

SCHOOL SAFETY AND DISCIPLINE POLICY

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

Mountain Home School District No. 193 believes each employee has the right to attend work in an atmosphere that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive. Each employee deserves the right to work, educate, mentor, guide, etc., students without being harassed, threatened, intimidated, bullied, etc., by other school district employees, school district students, and visitors/guests.

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

Mountain Home School District No. 193 School Board of Trustees holds school district employees, school district students, and visitors/guests, to this school district policy and any correlating policies and procedures.

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

The District has the authority to control student, employee, and visitor/guest conduct and to adopt rules necessary to maintain proper discipline (I.C. 33-512).

1. Each school will review the discipline plan annually, which includes procedures for due process **in accordance with Idaho Code**. The discipline plan must be provided, at the beginning of each school year to the students, staff, and parents.

- 30 2. Denial of enrollment – (I.C. 33-205): Students, who have been expelled from any
31 school district, including Mountain Home School District No. 193, must notify school
32 authorities of their expulsion upon requesting admittance to the Mountain Home School
33 District. A hearing before the Board of Trustees must be held, and permission given by
34 that body, prior to the admittance of a student who has been expelled from any school
35 district, as described above.
36
- 37 3. All staff members will be notified that they are responsible to take appropriate action
38 for discipline situations that may arise in their presence.
39
- 40 4. Release of a student to law enforcement officials – (I.C. 20-516, MHSD Searches,
41 Seizures, & Interviews Policy & Juvenile Release Form): The school administrator, or
42 designee, may release a student to law enforcement officials if a warrant is issued, or if
43 the officer is arresting the student without a warrant, or the officer requires the removal
44 of a student from school district property. In the absence of parental or guardian
45 consent, the school administrator, or designee, shall document the release by using the
46 MHSD Searches, Seizures, & Interviews Policy & Juvenile Release Form.
47
- 48 5. Building administrators may temporarily suspend any student for disciplinary reasons,
49 or for other conduct disruptive of good order, or which impedes the effectiveness of
50 the school (I.C. 33-205).
51
- 52 6. The Superintendent may suspend any employee or place any **certified** employee on
53 administrative leave for disciplinary reasons, or for other conduct disruptive of good
54 order, or which impedes the effectiveness of the school, or in the case of certified
55 employees until the outcome of the due process hearing (I.C. Title 33, Chapters 5 and
56 12).
57
- 58 7. Students with disabilities violating this policy will be dealt with within the guidelines
59 of Individuals with Disabilities Educational Act (IDEA) and American Disabilities Act
60 (ADA). Each incident will be addressed on a case-by-case basis.

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- 62 8. Students in violation of the zero tolerance guidelines as set forth will be referred to the
- 63 District Review Committee for disciplinary measures including, but not limited to,
- 64 suspension or recommended for expulsion, and referred to the appropriate authorities
- 65 (I.C. 33-205, 33-512).
- 66
- 67 9. Certified school district employees in violation of the zero tolerance guidelines may be
- 68 referred to the School Board of Trustees for a due process hearing and referred to the
- 69 appropriate authorities (I.C. 33-512 & 33-513).
- 70
- 71 10. Classified school district employees in violation of the zero tolerance guidelines may
- 72 be referred to the School Board of Trustees for disciplinary measures and referred to
- 73 the appropriate authorities (I.C. 33-512 & 33-513).
- 74
- 75 11. Visitors in violation of the zero tolerance guidelines will be prohibited from entering
- 76 any school premises or attending any school sponsored activity, regardless of location,
- 77 including, but not limited to, filing a No Trespass Order against the individual and
- 78 referred to the appropriate authorities (I.C. 33-512).
- 79
- 80 12. Discipline shall be appropriate to the offense, age, and ~~status~~ **standing** of the
- 81 individual.
- 82
- 83 13. The Superintendent or designee shall submit the case to the appropriate law
- 84 enforcement agency when the charges warrant such action.
- 85
- 86 14. Right of Appeal: Should a certified employee wish to challenge an administrative
- 87 decision, (s)he may request a hearing before District Administration with right of
- 88 appeal to the School Board of Trustees using the Grievance Policy for Certified
- 89 Employees.
- 90
- 91 A classified employee of the district may file a grievance about any matter related to

92 their employment, only if the grievance is directly related to the classified employee's
93 belief they have been unfairly treated or the District is in violation of any District Policy,
94 State Regulation or Law, or Federal Regulation or Law. The grievance must be submitted
95 in accordance with the Grievance Policy for Classified Employees. (I.C. 33-517)

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

101
102 **SCHOOL SAFETY & DISCIPLINE** –
103 Mountain Home School District properties and facilities include, but are not limited to: buildings,
104 facilities, grounds, district campus, school buses, district parking areas, and the location of all
105 school district sponsored activity regardless of the location, **and in or on property owned or**
106 **operated by a school district.**

