

Category: 8000 STUDENTS	Policy Number: 8070
Policy Title: Code of Conduct – Discipline Policy	Effective Date: May 19, 2019

The primary responsibility of the Snake River School District and its staff is to provide a positive learning environment for students. Good citizenship is a necessary and integral part of the district curriculum. Appropriate student behavior is essential for the safety and benefit of all and is expected during school and at all school-related activities.

Off-campus conduct may warrant disciplinary action if the conduct was related to a school program or had any direct and immediate impact on school discipline or on the safety or welfare of students and staff.

The intent of the Code of Conduct - Discipline Policy, is to help students grow, develop, and become responsible citizens. The policy is to be administered with fairness, firmness, and consistency. The Code of Conduct - Discipline Policy should not be administered in anger.

Corporal Punishment

In keeping with the intent of the Code of Conduct – Discipline Policy, personnel in the Snake River School District shall not use corporal punishment as a means of disciplining students as recommended by the State Board of Education, IDAPA 08.02.APPX.III.

However, the authority of the teacher over the student is on the same legal basis as that of the parent over his or her child since the teacher stands in loco parentis. This usually means not just that the teacher may control the child, but that the standard of care must be on a par with what considerate, loving parents would wish for their own children.

Policy 8790, “Weapons Prohibited on School Property”
 Procedure: See Code of Conduct – Discipline Policy, Policy Procedure 8070p

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I. FORWARD

A primary responsibility of the Snake River School District and its staff is to provide a positive learning opportunity for students. Good citizenship is a necessary and integral part of the district curriculum. Appropriate student behavior is necessary for the safety and benefit of all and is expected during school and at all school-related activities. Off-campus conduct may warrant disciplinary action if the conduct was related to a school program or had any direct and immediate impact on school discipline or on the safety or welfare of students and staff.

Although discipline and attendance are the primary responsibility of students and parents, administrators, teachers, and staff share this responsibility. All are engaged in a partnership for the education of our students.

The spirit of this Code of Conduct must be one of love, concern, caring, and helping young people to grow and develop. If this spirit is maintained in all procedures and is administered with fairness, firmness, friendliness, and consistency, success and justice will tend to be the outcome for all concerned.

Each district building administrator will form a committee to develop a student discipline plan for their respective buildings under the following procedures and guidelines.

II. DEFINITIONS

- A. ADMINISTRATIVE HEARING - A hearing conducted by an administrator appointed by the Superintendent and/or Board of Trustees.
- B. AFTER-SCHOOL DETENTION - Assignment to a designated room on campus at the end of a regular school day for a specified period of time. Students and parents are responsible for the student's transportation home.
- C. ATTENDANCE
 - 1. 90% Attendance Rule - The Snake River Board of Trustees requires that students attend school a minimum of 90% of the days school is in session.
 - For secondary students, failure to meet the 90% attendance requirement can result in referral to the Juvenile Justice System, referral to Bingham County's Independence High School, or a recommendation to the Board of Trustees for expulsion from school.
 - For elementary students, failure to meet the 90% attendance requirement can result in a referral to the Building Review Committee, the Juvenile Justice System, and/or a recommendation for retention at the same grade level.
 - 2. Excused Absences - Illness, doctor appointments, funerals and court-ordered appearances. Doctor's verification for illness may be requested.
 - 3. Unexcused Absences are absences approved by the parent but not approved by the administration.
 - 4. Tardies - Students are expected to arrive to all classes by the time the tardy bell rings. When the student arrives to class after the tardy bell and within the first five minutes of class, the student will be considered tardy; if the student arrives more than five minutes after the bell, the student will receive an unexcused absence.
 - 5. Truancy
 - a. Truancy is an absence that occurs without administration or parent permission.
 - b. An habitual truant is defined as any student who has been truant more than two times in one school year.
 - 6. School sponsored activities and field trips - Activities and field trips are not counted against a student's attendance record.
- D. BOARD OF TRUSTEE HEARING - A hearing by the Board of Trustees with either parent, guardian, or school personnel.
- E. DENIAL OF ATTENDANCE - Denial of attendance is the removal of a student from school under conditions set forth by the Board of Trustees. Students denied attendance from school are not permitted on campus.

F. FIREARM

1. Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm silencer.
4. Any destructive device (the term "destructive device" means -- any explosive, incendiary, or poison gas).

