

STUDENT SUICIDE PREVENTION POLICY

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3 **Mountain Home** School District recognizes its obligation to protect the health and safety of all
4 students attending its schools. School staff is responsible for following the accompanying
5 procedures **relating to suicide prevention, intervention, and postvention** in the event it is
6 suspected that a student may have suicidal tendencies, or in the event a student suicide occurs. **As**
7 **used in this policy, “postvention” means counseling or other social care given to students**
8 **after another student’s suicide or attempted suicide.**

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10 The legal duty to warn of a student’s suicidal tendencies occurs whenever this school district or
11 any teacher has knowledge of direct evidence of a student’s suicidal tendencies, **as determined**
12 **by a court as a matter of law.** ~~The legal duty to warn of a student’s suicidal tendencies occurs~~
13 ~~whenever this school district or any teacher had knowledge of direct evidence, as determined by~~
14 ~~the court as a matter of law, of a student’s suicidal tendencies.~~

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16 For the purposes of this policy, “direct evidence” is defined as evidence that directly proves a fact
17 without inference and which in itself, if true, conclusively establishes that fact. Direct evidence
18 includes unequivocal and unambiguous oral or written statements by the student, which would not
19 cause a reasonable teacher to speculate regarding the existence of the fact in question. Direct
20 evidence does not include equivocal or ambiguous oral or written statements by a student that
21 would cause a reasonable teacher to speculate regarding the existence of the fact in question.

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23 **No person shall have a cause of action for any loss or damage caused by any act or omission**
24 **resulting from the implementation of this policy or resulting from any training received by**
25 **district employees as required by Idaho Code §33-136, or lack thereof. Additionally, the**
26 **training required by Idaho Code §33-136, or lack thereof, shall not be construed to impose**
27 **any specific duty of care upon the district or any of its employees.**



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31 **LEGAL REFERENCE:**

32 Idaho Code Sections

33 **33-136 – Suicide Prevention in Schools**

34 33-512(4) – Governance of Schools

35 33-512B – Suicidal Tendencies – Duty to Warn

36 IDAPA 08.02.02.076.10(c) – Principle IX – Duty to Report – Duty to Warn

37 IDAPA 08.02.03.160 – Safe Environment and Discipline

38 *Stoddart v. Pocatello School Dist. #25*, 149 Idaho 679, 239 P.3d 784 (Idaho 2010)

39 *Brooks v. Logan*, 127 Idaho 484, 903 P.2d 73 (Idaho 1995)

40 *Carrier v. Lake Pend Orielle School Dist.*, 142 Idaho 804, 134 P.3d 655 (Idaho 2006)

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42 **ADOPTED: December 19, 2017**

43 Revised:

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