107
108 Mountain Home School District has Zero Tolerance by students, employees, and visitors/guests
109 for the following:

110
111 A. **ZERO TOLERANCE:** (I.C. Title 18, Chapter 9 – Assault & Battery, Chapter 15 –
112 Children & Vulnerable Adults, Chapter 33 – Firearms, Explosives, & Weapons, Chapter
113 41 – Indecency & Obscenity, Chapter 42 – Intoxicants & Intoxication, Chapter 61 – Rape,
114 Chapter 66 – Sex Crimes, Chapter 67 – Communications Security, Chapter 73 – Civil
115 Rights, Chapter 79 – Malicious Harassment; Title 20, Chapter 5 – Juvenile Corrections
116 Act; Title 33, Chapter 2 – Attendance at School, Chapter 5 – District Trustees (Government
117 of Schools); Title 37, Chapter 27 – Uniformed Controlled Substances; PL 100-690 & 94-
118 142; Drug-Free Schools and Communities Act of 1988; Title IX – Education Amendments
119 of 1972; Idaho Coalition Against Sexual & Domestic Violence, Center for Healthy Teen
120 Relationships) (*See also Bullying, Harassment, and Abuse Against Students Policy,*
121 *Procedure, & Forms; Adolescent Relationship Abuse & Sexual Assault Policy; Child*
122 *Abuse Policy; Computer & Network Services Policy and Procedures; Drug-Alcohol Free*

123 *Workplace Policy for Employees & Students; Medications Policy & Forms,*
124 *Nondiscrimination Policy & Form; Sexual Harassment Policy, Procedures, & Forms;*
125 *Searches, Seizures, & Interviews Policy & Form; Tobacco & Other Inhalants Prohibition*
126 *Policy, and Video & Electronic Surveillance Policy)*

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

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131 1. Weapons and look alike weapons at school, on or near owned or contracted school
132 property, or at school sponsored events regardless of location, and as interpreted by the
133 School Board of Trustees. **Willful threats of violence directed at schools, school**
134 **buses, school activity venues, school staff and/or students regardless of the point**
135 **of origin, and delivered by any means of communication.** (see item B)

136

137 2. Violent, abusive, sexual abuse, threatening, **discriminative**, intimidating, bullying,
138 cyber-bullying, texting, sexing, harassing, hazing, etc., acts including, but not limited
139 to, teen dating violence/abuse (unhealthy relationships), inappropriate use of cellular,
140 digital, and electronic devices at school, etc., on or near owned or contracted school
141 property, or at school sponsored events regardless of location, and as interpreted by the
142 School Board of Trustees. (see item C)

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144 3. Verbal or written bomb threats, or placing or detonating a bomb at school, on or near
145 owned or contracted school property, or at school sponsored events regardless of
146 location, and as interpreted by the School Board of Trustees. (see item D)

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148 • Idaho Code 18-3313 false reports of explosives in public or private places is a
149 felony.

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151 4. Drug/Alcohol/Controlled substances at school, on or near owned or contracted school
152 property, or at school sponsored events regardless of location, and as interpreted by the
153 School Board of Trustees. (see item E)

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5. Student use of cellular, digital, and electronic communication and entertainment devices, unless approved for educational purposes, is not allowed on school district property, or at school-sponsored activities regardless of location, without prior authorization from a classroom teacher, administrator, or coach, and as interpreted by the School Board of Trustees. (see item F)

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

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

1. Weapons are defined as follows:

- a. Any device, instrument, material, or substance designed to cause serious physical injury, or look-a-like devices, weapons, or other objects or substances capable of being used as weapons, such as, but not limited to, any item that under the circumstances it is used, attempted, or threatened to be used, is readily capable of causing serious physical injury.
- b. Weapons may include, but are not limited to: firearms of any kind, knives or sharp instruments of any kind, or look-a-like devices, weapons, or other objects; any explosive, incendiary, or poisonous gas; any combustible or flammable liquid; **or other objects/substances which may pose a threat to the health and safety of**

185 **other students, staff members, or visitors, or could be used to disrupt the**
186 **educational process;** or any other item that is used to threaten, strike terror, or
187 cause bodily harm or death even though it is normally considered not to present a
188 danger to others.

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190 c. **Threatening by word, electronic means, or act to use a firearm or other deadly**
191 **or dangerous weapon to do violence to any person on school grounds or to**
192 **disrupt the normal operations of the school district's operations by making a**
193 **threat of violence.**

194
195 d. **Knowingly possessing, altering or repairing a firearm or other deadly or**
196 **dangerous weapon in the furtherance of carrying out a threat made by word,**
197 **electronic means or act to do violence to any person on school grounds or to**
198 **disrupt the normal operations of the school district.**

199
200 e. **Willful threats of violence directed at schools, school buses, school activity**
201 **venues, school staff and/or students regardless of the point of origin, and**
202 **delivered by any means of communication.**

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204 2. Discipline:

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206 a. Students who possess, store, or use firearms, look-a-like weapons, or other objects
207 or substances capable of being used as weapons, as defined in section B.1., without
208 permission from school officials, may be immediately suspended for up to five (5)
209 days, or may be expelled. The administrator in charge of the case will meet with
210 the superintendent of schools, or designee, as soon as possible to consider the
211 evidence. Those determined to be in violation will be referred to the District Review
212 Committee or the School Board of Trustees with recommendation for further
213 suspension or expulsion, and the proper authorities would be notified. The School
214 Board of Trustees reserves the right to expel a student permanently.

