiser High School must, upon arrival, park their vehicles in the student parking area. Students are not to drive cars during or between classes unless special permission is granted by the Building Principal or his/her designee. All laws and regulations governing the operation of motor vehicles are to be observed. Students failing to observe proper and lawful driving standards shall forfeit their right to bring their vehicles to school. Also, students shall not sit in parked vehicles during school hours.
- B. Vehicles stolen or damaged while on school property shall not be the responsibility of the school.
- C. Students shall not bring motor vehicles to Weiser Middle School.

**LEGAL REFERENCE:**

Idaho Code Sections  
49-101 et seq.

**ADOPTED:**

7-10-1995

The Superintendent of Schools, acting on behalf of the Board of Education and in the best interests of the health, safety or welfare of students may declare an emergency school closing. Examples of reasons for declaring emergency school closings may be floods, storms, failure of the heating plant, loss or damage to a school building, quarantine or order by the City, County, or State health agencies.

**ADOPTED:**

7-10-1995

- A. The Weiser School District shall make available an accident policy which is optional to the parent. This policy will usually not cover the complete cost of the medical treatment.
- B. Any student actively participating in athletics shall present evidence of insurance coverage for athletic injuries.
- C. The School District shall make available an accident policy that may assist with the cost of athletic injuries which is optional to the parent, but which, in the absence of comparable personal insurance coverage, is required of each student before he/she participates in any school-sponsored athletic practice or interscholastic athletic competition.

**ADOPTED:**  
7-10-1995

Students participating in interscholastic athletic activities shall be required to have a yearly physical by a licensed physician. No physicals taken prior to May 15 will be accepted for the upcoming year.

**ADOPTED:**  
7-10-1995

Pediculosis, also known as head lice, is a common condition found in school-age children. Pediculosis is highly contagious and easily spread from direct or indirect contact with the infested person and/or infested personal items.

A. School Procedures:

1. Students in grades K–5 will be screened at the beginning of the school year, and may be rescreened periodically throughout the year. Students in grades 6-12 will be screened as necessary. Any new student may be examined upon request for entry to school. Screenings will be conducted by a school employee trained in head lice screening procedures.

2. When a case of head lice is found, all the students in the same classroom (K-5) may be examined. The parent/guardian of the infected student will be notified of the condition, and if the child has siblings attending other district schools the schools will be notified.

B. Protocols for handling an infestation:

1. When a child is determined to have lice or nits:

- a. If live lice are found or observed, the parent/guardian will be notified and the student will be excluded from school until the student is nit and lice free.
- b. If no live lice are observed, but a child has nits, the parent/guardian will be notified of the condition.
  - i. If fewer than ten (10) nits are observed by the screener the student will be allowed to remain in school for the remainder of the day. When the parent/guardian is contacted due to the presence of nits, they will be informed about the district policy and will be given information regarding treatment, and an opportunity to view the nits found during the school screening.
  - ii. If more than ten (10) nits are observed by the screener the child will be excluded from school until the student is nit and lice free. The parent/guardian will be provided the district policy regarding nits and/or live lice and information regarding the treatment, and an opportunity to view the nits or lice found during the school screening.
- c. Once excluded from school for having lice or nits, the student must be reexamined before readmission to school, and a parent or designee for the parent must accompany the student and be present for the readmission screening. The student will only be readmitted if he/she is determined to be nit and lice free. A student who is reexamined and determined to have nits or any live lice will continue to be excluded from school.



- d. If the student returns to school the same day as diagnosis and treatment, the student must wear a different set of clothing (including a different coat).
- e. Any child who is found to have lice or nits will be screened again seven to ten (7 - 10) days after the condition is discovered, or after having been readmitted to school.