G. IN-SCHOOL DETENTION/SUSPENSION - A supervised out-of-class environment restricted to on-campus.H. PARENT/GUARDIAN CONTACT - The following contacts maybe made by the school administrator, teacher, or designee, to the parent or legal guardian:

1. Discipline notices.
2. Telephone contact
3. Parent conference
4. Other written communications

I. PHYSICAL RESTRAINT - The reasonable use of physical force or contact by an administrator or designee as needed to maintain control.J. PROBATION - Probation is usually the last step in the process before a denial of attendance recommendation to the Board of Trustees or referral to the Juvenile justice system.K. SCHOOL BUS SUSPENSION - Denial of bus riding privileges based on misconduct occurring while the student is being transported on the school bus.L. SEARCH AND SEIZURE - To assure that the rights of the individual are balanced with the total needs of the school and community, the following guidelines are suggested:

1. Right to Search - School officials have the right and duty to inspect and search student lockers, desks, automobiles, or the student's person, if there is reasonable cause to believe that drugs, weapons, prohibited matter, or stolen goods are likely to be found.
2. Right to Seize - A search of a student's person and/or property for illegal items or other possessions determined to disrupt or interfere with the educational process or to threaten the safety or security of the possessor or others. Any of these items may be seized by school officials and at the discretion of the official turned over to police authorities.
3. Time of Search - A general search of school properties may occur at any time.
4. Student Rights - Whenever feasible, the student shall be present when his/her property or school property which he/she uses is being searched.
5. Parent Rights - If a student is to be questioned by police, it is recommended that a parent or school official be present. The school Resource Officer is considered an employee of the district.

M. SUSPENSION - Temporary removal of a student from the regular school program by the principal for a period not to exceed five (5) school days for each offense. Students are not permitted on campus during a suspension. Superintendent and School Board may add additional suspension days if necessary.N. TEACHER MONITORING - Assignment to monitor the student for a specified period of time.O. UNEXCUSED TARDIES- Students are expected to arrive to all classes by the time the tardy bell rings. When the student arrives to class after the tardy bell and within the first five minutes of class, the student will be considered tardy; if the student arrives more than five minutes after the bell, the student will receive an unexcused absence.P. WORK ASSIGNMENTS - Supervised activities for the upkeep and maintenance of school facilities. Assignments should not disrupt the student's class schedule.III. TEACHER/STAFF OPTIONS FOR ADMINISTERING DISCIPLINE

When inappropriate behavior occurs, teachers/staff shall have the following discipline options: (parent contact is highly recommended):

- A. Counseling with the student
- B. Re-teaching the appropriate behavior
- C. Verbal reprimand
- D. Physical restraint
- E. Parent contact
- F. Teacher/staff supervised detention
- G. Teacher/staff supervised service hours
- H. Written contracts
- I. Referral to the building administration for discipline
- J. Other options as approved by the building administration. (payment of a fine as a disciplinary procedure will not be an option, except for illegal parking.)

IV. ADMINISTRATOR OPTIONS FOR ADMINISTERING DISCIPLINE

When inappropriate behavior is referred to the administrator by the teacher/staff, the following discipline options are available to the administrator:

- A. Verbal reprimand
- B. Parent contact
- C. Physical restraint
- D. Counseling
- E. Teacher monitoring
- F. Detention
- G. School or community service
- H. In-house detention/suspension
- I. Suspension at home for up to five school days for each offense. Additional days may be added by Superintendent and School Board
- J. Referral to law enforcement officials/ resource officer/juvenile justice.
- K. Probation
- L. Recommendation to the board for denial of attendance
- M. Other options approved by the superintendent
- N. Referral to Independence High School

V. CLASSIFICATION OF VIOLATIONS (inappropriate behavior)

Violations of the Code of Conduct are grouped into five classifications - MINOR, INTERMEDIATE, MAJOR OFFENSE, CO-CURRICULAR ACTIVITIES, AND DRUG POLICY. Repeated Minor offenses may be classified as Intermediate or Major. NOTE: Generally, the items listed below are limited to school property and/or school activities.