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- 216 • Mountain Home School District will not admit any student who has been
217 expelled from another school district without a hearing before the School Board
218 of Trustees. Student expulsions resulting from a violation of the Gun-Free
219 Schools Act of 1994, is a mandatory one (1) year expulsion period. Students
220 expelled for possession, storing, or using a firearm, as defined in Section B.1.,
221 will be referred to the appropriate criminal or juvenile justice system. (I.C. 33-
222 205)
- 223
- 224 b. Classified personnel who possess, store, or use firearms or look-a-like weapons, or
225 other objects capable of being used as weapons, as defined in section B.1., without
226 permission from school officials may be referred to the building administrator,
227 superintendent, or School Board of Trustees for disciplinary measures and possible
228 termination, and the appropriate authorities would be notified.
- 229
- 230 c. Certified school district employees who possess, store, or use firearms or look-a-
231 like weapons, or other objects capable of being used as weapons, as defined in
232 section B.1., without permission from school officials may be referred to the School
233 Board of Trustees for a due process hearing and possible termination, and the
234 appropriate authorities would be notified.
- 235
- 236 d. Visitors who possess, store, or use firearms or look-a-like weapons, or other objects
237 capable of being used as weapons, as defined in section B.1., without permission
238 from school officials may be, but is not limited to, prohibited from entering any
239 school premises or attending any school sponsored activity, regardless of location,
240 and referred to the appropriate authorities. (I.C. 33-512)

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- 242 C. **VIOLENT, ABUSIVE, DISCRIMINATIVE, INTIMIDATING, BULLYING, &**
243 **HARASSMENT ACTS INCLUDING TEEN DATING VIOLENCE/ABUSE**
244 **(UNHEALTHY RELATIONSHIPS) & DISCIPLINE** – (I.C. Title 18, Chapter 9 –
245 Assault & Battery (18-917A), Chapter 15 – Children & Vulnerable Adults, Chapter 33 –
246 Firearms, Explosives, & Weapons (18-3302I, 18-3313), Chapter 41 – Indecency &

247 Obscenity, Chapter 42 – Intoxicants & Intoxication, Chapter 61 – Rape, Chapter 66 – Sex
248 Crimes, Chapter 79 – Malicious Harassment; Title 33, Chapter 2 – Attendance at School
249 (33-205), Chapter 5 – District Trustees (33-512); Chapter 16 – Course of Instruction (33-
250 1612); IDAPA 08.02.03.160; Title IX – Education Amendments of 1972; Idaho Coalition
251 Against Sexual & Domestic Violence; Center for Healthy Teen Relationships) (*See*
252 *Bullying, Harassment, and Abuse Against Students Policy, Procedure, & Forms;*
253 *Adolescent Relationship Abuse & Sexual Assault Policy; Child Abuse Policy;*
254 *Nondiscrimination Policy & Form; Sexual Harassment Policy, Procedures, & Form;*
255 *Computer & Network Services Policy and Procedures; Searches, Seizures, & Interviews*
256 *Policy & Procedure, and Video & Electronic Surveillance Policy)*

257

- 258 • It is the policy of Mountain Home School District No. 193 to maintain a work
259 environment that is free from unlawful discrimination, harassment, and
260 retaliation. Each student and employee has the right to attend classes and work
261 in an atmosphere that promotes equal opportunities and that is free from all
262 forms of discrimination and conduct that can be considered harassing, coercive,
263 or disruptive. It is important that all students and employees treat all other
264 students and employees with respect and in a lawful and civil manner. It is the
265 responsibility of all students and employees to deter inappropriate behavior.
266 Discriminatory harassing behavior, including bullying, and intimidation that
267 impacts or has the potential to impact the school will not be tolerated.

268

- 269 • MHSD encourages students and employees who are involved in an abusive
270 relationship, or suspects or knows of a student or employee in an abusive
271 relationship, or suspects or knows of a student or employee who is the
272 perpetrator of abuse either mentally, physically, sexually, including through the
273 use of social media and cyber-technology, to report such abuse to Law
274 Enforcement and also notify a teacher, counselor, or school administrator of
275 such.

276

277 • MHSD expects and requires district employees to report all suspected cases of
278 abuse to Law Enforcement and to the school building administrator(s). Failure
279 to report suspected abuse may result in disciplinary actions as deemed
280 appropriate by the School Board of Trustees.