C. Administrative Handling:

- 1. When the parent/guardian is contacted due to an infestation they will be provided the district policy regarding students having lice, information regarding treatment, and an opportunity to view nits or lice from the student.
- 2. Each infestation will be recorded by the school identifying the student's name, date the infestation was discovered, date student returned to school after treatment, and 7 day rescreening results.
- 3. Once a student is determined to have lice, nits, or both, the student must return to school lice and nit free within 2 school days (defined as the remainder of the current school day plus one more school day) from the time of the original determination.
  - a. Within those first two school days, if the student misses any school due to the presence of nits or live lice, the absences will be recorded as medical absences approved by the school (recorded as medical-lice absences).
  - b. Each additional day that a student misses school due to a head lice related condition (during the remainder of that academic year) will be recorded as an unexcused lice absence. (Refer to WSD Attendance Policy 501.1 for student attendance requirements.)

**LEGAL REFERENCE:**

Idaho Code Sections  
33-512.7  
IDAPA 16.02.10.025.032 c.iv

**ADOPTED:**

2002

**AMENDED:**

2011, 2015

### **Concussion Guidelines**

Many students in Weiser School District No. 431 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 any organized athletic league or sport in which any District student participates as an athlete. For the purposes of this policy, athlete means an individual who is eighteen (18) years of age or younger and who is a participant in any middle school or high school athletic league or sport. A school athletic league or sport shall not include participation in 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 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 Idaho High School Activities Association, as well as this policy, and have reviewed such information. Further, each student and the student's parents or guardians shall sign an applicable waiver for participating in such athletic league or sport.
3. The signed waiver and acknowledgment of review of the appropriate information shall be returned and kept on file at the school the athlete is participating for.
4. The athlete will be required to obtain a baseline concussion (or similar) test in order to participate in a school athletic league or sport. Such test must be performed at least once annually. (Please refer to attached ImPACT™ information.)
5. Weiser School District coaches, both paid and volunteer, will be required to take the IHSAA Concussion test prior to the start of their season at least once every two years. A copy of their certification will be kept on file with the Athletic Director, or school administration. The Athletic Director and Middle School Principal will be responsible for enforcing this policy and maintaining records on each coach involved.

## 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** coaches, administrators, athletic trainers, officials, parents, or other athletes which could be indicative of a concussion include, but are not limited to, if the athlete:

- \* Appears dazed, stunned, or disoriented.
- \* Forgets plays or demonstrates short-term memory loss.
- \* Difficulties (e.g. is unsure of the game, score, or opponent).
- \* Exhibits difficulties with balance or coordination.
- \* Answers questions slowly or inaccurately
- \* Loses consciousness.
- \* Demonstrates behavior or personality changes.
- \* Is unable to recall events prior to or after the hit.

According to the Centers for Disease Control and Prevention, and for the purposes of this policy, **symptoms reported by the student-athlete to a coach, athletic trainer, and/or physician** which could be indicative of a concussion include but are not limited to:

- \* Has a headache
- \* Is nauseous or vomiting
- \* Has blurry vision
- \* Has difficulty remember things/memory impairment
- \* Is dizzy
- \* Is drowsy
- \* Is sleeping more or less than usual
- \* Feeling fatigued
- \* Feeling "in a fog"
- \* Feeling like things are moving in slow motion
- \* Is unusually emotional
- \* Is unusually irritable, nervous or sad
- \* Feels a loss of orientation
- \* Has poor balance/coordination
- \* Feels ringing in the ears
- \* Is sensitive to bright lights/loud noises

Coaches should not try to judge the severity of the injury themselves. Health care professional 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 until 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 practical nurse licensed under Idaho Code 54-1409, or a licensed health care professional trained in the valuation 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 valuation and management of concussions, such authorization must also be countersigned by the directing physician.

Legal Reference:

I.C. § 33-1625 Youth Athletes – Concussion and Health Injury Guidelines  
Title 54, Chapter 18 Idaho Code

Other References: <http://www.idhsaa.org/concussion/default.asp>  
<http://www.cdc.gov/concussion/sports/index.html>  
<http://www.cdc.gov/concussion/sports/recognize.html>

Policy History

**ADOPTED**  
**08-06-2012**

**WEISER SCHOOL DISTRICT NO. 431  
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 information related to student athlete concussions from the District, including information from the Idaho High School Activities Association in conjunction with The Center for Disease Control and Prevention, and District Policy #504.10 – Concussion Management Policy, 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 Weiser School District, No. 431, 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.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**Student's Signature**