A. MINOR OFFENSES (CLASSIFICATION)

1. Intentionally providing false information to a school district employee - This includes but is not limited to student information and or information directly related to school business.
2. Using obscene, profane, or perceived profane language, conduct and/or gestures.
3. Illegal organizations - Participation in fraternities, sororities, and secret societies not sanctioned by the Board of Trustees.
4. Attendance - Tardies less than five (5) minutes.
5. Non-conformity to dress code.
6. Minor disruption of a school bus.
7. Inappropriate public display of affection.
8. Excessive distractions - Any behavior which disrupts the orderly educational process in the classroom or other school functions.
9. Any other violation which the administrator or designee reasonably deems to fall within this category.

MINOR OFFENSES (DISCIPLINARY ACTIONS)

1. First Offense - may include, but not be limited to:
 - a. verbal reprimand
 - b. parent contact
 - c. counseling
 - d. teacher monitoring
 - e. detention
 - f. school or community service
2. Subsequent Offense - may include, but not be limited to:
 - a. detention
 - b. school or community service
 - c. suspension up to five days per offense. intervention agreement
 - d. intervention agreement
 - e. probation
3. Special Circumstances - may warrant a referral by the administrator to the superintendent or designee and/or the board of trustees.

B. INTERMEDIATE OFFENSE (CLASSIFICATION) NOTE: Generally, the items listed below are limited to school property and/or school activities.

1. Attendance
 - a. truancy
2. Battery upon students - striking or using physical force or causing bodily harm to an individual.
3. Defiance of school district employee's authority - any verbal or nonverbal refusal to comply with a reasonable request made by a school district employee or volunteer worker.
4. Disruptive Behavior - behavior that disrupts or hinders the classroom learning environment.
5. Use of obscene manifestations (verbal, written, or gestures)

6. Unjustified activation of a fire alarm system
7. Possession of stolen property
8. Trespassing - entering or remaining in or on any structure, conveyance, or property without being authorized, licensed or invited. This includes failure to leave when requested by an authorized person.
9. Vandalism - An action resulting in damages of less than \$100.00 to public property or the real or personal property of another.
10. Fighting - any physical conflict between two or more individuals.
11. Possession and/or igniting of fireworks
12. Inappropriate touching of another person
13. Harassment - Non-verbal, verbal, written, graphic, or physical behavior that has the purpose of creating an intimidating, hostile learning environment.
14. Any other violation which the administrator or designee deems to fall within this category.

INTERMEDIATE OFFENSES (DISCIPLINARY ACTION)

1. First Offense - may include but not limited to:
 - a. parent/guardian contact
 - b. two (2) or more hours of detention after school
 - c. in-school detention up to five (5) days
 - d. suspension up to five days per offense
 - e. intervention agreement
 - f. probation
 - g. school or community service
 - h. referral to resource officer
2. Subsequent offense - may include but not limited to:
 - a. parent/guardian contact
 - b. three (3) or more days detention
 - c. suspension up to five days per offense (in or out of school)
3. Special circumstances - may warrant a recommendation to the board of trustees for denial of attendance.

A. MAJOR OFFENSES (CLASSIFICATION) NOTE: Major offenses are generally limited to school property and/or school activities

1. Attendance - habitual truancy
2. Aggravated battery - causing bodily harm, disability, or disfigurement to an individual.
3. Battery upon school district employee and/or volunteer -The use of physical force, striking, or the causing of bodily harm to a school district employee or volunteer.
4. Possession of weapons or discharging of any pistol, rifle, shotgun, air gun, or any such device - use of any weapon, instrument, or object, with the intent to do harm to property or person; or the possession of such weapon, instrument, or object.
5. Arson - the burning of any part of a building or its contents.
6. Robbery, stealing, larceny, grand theft - the taking, concealing and/or carrying away of property.
7. Illegal entry - entering or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.
8. Criminal mischief - injury or damage at or in excess of \$100.00 to public property, or to real or personal property belonging to another.
9. Inciting or participating in a major student disorder - leading, encouraging, or assisting in major disruptions which result in destruction or damage to private or public property, or personal injury, or disruption of the educational process.
10. Explosives - preparing, possessing, or igniting on school district property, explosives which may cause serious bodily injury or property damage.
11. Bomb threats - any such communication to a school district employee.
12. Student Sexual Harassment - District Policy 8735 - Sexual harassment is a form of misconduct that may undermine a student's relationship with educators and with other students. No student, male or female, should be subject to unasked for or unwelcomed sexual overtures or conduct from an employee or from another student that is either verbal or physical. It refers to any conduct having sexual overtures that is not invited, not welcome, is personally offensive, that affects morale, or that interferes with a student's ability to study or to participate in school activities.
13. Harassment, threats, or extortion of students, teachers, or staff members. Threatening injury to persons with the intent to compel the person threatened to do any act or refrain from doing any act against his/her will.
14. Assault (physical acts or threats of violence whether verbal, non-verbal, written or implied); aggravated assault (threats made with a weapon); harassment threatening aggression (whether non-verbal, verbal, physical, or written); or, extortion of students, teachers or staff members threatening injury to a person with the intent to compel the person threatened to do any act or refrain from doing any act against his/her will (verbal or written).
15. Any other offense which the administrator or designee may reasonably deem to fall within this category.