281
282 1. Violent, Abusive, **Discriminative**, Intimidation, Bullying, & Harassment Acts
283 Including Teen Dating Violence/Abuse (Unhealthy Relationships) are defined as
284 follows (*see item 3 for disciplinary actions*):

285
286 a. All students, employees, and visitors/guests are prohibited from engaging in or
287 conspiring to engage in any conduct, which could reasonably be construed as
288 constituting harassment on the basis of sex (including sexual orientation), race,
289 color, national origin, age, religious beliefs, ethnic background, or disability;

290
291 b. Threats, written or verbal, graphic or photographic, audio or video, via social media
292 and other digital and electronic devices, acts/depictions of creating an intimidating
293 or hostile environment, or acts/depictions including bullying, cyber-bullying, and
294 sexual and physical abuse be it violent or potentially violent, including damage to
295 property, which poses a threat to the health and safety of students, staff members,
296 or visitors, or are disruptive to the educational process of the Mountain Home
297 School District.

298
299 c. Sexual and Physical abuse against a student, employee, or visitor including, but not
300 limited to, hitting, pushing, tripping, kicking, blocking, inappropriate touching;
301 restraining another's movement; aggression and/or intimidation to someone's
302 demographics; bullying, sexting, and texting including, but not limited to, the use
303 of social media and other digital and electronic devices; sexual misconduct; causing
304 damage to another's clothing, property, possessions, and taking another's
305 belongings.

306
307 d. Verbal abuse, including, but not limited to the use of social media and other digital

308 and electronic devices, against a student, employee, or visitor including, but not
309 limited to, name-calling, threatening behavior, demeaning jokes, sexual
310 misconduct, texting, sexting, and cyber-bullying; inappropriate social media
311 postings of any kind, any defamatory, taunting, harassing, slurs, derogatory
312 remarks or innuendos, malicious teasing, and acts to a student or school district
313 employee's demographics.

314
315 e. Psychological abuse, including sexual psychological abuse, against a student,
316 employee, or visitor including, but not limited to, spreading harmful and
317 inappropriate rumors regarding another, bullying, cyber-bullying, texting, sexting,
318 inappropriate social media postings, any defamatory/taunting/harassing through the
319 use of social media or other digital or electronic devices, drawing inappropriate
320 pictures, and writing inappropriate statements regarding another, and intentionally
321 excluding another from groups, and similar activities.

322
323 f. Harassment, sexual harassment, abuse, intimidation, sexual intimidation, bullying,
324 and cyber-bullying, including, but not limited to, any intentional gesture and any
325 intentional written, verbal, sexual, and physical acts and threats, against another
326 student, employee, or visitor may be committed through any technology including,
327 but not limited to, the use of landlines, ~~ear~~ mobile ear phones, wireless telephones, and
328 other digital and electronic devices, inappropriate social media postings, through
329 the use of data or computer software that is accessed through a computer, computer
330 system, or computer network.

331
332 g. In the event that cyber-bullying was committed by a school district student or an
333 employee on school grounds and/or using school district technologies, the student
334 or employee would be subjected to appropriate discipline and referred to other
335 appropriate authorities as defined in item 3. (*See Also Bullying, Harassment, &*
336 *Abuse Against Students Policy & Procedures; Computer & Network Services*
337 *Policy & Procedures, etc.*)

338

339 h. In the event that cyber-bullying was committed by a school district student, school
340 district employee, or any non-school district person using non-school district
341 technologies away from school grounds, the Building Principal or designee may
342 report the incident to local law enforcement and other appropriate authorities.

343
344 • In addition, school authorities have the right to impose a consequence on a
345 student or employee for conduct away from school grounds, including on a
346 school bus or at a school-sponsored function.

347
348 2. Relationship Abuse and Sexual Assault is defined as follows:

349
350 a. Relationship abuse includes, but is not limited to the intentional use of physical,
351 sexual, verbal, or emotional abuse or violence by a person to harm, threaten,
352 intimidate, or control another person in a current or past dating relationship. Sexual
353 assault includes, but is not limited to, sexual violence, sexual abuse, sexual stalking,
354 and rape, written or verbal, graphic or photographic/images, via social media or use
355 of other technologies, acts of creating an intimidating or hostile environment, or
356 acts including bullying, cyber-bullying, and sexual and physical abuse, be it violent
357 or potentially violent, which pose a threat to the health and safety of students or
358 employees, or are disruptive to the educational process of the Mountain Home
359 School District. (See Item 3) (*See Adolescent Relationship Abuse and Sexual
360 Assault Policy and Procedure; Bullying, Harassment, & Abuse Against Student
361 Policy & Procedures; Sexual Harassment Policy & Procedure*)