I, (print name) \_\_\_\_\_, acknowledge that I am a student of Weiser School District, No. 431, or otherwise am allowed to participate in school athletics leagues of sports, that I have received information related to student athlete concussions from the District, including information from the Idaho High School Activities Association in conjunction with The Center for Disease Control and Prevention, and District Policy #504.10 – Concussion Management Policy, and have reviewed such information. I understand that participation in school athletics leagues or sports is dangerous, and I accept the risk of the potential consequences of such dangers.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**Consent for Cognitive Testing and Release of Information**

I give my permission for (name of child) \_\_\_\_\_ (child's date of birth) \_\_\_\_\_ To have baseline and, if the need arises, post-concussion(s) ImPACT™ (Immediate Post-Concussion Assessment and Cognitive Training) administered at Weiser High School. I understand that my child may need to be tested more than once, depending upon the results of the post-concussion test, as compared to my child's baseline test, which is on file at WHS. I understand there is no charge for the testing.

Weiser High School may release the ImPACT™ (Immediate Post-Concussion Assessment and Cognitive Testing) results to my child's primary physician, neurologist or other treating physician, as requested.

Name of Parent/Guardian: \_\_\_\_\_

Please Print Name

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: All 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.**



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Dear Parent/Guardian,

Weiser High School is currently implementing an innovative program for our student-athletes. This program will assist physicians in evaluating and treating head injuries (e.g., concussion). In order to better manage concussions sustained by our student-athletes, we have acquired a software tool called ImPACT (Immediate Post Concussion Assessment and Cognitive Testing). ImPACT is a computerized exam utilized in many professional, collegiate, and high school sports programs across the country to successfully diagnose and manage concussions. If an athlete is believed to have suffered a head injury during competition, ImPACT is used to help determine the severity of head injury and when the injury has fully healed.

The computerized exam is given to athletes before beginning contact sport practice or competition. This non-invasive test is set up in "video-game" type format and takes about 15-20 minutes to complete. It is simple, and actually many athletes enjoy the challenge of taking the test. Essentially, the ImPACT test is a preseason physical of the brain. It tracks information such as memory, reaction time, speed, and concentration. It, however, is not an IQ test.

If a concussion is suspected, the athlete will be required to re-take the test. Both the pre-season and post-injury test data is given to your child's physician to help evaluate the injury. The test data will enable health professionals to determine when return-to-play is appropriate and safe for the injured athlete. If an injury of this nature occurs to your child, you will be promptly contacted with all the details.

The ImPACT testing procedures are non-invasive, and they pose no risks to your student-athlete. We are excited to implement this program given that it provides us the best available information for managing concussions and preventing potential brain damage that can occur with multiple concussions. The Weiser School District administration and coaching staff are striving to keep your child's health and safety at the forefront of the student athletic experience. Please return the attached page with the appropriate signatures. If you have any further questions regarding this program please feel free to contact Weiser High School.

**DEFINITIONS**

For the purposes of this policy the following definitions apply:

“Parent” is defined as a natural parent, guardian, or individual acting in the absence of a parent or guardian, who is providing the student with food, clothing, discipline, and guidance on a day-to-day basis in the home environment.

“Eligible student” is defined as a student over the age of eighteen (18), or a student attending a post-secondary institution, including those who are dually enrolled.

“Educational record” is defined as those records directly related to a student and maintained by this district or by a party acting on behalf of this district.

“School official” is defined as any person employed by the district in administrative, counseling, supervisory, academic, student support services, or research positions, any support person to those positions, and any person employed by or under contract with the district to perform a special task.

**ANNUAL NOTIFICATION REQUIREMENTS**

The Family Educational Rights and Privacy Act (FERPA) has specified that student records are confidential, with some exceptions. The district will provide parents and eligible students annual notification of their rights under FERPA. The annual notice will contain information regarding the right to inspect their children’s records, the right to seek an amendment of a record, the right to consent to disclosures of personally identifiable information, with certain exceptions, and the right to file a complaint with the U.S. Department of Education.