MAJOR OFFENSES (DISCIPLINARY ACTIONS)

1. First offense - may include but not be limited to:
 - a. parent/guardian contact
 - b. suspension up to five days per incident and/or recommendation for denial of attendance by the school administrator (pending final determination of the matter by the board of trustees, the board may extend the suspension for up to seven (7) additional days.
 - c. Probation
 - d. Referral to school resource officer.
 - e. a student who brings a firearm to school or is in possession of a firearm at school or function sponsored by the school will be expelled from school for a period of not less than one calendar year in accordance with the Gun-Free Schools Act of March 31, 1994, and will be referred to law enforcement authorities for investigation. See Board Policy Number 8070.

D. CO-CURRICULAR ACTIVITIES (CLASSIFICATION) - NOTE: Generally, this section applies to students involved in the activities listed below whether these activities are on or off campus.

1. Including but not limited to:
 - a. Athletics - i.e., football, volleyball, cross country, wrestling, basketball, baseball, softball, track, golf, and any other school sponsored teams.
 - b. Performing Groups - i.e., Chambers, band, speech, and debate, plays musical, dress or drill team, cheerleading, mascot, and any other school sponsored groups.
 - c. Clubs - i.e., FFA, FHA, BPA, Honor Society, Lettermen, Letterwomen, and any other school sponsored clubs.
 - d. Student Government - i.e., student body officers, class officers, club officers, and any other school sponsored officers.

BEHAVIOR AND DISCIPLINARY ACTION - It is the policy of Snake River School District #52 to promote a safe and healthy environment for our students to grow into productive citizens. To this end, we speak to prevent and prohibit the possession, use, sale, distribution, and/or intent to distribute alcohol, tobacco, or any prohibited substance defined by Idaho Code section 37-27-32C. Including, but not limited to: illegal or abused inhalants, performance enhancement substance, mood altering or psycho active substance, abused or controlled chemicals, or substances. Individuals under the influence, using, in possession of, selling, distributing or intention to sell or distribute alcohol, tobacco, or any prohibited substance on school property or a school sponsored event, shall be considered in violation of this policy. This applies to student vehicles on school property as well as any school sponsored function. This policy is in accord with Idaho Code 33-210.

NOTE: The behavior and disciplinary action defined below is in addition to the disciplinary action taken as defined in Intermediate and Major Offenses.

1. Alcohol and/or tobacco
 - a. behavior - the use, sale, distribution or possession of, and/or being under the influence of, alcoholic beverages or tobacco.
 - b. disciplinary action:
 1. 1st offense - may include, but not be limited to: Parent/Guardian contact and suspension from the activity for up to five days. The administrator, with input from the coach and sponsor/advisor, will decide whether the offender may participate in practices. An apology to appropriate persons is required. Off-campus conduct may warrant disciplinary action if the conduct was related to a school program or had any direct and immediate impact on school discipline or on the safety and welfare of students and staff.
 2. 2nd offense - Parent/Guardian contact and student shall not participate for the remainder of the school year in any co-curricular activities.
2. Other Substance Abuse
 - a. behavior - the illegal use, sale, distribution, possession of and/ or being under the influence of, narcotics, dangerous drugs, or controlled substances while participating in any school activities.
 - b. disciplinary action - 1st offense: may include but not be limited to: parent/guardian contact and removal from the activity for the remainder of the school year, Student may be subject to punishment by civil authorities.

E. STUDENT DRUG, ALCOHOL, AND TOBACCO USE (CLASSIFICATION)

1. 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 district's policy. Drug prevention programs and counseling for students, including those over the age of eighteen (18) who continue to be enrolled, under the custody and care of the schools are included in this intent.

Because the use of tobacco, alcohol and other drugs adversely affects a student's ability to achieve academically, is physically and emotionally harmful, and has serious social and legal consequences, the Snake River School District intends to keep our schools tobacco, alcohol and drug free.

The School District desires that every effort be made to reduce the chances that our students will begin or continue using tobacco, alcohol and other drugs. The School District has developed a prevention program that includes instruction, intervention, recovering student support, and enforcement/ discipline. It is our intent to clearly communicate to students, staff, and parents/guardians all (District) policies, regulations, procedures, and school rules related to this prevention program.

Recognizing that keeping schools tobacco, alcohol and drug free is a major concern of our schools and community, the School District supports cooperation between schools, parents/guardians, students, law enforcement, and other appropriate community agencies and organizations which are involved in tobacco, alcohol and other drug prevention programs.

2. Definitions

“Alcohol” means any alcoholic beverage, including beer, wine and liquor, as the same may defined in Idaho Code §§ 23-105 and 23-1001.

“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” 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” includes any alcohol or malt beverage, any tobacco product, simulated tobacco products, electronic cigarettes and vaping products, inhalants, any controlled substance, any illegal substance, any abused substance, any substance which is intended to alter mood, and any medication not prescribed by a physician for the student in possession of the medication.

“Drug paraphernalia” means any item, implement, object, or material employed in the use, possession, transport, or sale of any mood altering or controlled substance.

“Electronic cigarette” means any device that can provide an inhaled dose of nicotine by delivering a vaporized solution. “Electronic cigarette” includes the components of an electronic cigarette including, but not limited to, liquid nicotine.

“Illegal drugs” means any controlled substance as defined in Idaho Code §§37-2701, 37-2705, 37-2707, 37-2709 and 37-2711 (not including over-the-counter drugs or prescription drugs which have been prescribed by a doctor or dentist), and/or any other substance which alters or changes a person’s mood, and/or anabolic steroids

“Intentionally harass” means 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.

“Reasonable suspicion” means an act of judgment by a district employee or independent contractor that leads to a reasonable and prudent belief that a student is in violation of this policy or the “use” or “under the influence” provisions of Idaho Code §37-2732C, which defines controlled substances. Such act of judgment is based on the employee’s or independent contractor’s training in recognizing the signs and symptoms of alcohol and controlled substance use. 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.

“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.

“Tobacco product” means any substance that contains tobacco including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco, tobacco papers or smokeless tobacco.

3. Intervention

Snake River District #52 recognizes that there are students on campuses who use tobacco, alcohol, and other drugs and can benefit from intervention. The District supports intervention programs that include the involvement of students, parents/guardians, and community agencies and organizations.

The District finds it essential that school personnel be trained to identify symptoms which may indicate use of tobacco, alcohol, and other drugs. The responsibilities of staff in working with, intervening, and reporting students suspected of tobacco, alcohol, and other drug use will be clearly defined. Students and parents/guardians will be informed about signs of tobacco, alcohol, and other drug use and about appropriate school and/or community agencies offering tobacco, alcohol, and other drug abuse counseling or treatment.

The District recognizes the presence of recovering students in the schools and the necessity to support these students in avoiding re-involvement with tobacco, alcohol, and other drugs. The District and community will provide on-going school and community activities which enhance recovery to discontinue use of alcohol, tobacco, and other drugs.

- a. School personnel will be trained to identify symptoms which may indicate use of Alcohol, Tobacco, or Other Drugs (ATOD). The responsibilities of staff in working with, intervening, and reporting students suspected of ATOD use will clearly defined and the staff will demonstrate confidentiality and sensitivity.
- b. Students and parents/guardians will be informed about the signs of ATOD use and about appropriate agencies offering ATOD abuse counseling or treatment.
- c. The District will assist families of these students by providing educational and support services to deal with the student's drug problem.

- d. The District will recognize and intervene with students on their campuses who use ATOD and can benefit from intervention. This will include a well defined documentation and referral process at school sites. Nonpunitive referral: The District strongly encourages any student who is using ATOD to discuss the matter with his/her parents or guardians or with any school staff member. If the student is uncomfortable doing so, he/she will be encouraged to ask a friend to discuss the problem with a parent, guardian, or staff member. Students who disclose past use of ATOD when seeking help from an intervention or recovery program shall not be punished for such past use.
- e. The District will support intervention programs that include the involvement of students, parents, guardians, and community agencies and organizations.
- f. The District will provide Student Assistance Teams (SAT). The SAT Team is a trained team of school employees of no more than five or six people. The SAT team upon receiving referrals may consult with the student, parents, or staff to access the nature and scope of the student's problem and the need for intervention.

4. Support

The District makes a commitment to influence and support non-use in all students. The District also will recognize the specific needs of recovering high-risk and abusing students.

5. Prevention

The District will provide instructional programs which help students avoid the use of any illegal drug and avoid illegal use of tobacco, alcohol or other legal drugs, and which teach students how to influence and support their peers to avoid and/or discontinue the use of tobacco, alcohol or other drugs. Instruction will be preventive in nature and designed to help students who have questions related to tobacco, alcohol and other drugs.

- a. Curriculum will be taught sequentially K-12. Curriculum will address the following topics:

- Accurate tobacco, alcohol and other drug information
- Consequences of use
- Decision-making
- Stress management
- Positive self-concept
- Refusal skills
- Social competency skills
- Peer interaction skills
- Conflict resolution skills
- Interaction of drug/alcohol use on teen pregnancy, birth defects, violence, suicide, family dynamics, and HIV
- D.A.R.E. program K-6

The policy will serve as a framework to develop prevention curriculum for all grade levels. Following Idaho Code 33-512(6), the Board of Trustees have adopted this policy and have provided it in writing at the beginning of each school year to the teachers and students in the district and per district procedure 8070(p). Each student must sign to verify that they have read this policy/procedure and that their parent/guardian have read the Code of Conduct Policy as well. At the beginning of every year this is to be returned to and maintained by the principal for each school for the current year. Curriculum will be reviewed by a committee on a five year cycle.

- b. The District will designate a person to coordinate prevention efforts. Building administrators are to ensure that prevention curriculum is implemented and monitored.
- c. Prevention instruction is not to glamorize the use of drugs and alcohol. Recovering persons as guest speakers and/or class visitors are not to be used.
- d. The District will provide continuing training in prevention curriculum and adopted programs for faculty and staff. New teachers will receive training early in their first year of teaching.
- e. District administrators will ensure that an annual review of district policies and procedures is conducted for all staff members.
- f. Each year a time will be designated at every building to disseminate information to all students regarding the drug and alcohol policies and procedures. Administrators are to oversee a school-wide effort to reach every student in small group interaction to thoroughly cover the information.
- g. Effective alliances with family and community members will be formed to provide opportunities for prevention awareness and education for parents.
- h. The District will cooperate with community agencies and organizations to provide prevention effort support for parents and students.
- i. Students will be encouraged to plan, develop, and implement drug free activities.

STUDENT DRUG, ALCOHOL, AND TOBACCO USE (DISCIPLINARY)

6. Enforcement: Non-disciplinary Procedures:

- a. Self-referral: Students who are concerned about their involvement or the involvement of another person with tobacco, alcohol, or other drugs are encouraged to ask a staff member for assistance. This staff member will help the student contact appropriate resources. Depending on the circumstances, self-referrals (including those from athletes and other participants in school-sponsored activities) could be treated without disciplinary action.

- b. Referral by others: Effective substance abuse prevention and early intervention requires consistent awareness and careful observation by individuals who work with or observe the student on a daily basis. Individuals (staff, another student, parent, or community member) who are concerned about a student should contact a member of the Student Assistance Team in their respective school. However, once a student is reasonably suspected of using or being under the influence of alcohol or a controlled substance, in violation of Idaho Code 37-27 32C, regardless of any previous voluntary disclosures, the school administrator or designee shall contact the student's parents, legal guardian or custodian, and report the incident to law enforcement. The fact that a student has previously disclosed use of alcohol or a controlled substance shall not be deemed a factor in determining reasonable suspicion at a later date. (Idaho Code 33-210)

7. Enforcement: Discipline Procedures

POLICY:

Students attending school in this district will not use, possess, sell, buy, or distribute drugs, including alcohol, tobacco, electronic cigarettes, vaping products, inhalants, 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/alcohol/tobacco;
2. He or she admits to using, possessing, selling, buying, or distributing drugs/alcohol/tobacco on school premises;
3. He or she is found to use, possess, sell, buy, or distribute drugs/alcohol/tobacco, or related paraphernalia, on school premises;
4. He or she is found to possess drugs/alcohol/tobacco, 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;
5. He or she is found to knowingly attempt to use, sell, buy, or distribute drugs/alcohol/tobacco or related paraphernalia on school premises
6. He or she is found to knowingly be present when drugs or related paraphernalia are being used, sold, bought, or distributed on school premises.

DEFINITIONS:

1. Use and Possession - students who misuse, possess or are under the influence of alcohol, other dangerous drugs or "look alike" drugs on or near school property any time during school hours or at school sponsored activities. (Note that this includes and is not limited to items such as "e- cigarettes")
2. Distribution - students who share and/or sell alcohol, other dangerous drugs, or "look alike" drugs to other students or persons on or near district property during school hours or at school sponsored activities.
3. Manufacture - any student(s) who manufactures any illegal inhalant or controlled mood altering chemical, or abused chemical, shall immediately be suspended from school attendance with the recommendation to the Board of Trustees for expulsion of one full calendar year and the policy will be notified. (This is in direct reference to items such as electronic cigarettes, "e-cig).
4. Dangerous Drug - any drug, obtainable with or without a prescription that can be used in a manner dangerous to the health of the user. This includes, but is not limited to marijuana, amphetamines (stimulants), alcohol, barbiturates (depressants), cocaine, codeine, inhalants, heroin, hallucinogens, and tobacco or the misuse of any look alike substance.
5. Extra-Curricular Activities - to include participation or observation in all sports activities (including rehearsals and practices), all dances, all clubs, all drama or musical activities, or any other activities sponsored by the school other than regular academic classes. (See Note number 3 and 9 as listed in this content.)
6. Witnessed: Observed use, distribution, or possession by a school employee or a law enforcement official.
7. Voluntary Disclosure: Any student who voluntarily discloses using or being under the influence of alcohol, Tobacco, or 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:
 - a. Disclosure is held confidential on a faculty need-to-know basis; and
 - b. Notification of the disclosure and availability of counseling is provided to the student's parent/guardian.
8. Suspected: Observed or suspected use referred by patrons on or off campus.
9. Criminal Charges: If any student is charged with the possession, use, manufacture, sale, or distribution of any tobacco, alcohol, or any illegal inhalant or controlled mood altering or abused chemical up and to any synthetic equivalence of the substance contained in the plant, any material compound, mixture or preparation with substance having a depressant effect on the essential nervous system, and stimulants. The administration may under Idaho Code 33-512(12) prevent that student from participating in extracurricular activities, may suspend that student per the suspension policy listed herein, from school and/or extracurricular activities which are by definition outside of or in addition to the regular academic courses or curriculum of a public school.
10. Once a student is reasonably suspected of being in violation of the law and this policy regarding alcohol or controlled substances, regardless of any previous voluntary disclosure, the building principal or designee will immediately notify the student's parent or guardian and report the incident to the local law enforcement agency.

PROCEDURE:

The use, possession, distribution, or sale of tobacco, alcoholic beverages or dangerous drugs at school or at a school sponsored events, is expressly forbidden. Any student who has been found to be using, possessing, or distributing tobacco, alcohol or dangerous drugs will be disciplined in the following manner:

FIRST OFFENSE:

1. Confiscation.
2. Contact parent and law enforcement.
3. Conference with parent, administrator, and other personnel, as deemed necessary.
4. Student sent home with parent. If unable to go home, the student placed on in-school detention/suspension.
5. The student will be suspended from school for five (5) days and will be ineligible for participation in all extra-curricular activities for a period of two (2) months form date of return to school.
 - a. The student will be required to attend a weekly Intervention Support class. The building administrator or designee may reduce the suspension to three (3) days (or equivalent detention) and upon date of return to school of loss of extra-curricular eligibility if:
 - b. The student and parent will arrange for a tobacco, drug and alcohol assessment provided at a state-approved alcohol/drug agency in the community and conducted by a certified alcoholism/drug abuse counselor and follow their recommendations. The students and parents must submit a copy of the recommendation prior to re-admittance.
 - c. The student will be eligible to reduce non-attendance to extracurricular activities from two months to two weeks if student continues to attend intervention support class.
 - d. If the student fails to comply with recommendations, reductions on 5 (a) and 5 [c] may be revoked.
6. The student will be on mandatory probation with resource officer.