362
363 b. The School Board of Trustees endeavors to take steps to prevent and respond to
364 known instances of relationship abuse and sexual assault. Such conduct by students,
365 employees, or third parties, is strictly prohibited and shall not be tolerated on
366 District premises, or at any District sponsored activity regardless of location
367 including, but not limited to, buildings, facilities, and grounds on the District
368 campus, school buses, District parking areas, and the location of any District
369 sponsored activity. This includes instances in which the conduct occurs off the

370 District premises, but impacts a District related activity.

371

372 3. Discipline:

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374 a. Investigations will be conducted as described in MHSD's Bullying, Harassment,
375 and Abuse Against Students Policy, Procedure, & Forms; Adolescent Relationship
376 Abuse & Sexual Assault Policy; Sexual Harassment Policy, Procedures, & Forms,
377 and MHSD School Safety & Discipline – Complaint, Review, Investigation, &
378 Report Procedure 1 of this policy.

379

380 b. A student found to be in violation of this section of the School Safety and Discipline
381 Policy will be immediately suspended for up to five (5) days. The administrator in
382 charge of the case will meet with the superintendent of schools, or designee, as soon
383 as possible to consider the evidence. Those determined to be in violation will be
384 referred to the District Review Committee or the School Board of Trustees with
385 recommendation for further suspension or expulsion, and the proper authorities will
386 be notified.

387

388 c. A classified employee found to be in violation of this section of the School Safety
389 and Discipline Policy will be immediately placed on leave without pay and referred
390 to the School Board of Trustees for disciplinary actions and possible termination,
391 and the proper authorities will be notified.

392

393 d. A certified employee found to be in violation of this section of the School Safety
394 and Discipline Policy will be immediately placed on administrative leave and will
395 be referred to the School Board of Trustees for possible due process hearing and
396 possible termination, and the proper authorities will be notified.

397

398 e. Visitors who are in violation of this section of the School Safety and Discipline
399 Policy may be prohibited from entering any school premises including, but not
400 limited to, attending any school sponsored activity, regardless of location, and

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

402

403 f. It is a violation of the law and this policy to retaliate against any individual filing a
404 complaint or any person assisting in bringing a complaint, or any person
405 participating in an investigation. Any student, employee, or visitor experiencing
406 retaliation because they filed a harassment complaint should file a separate
407 complaint regarding the alleged retaliation.

408

409 g. Students, employees, or third parties may also be referred to law enforcement
410 officials. Should the District have reason to believe that a child under the age of
411 eighteen (18) years of age has been abused, abandoned, or neglected, or has been
412 subjected to conditions that would reasonably result in abuse, abandonment, or
413 neglect, the school shall follow appropriate reporting requirements pursuant to the
414 Child Protective Act **and MHSD Child Abuse Policy**.

415

416 h. An employee, at any time, may file a discrimination or harassment claim with the
417 Idaho Human Rights Commission (IHRC) and the Equal Employment Opportunity
418 Commission (EEOC). The addresses of these organizations are:

419

Idaho Human Rights Commission
317 W. Main St.
Boise, Idaho 83702

Equal Employment Opportunity
Commission
909 1st Ave, Ste. #400
Seattle, Washington 98104

420

421 i. School authorities also have the right to prevent visitors/guests and other persons
422 from entrance to school properties and facilities and may place a No Trespass Order
423 against that person(s).

424

425 D. **BOMB THREAT & DISCIPLINE** - (I.C. Title 18, Chapter 9 – Assault & Battery,
426 Chapter 33 – Firearms, Explosives, & Weapons (18-3302I, 18-3313), Chapter 67 –
427 Communications Security, Chapter 79 – Malicious Harassment); Title 20, Chapter 5 –

428 Juvenile Corrections Act (20-509); Title 33, Chapter 2 – Attendance at School, (33-205)
429 Chapter 5 – District Trustees (33-512). (*See also Searches, Seizures, & Interviews Policy*
430 *& Procedure*)

431
432 1. Bomb Threat is defined as:
433
434 a. Bomb: Includes, but is not limited to, placing or detonating a container or a
435 container that looks like bomb, or a container filled with explosive, incendiary
436 material, smoke, or other destructive substance, designed to explode on impact or
437 when detonated by a time mechanism, remote-control device, or lit fuse.

438
439 b. Bomb Threat: A bomb threat is legally defined as the communication through the
440 use of mail, e-mail, telephone, telegram, or other instrument of commerce; the
441 willful making of any threat; or the malicious conveyance of false information
442 knowing the same to be false which concerns an attempt being made, or to be made;
443 to kill, injure, intimidate any individual; or unlawfully to damage or destroy any
444 building, vehicle, or other real or personal property by means of an explosive.

445
446 2. Discipline:
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448 a. A student involved in a bomb threat against a school or who possess, stores, or uses
449 a bomb or a container that looks like bomb or a container that holds explosive,
450 incendiary material, smoke, or other destructive substance, or other objects or
451 substances capable of being used as bomb or other weapon, without permission
452 from school officials, and may be immediately suspended for a minimum of five
453 (5) days.