**RIGHT TO INSPECT EDUCATIONAL RECORDS**

Parents or eligible students may inspect and review educational records. This district will comply with a request for access to records within a reasonable period of time, but in no case more than forty-five calendar (45) days after it has received the request. This district will respond to reasonable requests for explanations and interpretations of the records. A copy of the records will be given to the parent or eligible student upon request if failure to do so would prevent the parent or eligible student from exercising the right to inspect and review the records. The district may charge the parent or eligible student the actual costs for copying the records unless payment of such cost is determined to effectively preclude the parent or eligible student from having access to the educational records.

The district will not destroy requested educational records if there is an outstanding request to inspect and review those records.

**DISCLOSURE OF STUDENT RECORDS TO NONCUSTODIAL PARENT**

A noncustodial parent’s access to records and information pertaining to his or her minor child will not be denied solely because the parent is not the child’s custodial parent. However, information concerning a minor child’s home address will be deleted from all records supplied to a noncustodial parent if the custodial parent has advised the district in writing to do so

**DEFINITION OF EDUCATIONAL RECORDS**

Educational records are defined as those records directly related to a student and maintained by this district or by a party acting on behalf of this district. Educational records include, but are not limited to, the cumulative file, special education records, and disciplinary records.

Educational records do not include records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

The cumulative file of each student is maintained at the *district's central office*. The building principal, individual teachers, and special education personnel may also have files containing particular educational records.

**PERSONALLY IDENTIFIABLE INFORMATION**

Personally identifiable information will not be released from an educational record without the prior written consent of the parent or eligible student, except under specific circumstances. "Personally identifiable information" includes, but is not limited to:

1. The student's name;
2. The name of the student's parent or other family member;
3. The address of the student or student's family;
4. A personal identifier such as the student's social security number or student number;
5. A list of personal characteristics that would make the student's identification easily traceable; or
6. Other information that would make the student's identity easily traceable.

**RELEASE OF INFORMATION WITHOUT PRIOR CONSENT**

Personally identifiable information may be released without prior written consent of the parent or eligible student under the following conditions:

The disclosure is to school officials who have a legitimate educational interest. *School officials are instructional, supervisory, administrative, and ancillary personnel acting on behalf of the school district in any official capacity, temporarily or permanently, whether with or without compensation, or under contract with the school district, including a person employed by or under contract to the district to perform a special task, such as an attorney, auditor, medical consultant, or therapist. A legitimate educational interest includes performing education- or discipline-related tasks in connection with a student, providing educational services to a student or a student's family, or performing administrative or other educational responsibilities prescribed by the school or the district;*



1. The disclosure is to officials of another school, school system, or institution of post-secondary education where the student seeks or intends to enroll;
2. The disclosure is to federal, state, and local educational authorities;
3. The disclosure is in connection with financial aid for which the student has applied or which the student has received;
4. The disclosure is to organizations conducting studies for, or on behalf of, this district to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction;
  - a. When information is disclosed to such organizations, the study must be conducted in such a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization;
  - b. The information must be destroyed when no longer needed for the purposes for which the study was conducted;
  - c. If it is determined by the U.S. Department of Education that an organization has violated the requirement to destroy the information when it is no longer needed, this district will not allow that third party access to personally identifiable information from educational records for at least five (5) years;
5. The disclosure is to an accrediting organization to carry out its accrediting function;
6. The disclosure is to parents of a dependent eligible student as defined by the Internal Revenue Code;
7. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that this district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance;
  - a. The prior notification requirement does not apply where the subpoena is issued by a federal grand jury or for any law enforcement purpose and the issuing court or agency has ordered that the existence and contents of the subpoena not be disclosed;
  - b. A student's relevant education records can be disclosed without a subpoena if this district initiates legal action against a parent or student, or if a parent or student initiates legal action against the district;
8. The disclosure is in connection with a health or safety emergency;
9. The disclosure is information that this district has designated as "directory information";
10. The disclosure is to the parent or eligible student.