SECOND OFFENSE:

1. Confiscation.
2. Contact parent and law enforcement.
3. Conference with parent, administrator, and other personnel, as deemed necessary.
4. Student sent home with parent. If unable to go home, the student placed on in-school detention/suspension.
5. The student will be suspended for five (5) days and will be ineligible for participation in all extra-curricular activities for three (3) months. Student will also be recommended to superintendent for an additional five (5) days suspension.
6. Mandatory drug/alcohol assessment by a certified drug/alcohol abuse counselor.
7. The student and parent will be required to provide proof that the recommendations have been followed after the student has returned to school.
8. Failure to comply will automatically result in third offense.

THIRD OFFENSE:

1. Confiscation.
2. Contact parent and law enforcement.
3. Conference with parent, administrator, and other personnel as deemed necessary.
4. Student sent home with parent. If unable to go home, the student placed on in-school detention/suspension.
5. The student is expelled for the remained of the year.
6. The student must show proof of completion of Intervention/Treatment Program, before re-enrollment.
7. The student will be placed on probation the following school year. Violation of probation will result in a recommendation to the school board for expulsion.

Note: Students can jump from first offense to the third offense at one time, this depends on the severity of the situation.

F. 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.

Immunity for Good Faith Implementation: District employees and independent contractors of the district who implement this policy in good faith and with appropriate foundation are immune from civil liability.

Intentional Harassment: District employees and independent contractors of the district are prohibited from using their authority to determine reasonable suspicion solely for the purpose of intentionally harassing a student. Using the authority in such a manner may result in disciplinary action against the employee or may be considered a breach of the district's contract with the independent contractor.

Notice: Upon adoption of this policy, the board will provide notice of the policy to each student, parent/guardian, or custodian by distributing copies for review by parents/guardians and signatures. Subsequently, a copy of the policy will be provided to each student, as well as to the parent/guardian or custodian, at the time of registration in a district school.

The signatures below verify that the student and the parent/guardian have read the Code of Conduct Policy Procedure 8070p.

Signature of Student

Print your name

School

Grade

Signature of Parent/Guardian

Date

NOTE:

Please send the signature page to the building principal.

Category: 8000 STUDENTS	Policy Number: 8070F
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Policy Title: Code of Conduct - Discipline Policy	Effective Date: May 19, 2019
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SNAKE RIVER SCHOOL
DISTRICT DISCIPLINE
REFERRAL FORM

Student's Name _____ School/Grade _____
Teacher's Name _____ Date _____

***** NOTICE TO PARENTS *****

* THE STUDENT HAS VIOLATED THE DISCIPLINE CODE OF SCHOOL DISTRICT 52.

CAUSE(S) FOR REFERRAL: (Please check appropriate item.)

- _____ Disruptive Behavior
- _____ Willful Disobedience
- _____ Insubordination/Defiant Behavior
- _____ Truancy
- _____ Vulgarity or profanity
- _____ Habitual tardiness
- _____ Causing physical injury
- _____ Fighting
- _____ Damage to school and/or private property
- _____ Harassment
- _____ Weapon and/or dangerous toy
- _____ Smoking and/or chewing tobacco
- _____ Drugs and/or alcohol
- _____ Stealing
- _____ Multiple minor offenses

Comments: _____

Student's Signature: _____

Parent's Signature (if applicable) _____

***** ACTION TAKEN BY TEACHER OR PREVIOUS ACTION TAKEN ** *****

- _____ Conference with student Date _____
- _____ Conference with parent Date _____
- _____ After School Detention Date ____/____/____ To ____/____/____
- _____ Time Assigned 20 40 60 Date Completed ____/____/____ Initial _____
- _____ Referred to Administration Date _____

***** ACTION TAKEN BY ADMINISTRATION *** *****

- _____ Parent Contacted Date _____
- _____ Conference with Parents Date _____
- _____ After School Detention Date Assigned: _____
- _____ Time: 1 2
- _____ 3 Hour(s) Date Completed: _____
- _____ In-School Detention Date _____
- _____ Out of School Suspension Date _____
- _____ Counselor Referral Date _____
- _____ Work Date _____
- _____ Probation Date _____
- _____ Other _____