454
455 • The administrator in charge of the case will meet with the superintendent of
456 schools, or designee, as soon as possible to consider the evidence. Students
457 found to be in violation of this section of the School Safety and Discipline
458 policy will be referred to the District Review Committee or the School Board

459 of Trustees with recommendation for further suspension or expulsion, and the
460 proper authorities will be notified.

461
462 b. Classified school district employees who are involved in a bomb threat against a
463 school or who possess, store, or use a bomb or a look alike bomb or a container that
464 holds explosive, incendiary material, smoke, or other destructive substance, or
465 other objects or substances capable of being used as bomb or other weapon, without
466 permission from school officials, may be placed on leave without pay and be
467 referred to the School Board of Trustees for disciplinary actions and possible
468 termination; the proper authorities would be notified.

469
470 c. Certified school district employees who are involved in a bomb threat against a
471 school or who possess, store, or use a bomb or a look alike bomb or a container that
472 holds explosive, incendiary material, smoke, or other destructive substance, or
473 other objects or substances capable of being used as bomb or other weapon, without
474 permission from school officials, may be placed on administrative leave and
475 referred to the School Board of Trustees for a due process hearing and possible
476 termination; the proper authorities would be notified.

477
478 d. Visitors who are involved in a bomb threat against a school or who possess, store,
479 or use a bomb or a look alike bomb or a container that holds explosive, incendiary
480 material, smoke, or other destructive substance, or other objects or substances
481 capable of being used as bomb or other weapon, without permission from school
482 officials, may be prohibited from entering any school premises including, but not
483 limited to, attending any school sponsored activity, regardless of location, and
484 referred to the proper authorities (I.C. 33-512).

485
486 E. **DRUG/ALCOHOL/CONTROLLED SUBSTANCES & DISCIPLINE** – (I.C. 33-210,
487 and Chapters 5 and 12, 39-5501, *39-5501, et seq.* – *Idaho Clean Indoor Air Act, 39-5502,*
488 *et seq.* – *Idaho Clean Indoor Air Definitions, 39-5507, et seq.* – *Violations, 39-5701, et*
489 *seq.* – *Prevention of Minors' Access to Tobacco, IDAPA 16.02.23 – Rules Governing*

490 *Indoor Smoking*) (See also *Drug-Alcohol Free Workplace for Employees & Students*
491 *Policy; Searches, Seizures, & Interviews Policy & Procedure; Medications Policy &*
492 *Forms, Tobacco & Other Inhalants Policy*)

493

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

495

496 a. Any drug, obtainable with or without a prescription, which can be used in a manner
497 dangerous to the health of the user. This includes, but is not limited to depressants
498 (barbiturates, phenobarbital, diazepam, clonazepam, alcohol, GHB, etc.),
499 stimulants (nicotine, cocaine, crack, amphetamine, methamphetamine, ecstasy,
500 etc.), hallucinogens (psilocybin [mushrooms], LSD, peyote, DMT, etc.), opioids &
501 prescription drugs (heroin, codeine, morphine, hydrocodone, oxycodone, vicodin,
502 codeine, ketamine, anabolic steroids, xanax, klonopin, valium, etc.), inhalants
503 (*nicotine, vaping/e-cigarettes liquids, 39-5501, et seq. – Idaho Clean Indoor Air &*
504 *39-5701, et seq. – Prevention of Minors' Access to Tobacco Act*, paint, glue, paint
505 thinners, gasoline, etc.), narcotics (cannabis, hashish, etc.).

506

507 • Prescription and over the counter medications are permitted as long as the
508 student has a Medication Procedure Form on file in the front office prior to
509 using or carrying the medication.

510

511 • **This does not apply to inhalants used for asthma, bronchitis, or other**
512 **respiratory issues; a medication prescription is required and the**
513 **Prescription Medication Form signed and submitted to the front office of**
514 **the school.**

515

516 • **This does not apply to Epinephrine Auto-Injectors for allergies; a**
517 **medication prescription is required and the Prescription Medication Form**
518 **signed and submitted to the front office of the school.**

519

520 b. Distribution: Students, employees, and visitors/guests who share and/or sell
521 dangerous drugs/alcohol/controlled substances, or other dangerous drugs to other
522 students, employees, or persons on or near District property any time during school
523 hours or at a school sponsored activity, regardless of location, are considered to be
524 distributors.

525
526 c. Found: Positive proof has been established that the student, employee, or
527 visitor/guest, is involved in the use, possession, or distribution of alcohol or other
528 drugs *and tobacco/vaping liquids*.

529
530 2. Discipline:

531
532 a. Students found to be *using and/or* distributing either by selling or sharing,
533 dangerous drugs/alcohol/controlled substance, including, but not limited to look-
534 alike or synthetic drugs, or students, engaged in drug/alcohol/controlled substance
535 related behavior on or near owned or contracted school property and facilities, or
536 at school sponsored events regardless of location, and as interpreted by the School
537 Board of Trustees are in violation of this section of the School Safety and Discipline
538 Policy, will be referred to the District Review Committee for disposition or to the
539 School Board of Trustees for a hearing for possible expulsion.