**ACCESS LOG**

This district will maintain a record of each request for access to and each disclosure of personally identifiable information from the educational record of each student. This access log will be maintained with the student's educational records as long as the records are maintained. The access log will specify the individuals who have requested or received personally identifiable information from the educational records and the legitimate educational interest the parties had in requesting or obtaining the information. If the information was released without prior parental consent, the specific exception for such consent will also be set forth. A record will not be kept of access to a student's record by the parent or eligible student, a school official with legitimate educational interest, when written consent has been received from the parent or eligible student, a request is received for directory information only, or the district is ordered to not disclose the request for records.

**DIRECTORY INFORMATION**

Directory information is defined as information contained in an educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to:

1. Student name;
2. Address;
3. Telephone listing;
4. Electronic mail address (e-mail);
5. *Photographs of the student used by the district for recognition of student achievement and community relations, including, but not limited to, publication in the district's or school's newsletters, in the school setting and on the district's or school's web site;*
6. Date and place of birth;
7. Major field of study;
8. Participation in officially recognized activities such as sports;
9. Weight and height of members of athletic teams;
10. Dates of attendance, degrees, and awards received;
11. The most recent previous school, school district or institution attended;

**DISCLOSURE OF DIRECTORY INFORMATION**

This district may disclose directory information after giving written, public notice annually to parents of students in attendance and eligible students in attendance that:

1. All information in the definition of directory information as set forth in this policy has been designated as directory information by this district;
2. A parent or eligible student has the right to refuse to allow this district to designate any or all of the types of information about the student as directory information;
3. A parent or eligible student must notify this district in writing, *by September 15<sup>th</sup> of the current school year*, that directory information may be disclosed, if the parent or eligible student does not want any or all of the directory information about the student released.
4. This district shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings unless a parent or secondary school student requests, in writing, that the student's name, address, and telephone listing not be released without prior written parental consent.

This district may disclose directory information about former students without notice.

**PROCEDURE TO AMEND RECORDS**

If a parent or eligible student believes that the educational records relating to the student contain information that is inaccurate, misleading, or in violation of the student's right of privacy, they may seek to amend the record. The right to seek amendment cannot be used to challenge a grade or an individual's opinion (unless the grade or the opinion has been inaccurately recorded) or a district's decision to create or maintain particular education records. When a request to amend educational records is received, *it shall be reduced to writing and* the following procedure will be followed:

**REVIEW PROCESS**

1. *Within thirty calendar (30) days* of receiving a request to amend the record, this district, through its designee, will determine whether the information contained in a record is inaccurate, misleading, or in violation of the student's right of privacy. If the district determines that the requested amendment is appropriate, it will correct the record and provide written notice of the changes to the parent or eligible student.
2. If this district determines that the information is not inaccurate, misleading, or in violation of the student's right of privacy, it will inform the parent or eligible student, *in writing*, of its decision, *reasons why it denied the request to amend the record*, and the right to a hearing.

**HEARING PROCESS**

1. The parent or eligible student, on request, has an opportunity for a hearing to challenge the contents of the student's educational records on the grounds that the information contained in the educational records is inaccurate, misleading, or in violation of the privacy rights of the student.
2. This district will hold the requested hearing within *thirty (30) days* after it receives a request for the hearing. Notice of the date, time, and place will be given to the parent or eligible student within a reasonable amount of time prior to the hearing.
3. Any individual, including a district employee, who does not have a direct interest in its outcome, may conduct the hearing. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues raised at the hearing. *The parent or eligible student may, at their own expense, be assisted or represented by an individual of his or her own choice, including an attorney.*
4. *The individual conducting the hearing is not bound by common law or by the rules of evidence. Evidence will be admitted and given weight only if it is the kind of evidence which reasonable persons are accustomed to rely on in the conduct of serious affairs.*
5. The hearing officer will make his/her decision in writing within *fourteen (14) days* after the close of the hearing. The decision will be based solely on the evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. The hearing officer's decision will be the final decision of this district.
6. If the hearing officer concludes that the information being contested is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the district will amend the records at issue and inform the parent or eligible student of the amendment in writing.
7. If the hearing officer concludes that the information in the educational record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the district will inform the parent or the eligible student of the right to place a statement in the record commenting on the contested information or stating why he or she disagrees with the district's decision, or both. If such a statement is received by this district, it will remain as part of the record for as long as the student's record is maintained and the statement will be disclosed whenever this district discloses the portion of the record to which the statement relates.