540
541 • A student found to be in violation of this section of the School Safety and
542 Discipline policy may be immediately suspended for up to five (5) days. The
543 administrator in charge of the case will meet with the superintendent of schools,
544 or designee, as soon as possible to consider the evidence. Those determined to
545 be in violation will be referred to the District Review Committee or the School
546 Board of Trustees with recommendation for further suspension or expulsion,
547 and the proper authorities will be notified.

548
549 b. Classified school district employees found to be *using and/or* distributing
550 dangerous drugs, either by selling or sharing, dangerous drugs/alcohol/controlled

551 substance, including, but not limited to look-alike or synthetic drugs, or engaged in
552 drug related behavior on owned or contracted school property and facilities, or at
553 school sponsored events regardless of location, and as interpreted by the School
554 Board of Trustees are in violation of this section of the School Safety and Discipline
555 policy, may be placed on leave without pay and referred to the School Board of
556 Trustees for disciplinary actions and possible termination; the proper authorities
557 will be notified.

558
559 c. Certified employees found to be ***using and/or*** distributing dangerous drugs, either
560 by selling or sharing, dangerous drugs/alcohol/controlled substance, including, but
561 not limited to look-alike or synthetic drugs, or engaged in drug related behavior on
562 owned or contracted school property and facilities, or at school sponsored events
563 regardless of location, and as interpreted by the School Board of Trustees are in
564 violation of this section of the School Safety and Discipline policy, may be placed
565 on administrative leave and referred to the School Board of Trustees for a due
566 process hearing and possible termination; the proper authorities will be notified.

567
568 d. Visitors/guests found to be ***using and/or*** distributing dangerous drugs, either by
569 selling or sharing, dangerous drugs/alcohol/controlled substance, including, but not
570 limited to look-alike or synthetic drugs, or engaged in drug related behavior on
571 owned or contracted school property and facilities, or at school sponsored events
572 regardless of location, and as interpreted by the School Board of Trustees are in
573 violation of this section of the School Safety and Discipline policy, may be subject
574 to, but not limited to, prohibition from entering any school premises or attending
575 any school sponsored activity, regardless of location, and referred to the proper
576 authorities (I.C. 33-512).

577
578 F. **ELECTRONIC COMMUNICATION AND ENTERTAINMENT DEVICES**
579 **VIOLATIONS & DISCIPLINE:** (*See also Computer & Network Services Policy &*
580 *Procedures*)

581

- 582 1. Electronic Communication and Entertainment Devices are defined as follows:
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584 a. Any electronic device includes, but are not limited to, personal cell phones, tablets,
585 electronic notebooks and similar devices, personal computers, laptops, iPods/iPads,
586 Blackberries, pagers, MP3 Players, and other similar devices or media players,
587 without regard to the commercial name or manufacturer of the device, whether
588 handheld, car models, laptop, or other computer usage, or combinations of any of
589 the above.
590
591 b. Social Media Networks include, but are not limited to, websites, web logs (blogs),
592 wikis, social networks, online forums, virtual worlds, and any other social media
593 generally available to the public that does not fall within the District's technology
594 network (e.g. Non-School District Network Facebook, Twitter, LinkedIn, Flickr,
595 YouTube, Instagram, Snapchat, blog sites, Wikipedia, etc.).
596
597 c. Exceptions are as follows:
598
599 • With prior approval from the building principal
600
601 • With teacher approval
602
603 • During an emergency situation involving the immediate health/safety of a
604 student or other individual(s)
605
606 • Athletic and other Extracurricular activities and events
607
608 2. Students may not use electronic communication or entertainment devices on or near
609 owned or contracted school property and facilities, or at school sponsored events
610 regardless of location, without prior authorization from a classroom teacher or school
611 administration.

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Students may not use electronic communication or entertainment devices on school property and facilities, or at school-sponsored activities, regardless of location, to access and view Internet websites, including social media networks, that are otherwise blocked to students at school or to take part in any activity prohibited in the District's Computer & Network Services Policy and Procedures without prior authorization from school administration. *(See Computer & Network Services Policy and Procedures)*

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

3. The use of electronic communication or entertainment devices with built-in cameras/video/audio is prohibited in school district facilities and on school district grounds including, but not limited to, classrooms, hallways, and at all times in locker rooms, bathrooms, and locations in which inappropriate or privacy violating images may be obtained.

4. The district is not responsible for theft, loss, damage, or vandalism to electronic communication or entertainment devices brought onto its property.

5. Parents/guardians are advised that the best way to get in touch with their child during the school day is by calling the school's main office. Students may use designated school phones to contact parents/guardians during the school day.