**EDUCATIONAL RECORDS OF STUDENTS WITH DISABILITIES**

This district will allow parents of students with disabilities and eligible students with disabilities the right to inspect and review any educational records relating to the student that are collected, maintained, or used by this district.

The district will also comply with a request to inspect and review such records without unnecessary delay, and in no event more than forty-five (45) calendar days after the request has been made, in these situations:

1. Before any meeting regarding the student’s Individualized Education Program (IEP);
2. Before any hearing relating to the identification, evaluation, or educational placement of the student; or
3. Before any hearing relating to the provision of a Free Appropriate Public Education (FAPE) to the student.

This district will inform the parent or eligible student when personally identifiable information collected, maintained, or used by the district is no longer needed to provide educational services to the student. The information must be destroyed at the request of the parent or eligible student. However, this district may maintain a permanent record of the student’s name, address, and phone number, his or her grades, attendance records, classes attended, grade level completed, and year completed without time limitation.

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**LEGAL REFERENCE:**

- Idaho Code Section 32-717A
- The Family Educational Rights and Privacy Act of 1974
  - 20 USC 1232g
  - 34 CFR Part 99
- Individuals with Disabilities Education Act
  - 20 USC 1412(2)(D) and USC 1417
  - 34 CFR Section 300.560 through Section 300.576
- Elementary and Secondary Education Act, Section 9528 (2001)
- Protection of Pupil Rights Amendment, 20 USC 1232h, 34 CFR Part 98, as amended by the No Child Left Behind Act of 2001 (2002)

**ADOPTED:**

September, 2010

**AMENDED:**

- A. Any secondary school student group participating in a school approved or sponsored activity may establish a fund within the financial structure of the secondary school of which it is a part. All such funds shall conform to regulations on file in the Superintendent's office and all funds shall be audited at least annually.
  
- B. Funds which are left in the student activity account when an organization is dissolved and/or direct supervision is not provided by the school, shall revert to the General Fund, if written instructions are not provided by the officers and advisors of said group for the dispersal of the funds. Graduating classes shall use the balance of their funds to help fund an approved school project or the funds shall revert to the Student Body Fund.

**ADOPTED:**

7-10-1995

**AMENDED:**

2002

In order for class gifts to be accepted by a school, they shall meet the following criteria:

- A. They shall enhance the educational or aesthetic aspects of the school;
- B. Books, library materials, instructional materials and equipment shall meet standards at least equal to those established for items purchased by the Weiser School District;
- C. Equipment must be operable by the intended users and subject to easy maintenance;
- D. Gifts related to buildings and grounds shall be approved by the Board of Trustees after consultation with the Superintendent and, in some cases, with an architect;
- E. Any gift to a school shall be acceptable to the Building Principal of that building;
- F. Organizations and classes are encouraged to support the Weiser Public Schools Education Foundation.

**ADOPTED:**

7-10-1995

Many legitimate representatives of recognized agencies find it necessary to interview students, with parental permission. Parental permission may not be needed if in the opinion of the administrator child neglect or abuse is evident. All such interviews shall be cleared through the Building Principal's office. Students may be questioned or interviewed by representatives from the following agencies:

- A. Washington County Juvenile Probation Department;
- B. Washington County Sheriff's Department;
- C. Weiser Police Department;
- D. Weiser Fire Department;
- E. Church welfare and placement bureaus;
- F. Idaho State Welfare Department;
- G. Washington County Welfare Department;
- H. All branches of the Armed Forces and appropriate governmental agencies;
- I. Placement bureaus or agencies approved by the State Board of Education.

When students are questioned by representatives from any of the above agencies, the Building Principal or his duly appointed representative may be present at all times.

If the school official deems it reasonable, consent from the parents should be obtained before involving any of the above agencies; however, such parental consent is not required so long as the interviews and the conduct relates to school time activity or disciplinary matters relating to school conduct.

*REFER TO POLICY NO. 502.6: Cooperation with Law Enforcement Agencies*

**ADOPTED:**

7-10-1995