6. Discipline:

a. Students found to be in violation of using his/her electronic communication and entertainment device may have their electronic communication or entertainment devices taken from them by the classroom teacher or building administration. The

643 decision to return the electronic communication or entertainment devices and the
644 disciplinary action taken against the student who violated this portion of the policy
645 and the Computer Network Services Policy and Procedures would be in accordance
646 with the school building policy.

647
648 • Parents/guardians may be notified that their student had their electronic
649 communication or entertainment device taken from them, the reason for the
650 action, and what would be required to have the device returned to the student.

651
652 • Parents/guardians may be notified of the disciplinary action that would be taken
653 against their student.

654
655 b. MHSD employees found to be using his/her electronic communication and
656 entertainment device inappropriately and in violation of the Computer Network
657 Services Policy and Procedures may expect to be disciplined accordingly.

658
659 c. Guests/Visitors found to be using his/her electronic communication and
660 entertainment device inappropriately may be subject to a No Trespass Order.

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662 ◆◆◆◆◆◆◆◆

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664 **LEGAL REFERENCE:**

665 Idaho Code Title 6 – Actions in Particular Cases, Chapter 2, Section 6-210 (Retribution), Chapter
666 9 (Good Faith Reporting)

667 Idaho Code Title 16 – Juvenile Proceedings; Chapter 16 – Child Protective Act, Section 16-1605
668 (Reporting Abuse/Abandonment/Neglect), 16-1606 (Immunity), 16-1616-1618
669 (Investigation)

670 Idaho Code Title 18 – Crimes & Punishment, Chapter 4 (Abandonment); Chapter 9 – Assault &
671 Battery (Assault, Abuse of Teachers, Hazing, Student Harassment, Intimidation,
672 Bullying, Domestic Violence); Chapter 15 – Children & Vulnerable Adults; Chapter

673 33 – Firearms/Explosives/Deadly Weapons, Sections 18-3302(A-J) (Weapons), 18-
674 3313 (Fire/Bomb Threats); Chapter 41 – Indecency & Obscenity; Chapter 42 –
675 Intoxicants & Intoxication; Chapter 61 – Rape; Chapter 66 – Sex Crimes; Chapter 67
676 – Communications Security; Chapter 73 – Civil Rights; Chapter 79 – Malicious
677 Harassment); Chapter 85 (Gangs)

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

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

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

687 ***Idaho Code Title 39 – Health & Safety, Chapter 55 – Clean Indoor Air, Sections 39-5501 – 39-***
688 ***5507, et seq., Chapter 39, Section 57 – Prevention of Minor Access to Tobacco, et***
689 ***seq.***

690 18 USC Chapter 7 (Assault); Chapter 26 (Gangs); Chapter 39 (Explosives); Chapter 44
691 (Firearms), Sections 921-931

692 IDAPA 08.02.03.160 – Safe Environment and Discipline

693 ***IDAPA 16.02.23 – Rules Governing Indoor Smoking***

694 Americans with Disabilities Act

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

696 Rehabilitation Act 1973 (Disabled; Section 504)

697 Title IX, Education Amendments of 1972

698 Drug-Free Schools & Communities Act (1988)

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

701 Idaho Coalition Against Sexual & Domestic Violence

702 Center for Healthy Teen Relationships - 2014

703 www.startstrongteens.org & www.idvsa.org

- 704 MHSD Adolescent Relationship Abuse and Sexual Assault Policy
- 705 MHSD Bullying, Harassment, and Abuse Against Students Policy & Procedures
- 706 MHSD Child Abuse Policy
- 707 MHSD Computer & Network Services Policy & Procedures
- 708 MHSD Denying Enrollment – School Board of Trustees Statement
- 709 MHSD Drug-Alcohol Free Workplace for Employees & Students Policy
- 710 **MHSD Medications Policy & Procedure Forms**
- 711 MHSD Nondiscrimination Policy & Procedure
- 712 MHSD Restraint or Seclusion of Students Policy & Procedure
- 713 MHSD Searches, Seizures, & Interviews Policy & Procedure
- 714 MHSD Sexual Harassment Policy & Procedures
- 715 MHSD Student Handbook Policy
- 716 MHSD Suicide Prevention Policy
- 717 **MHSD Tobacco & Other Inhalants Prohibition Policy**
- 718 MHSD Video Surveillance Policy
- 719
- 720 **ADOPTED:** July 18, 1995 Reviewed: March 16, 2004 Revised: June 21, 2005
- 721 Reviewed: January 15, 2008 Revised: August 19, 2003 Reviewed: April 18, 2006
- 722 Reviewed: February 20, 2007 Revised: February 17, 2009 Revised: February 16, 2010
- 723 Reviewed: January 18, 2011 Revised: June 19, 2012 Revised: April 16, 2013
- 724 Revised: January 19, 2016 Revised: June 21, 2016 Reviewed: November 15, 2016
- 725 Revised: May 15, 2018 Revised: