

## **Garden Valley School District No. 71**

**STUDENTS**

**3260 3265**

### **Electronic Devices Allowed, With Controls**

The Board adopts this policy to place controls on the use of student-owned electronic devices at school. There has been a rising concern that spending too much time on social media or using cell phones may be detrimental to students' physical and mental health. The Board's priority is that all students are engaged in learning without distraction. Student use of electronic communications devices during school hours in school buildings and on school grounds should be as limited as possible.

By placing limits on the permissible use of such electronic devices, the Board intends to:

1. Adopt policy in alignment with State Department of Education guidance on cell phones;
2. Promote student safety;
3. Support staff in maintaining an environment that encourages learning;
4. Reduce distractions in the learning environment;
5. Improve academic focus;
6. Promote responsible technology use;
7. Prevent cyberbullying;
8. Mitigate the privacy concerns posed by personal electronic devices; and

This policy shall apply to any electronic device not issued by the District that is capable of accessing the internet or sending an electronic message to another device, such as smart phones, other cell phones, tablets, laptops, e-readers, and smart watches.

### **Restrictions on Time and Location of Use**

Students are prohibited from using cell phones in the following times and places:

1. During class time;
2. During passing periods;

Students are permitted to use cell phones in the following times and places:

1. Before and after the school day;
2. At school activities outside of school hours;
3. During lunch;

Any use of an electronic device required by a student's 504 Plan or Individualized Education Plan (IEP) shall be permitted regardless of whether it would otherwise violate this policy.

Students may use a personal electronic device in the case of an emergency to contact help. In this policy, an emergency is an event that poses an immediate threat to the health or safety of any person or a risk of damage to property. If a student needs to use a personal electronic device in such an emergency, they should ensure they are in as safe a location as is feasible.

If a student's parent/guardian or their designee needs to contact a student in the case of an emergency at a time when student cell phone use is not permitted, the parent/guardian or designee should call the school office and ask staff to relay the message or bring the student to the office to speak with the parent/guardian or designee by phone or in-person.

A parent or guardian may ask for a waiver of this in extreme circumstances by completing and submitting Form 3260F to the school principal for the duration of time needed.

#### Containment of Devices

When use of personal electronic devices is not permitted, such devices must be stored in:

1. The student's locker (MS/HS) or cubby (Elementary);

The Superintendent may set further procedures and schools may set additional rules to ensure this policy is followed. The District may also make use of technology-based approaches, such as monitoring or blocking internet access.

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

#### Use of Devices

Any use of personal electronic devices at school or at school events shall comply with Procedure 3270P Acceptable Use of Electronic Networks. Student-owned electronic devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual.

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

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

Because power cords stretched out in classrooms become a safety issue both for the students and devices, charging the device with such a cord in any classroom, hallway, or any other location that may be a safety concern may be prohibited.

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

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on any student assessment, project, or assignment shall be subject to discipline.

Students shall comply with any additional rules developed by the school and classroom teacher concerning appropriate use of personal electronic devices.

#### Disciplinary Action

Students violating the provisions of this policy are subject to disciplinary action, which may include losing the privilege of bringing the device onto school property, detention, and/or confiscation of the device until it is retrieved by the student's parent/guardian. If a student or a parent/guardian wishes to appeal such disciplinary action, they can do so by submitting a written request for appeal to the building principal within 2 school days. If the decision being appealed was made by the building principal, the appeal may instead be made to the Superintendent.

Violation of this policy may also result in suspension or expulsion, as described in Policy 3340 Corrective Actions and Punishment, if appropriate.

#### Implementation & Review of Policy

The Board directs the Superintendent or their designee to inform staff, students, and parents/guardians about this policy and how it will be implemented. The District shall make this policy publicly available on its website and shall include a link to this policy in a prominent location on the website.

The Board also directs the Superintendent or their designee to develop practices that reinforce the importance of and ways of addressing:

1. Digital literacy lessons;
2. The effects of cyberbullying;

3. Privacy concerns; and
4. Online disinformation.

The Superintendent shall report to the Board each year about the effectiveness of this policy and shall recommend changes to it as needed.

**Legal References**

	<b><u>Description</u></b>
<u>Executive Order 2024-11</u>	Phone Free Learning Act
<u>IC § 33-1025</u>	Wireless Technology Standards
<u>IC § 33-132</u>	Local School Boards — Internet Use Policy Required
<u>IC § 33-6801</u>	Definitions
<u>IC § 33-6802</u>	Distraction-Free Learning
<u>Policy Checklist for LEAs</u>	by the <u>Idaho Department of Education</u>

**Other References**

	<b><u>Description</u></b>
<u>ISBA Policy Services</u>	<a href="https://www.idsba.org/member-services/policy/">https://www.idsba.org/member-services/policy/</a>
<u>Cross References</u>	
<u>Code</u>	
<u>3270</u>	<u>District-Provided Access to Electronic Information, Services, and Networks</u>
<u>3270-P(1)</u>	<u>District-Provided Access to Electronic Information, Services, and Networks - Acceptable Use of Electronic Networks</u>
<u>3270-F(1)</u>	<u>District-Provided Access to Electronic Information, Services, and Networks - INTERNET ACCESS CONDUCT AGREEMENT</u>
<u>3340</u>	<u>Corrective Actions, Punishment, and Denial of Enrollment</u>
<u>3340-P(1)</u>	<u>Corrective Actions, Punishment, and Denial of Enrollment</u>

**Policy History:**

Adopted on:  
Revised on:  
Reviewed on:

# Garden Valley School District No. 71

## STUDENTS

3270

### District-Provided Access to Electronic Information, Services, and Networks

#### General

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

In order for the District to be able to continue to make its computer network and Internet access available, **all users, including** all students must take responsibility for appropriate and lawful use **of** this access. Students utilizing school-provided Internet access are responsible for good behavior on-line. The same general rules for behavior apply to students' use of District- provided computer systems. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the District's teachers and other staff will make reasonable efforts to supervise use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access **and students must be held responsible and accountable for their own conduct.**

#### Curriculum

**In accordance with this policy and the Board's philosophy to ensure the safety of all students, the District shall provide an appropriate planned instructional component for internet safety which shall be integrated into the District's regular instructional program. In compliance with the Children's Internet Protection Act this instruction will include information on the safe use of social networking sites and instant messaging, the characteristics of cyber-bullying, and recommended responses.**

The use of the District's electronic networks shall be consistent with the curriculum adopted by the District, as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students. Staff members may, consistent with the District's educational goals, use the Internet throughout the curriculum.

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

#### Acceptable Uses

- 1. Educational Purposes Only.** All use of the District's electronic network must be (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers.

The District reserves the right to monitor, inspect, copy, review and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.

**Unacceptable Uses of Network.** The following are considered unacceptable uses and constitute a violation of this policy:

- A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.
- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
- C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
- D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.
- E. Students are prohibited from joining chat rooms, unless it is a teacher-sponsored activity.

### Internet Safety

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

The District shall require that any vendor, person, or entity providing digital or online library resources to the District for use by students verify they have policies and technology protection measures:

1. Prohibiting and preventing users from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined by section 18-1514, Idaho Code; and
2. Filtering or blocking access to obscene materials, materials harmful to minors, and materials that depict the sexual exploitation of a minor, as defined in chapter 15, title 18, Idaho Code.

The **District** school will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate for minors, **as defined in section 18-1514 Idaho Code or as defined in 47 USC Section 254**. The Superintendent or designee shall enforce the use of such filtering devices.

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

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

The Internet Safety Coordinator shall set a process for reviewing student claims that access has been denied to internet material that is not within the prohibitions of this policy and for unblocking such materials when appropriate.

Review of filtering technology and software shall be done on a periodic basis and is the responsibility of the Technology Department. It shall be the responsibility of the Technology Department to bring to the Superintendent any suggested modification of the filtering system and to address and assure that the filtering system meets the standards of Idaho Code 18-1514 and any other applicable provisions of Chapter 15, Title 18, Idaho Code.

#### Internet Access Conduct Agreements

Each student and their parent(s)/legal guardian(s) will be required to sign and return to the school at the beginning of each school year the Internet Access Conduct Agreement prior to having access to the District's computer system and/or internet service.

#### Internet Filtering

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

- Nudity/ pornography — prevailing U.S. standards for nudity, provocative semi-nudity, sites which contain pornography or links to pornographic sites
- Sexuality — sites which contain material of a mature level, images or descriptions of sexual aids, descriptions of sexual acts or techniques, sites which contain inappropriate personal ads
- Violence — sites which promote violence, images or description of graphically violent acts, graphic autopsy or crime scene images
- Crime — information of performing criminal acts (e.g., drug or bomb making, computer

hacking), illegal file archives (e.g., software piracy)

- ~~Drug Use~~ sites which promote the use of illegal drugs, material advocating the use of illegal drugs (e.g. marijuana, LSD) or abuse of any drug. Exception: material with valid educational use
- ~~Tastelessness~~ images or descriptions of excretory acts (e.g., vomiting, urinating), graphic medical images outside of a medical context
- ~~Language/Profanity~~ passages/words containing profanity within images/sounds/multimedia files, adult humor
- ~~Discrimination/Intolerance~~ Material advocating discrimination (e.g., racial or religious intolerance), sites which promote intolerance, hate or discrimination
- ~~Interactive Mail/Chat~~ sites which contain or allow inappropriate email correspondence, sites which contain or allow inappropriate chat areas
- ~~Inappropriate Banners~~ advertisements containing inappropriate images or words
- ~~Gambling~~ sites which allow or promote online gambling
- ~~Weapons~~ sites which promote illegal weapons, sites which promote the use of illegal weapons
- ~~Body Modification~~ sites containing content on tattooing, branding, cutting, etc.
- ~~Judgment Calls~~ whether a page is likely to have more questionable material in the future (e.g., sites under construction whose names indicate questionable material)

Filtering should also be used in conjunction with:

- Educating students to be "Net-smart,"
- Using "Acceptable Use Agreements,"
- Using behavior management practices for which Internet access privileges can be earned or lost; and
- Appropriate supervision, either in person and/or electronically.

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

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

#### Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the internet. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services. The District will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the District and shall indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and

the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user and attorney fees. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the District in the event the school initiates an investigation of a user's use of their access to its computer network and the internet.

#### Confidentiality of Student Information

Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and social security numbers. A supervising teacher or administrator may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.

#### Computer Access Conduct Agreements

Each student and his/her parent(s)/legal guardian(s) will be required to ~~sign and return~~ ~~read and agree~~ to the school the Computer Access Conduct Agreement prior to having access to the District's computer system and/or Internet Service.

#### Violations

If any user violates this policy, the student's access ~~will be to the District's internet system and computers will be denied, if not already provided, or withdrawn and they may be subject to additional disciplinary action.~~ The ~~system administrator~~ or the building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with their decision being final. ~~Actions which violate local, State, or federal law may be referred to the local law enforcement agency.~~

~~If the actions of the individual are also in violation of other District discipline policies, said student shall be subject to additional possible disciplinary action based upon these policies.~~

#### Technology Director

The Superintendent shall serve, or appoint someone to serve, as "Internet Safety Coordinator" with responsibility and authority for ensuring compliance with the requirements of federal law, State law, and this policy. The Internet Safety Coordinator shall develop and maintain administrative procedures to enforce the provisions of this policy and coordinate with the appropriate District personnel regarding the internet safety component of the District's curriculum. The Internet Safety Coordinator shall handle any complaints about the enforcement of this policy or refer them to other appropriate personnel depending on the nature of the complaint.

~~The Internet Safety Coordinator shall maintain documentation evidencing that instruction by school personnel on internet safety is occurring District wide.~~

## Public Notification

The Internet Safety Coordinator shall inform the public via the main District webpage of the District's procedures regarding enforcement of this policy and make them available for review at the District office.

## Submission to State Department of Education

This policy shall be filed with the State Superintendent of Public Instruction every five years after initial submission and subsequent to any edit to this policy thereafter.

### Legal References

[20 USC § 7131](#)

[20 USC § 9134\(f\)](#)

[IC § 18-1514\(6\)](#)

[IC § 18-6726](#)

[IC § 33-132](#)

[IC § 33-2508](#)

[Idaho Executive Order](#)

### Description

Internet Safety

State Plans - Internet Safety

Obscene Materials — Definitions

TikTok Use by State Employees on a State-Issued Device Prohibited

Local School Boards — Internet Use Policy Required

Digital and Online Library Resources for K-12 Students

2022-06

### Other References

[ISBA Policy Services](#)

[Cross References](#)

### Code

[2335](#)

[2395](#)

[3085](#)

[3085-P\(1\)](#)

[3085-F\(1\)](#)

[3085-F\(2\)](#)

[3260](#)

[3260-F\(1\)](#)

[3265](#)

[3275](#)

### Description

<https://www.idsba.org/member-services/policy/>

### Description

[Digital Citizenship and Safety Education](#)

[Idaho Digital Learning Academy Classes](#)

[Sexual Harassment, Discrimination, and Retaliation Policy](#)

[Sexual Harassment, Discrimination, and Retaliation Policy - Title IX  
Sexual Harassment Grievance Procedure, Requirements, and Definitions](#)

[Sexual Harassment, Discrimination, and Retaliation Policy - Notice of  
Investigation & Allegation Template](#)

[Sexual Harassment, Discrimination, and Retaliation Policy - Reporting  
Form for Students](#)

[Bring Your Own Technology Program](#)

[Bring Your Own Technology Program - Permission Form](#)

[Student Owned Electronic Communication Devices](#)

[District Provided Mobile Computing Devices \(Alternatives\)](#)

3275-F(1)

District Provided Mobile Computing Devices (Alternatives) - AGREEMENT

3330

Student Discipline

5325

Employee Use of Social Media Sites, Including Personal Sites

5325-P(1)

Employee Use of Social Media Sites, Including Personal Sites - Recommended Practices for Use of Social Media Sites, Including Personal Sites

8705

Generative Artificial Intelligence

Policy History:

Adopted on: 11-27-2012

Revised on:

# Garden Valley School District No.71

## STUDENTS

3320

### Alcohol and Substance Abuse Policy

#### I. — Philosophy and objectives

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety and welfare of students and staff. ~~It is the desire of~~ The District **wishes** to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the District relating to use, possession or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). ~~It is the philosophy of the District that the District will help those who desire to help themselves.~~

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

#### Voluntary Disclosure

**The District shall strive to create an environment free from alcohol and illicit drugs. In the case of students who come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the District having reasonable suspicion, the District will immediately notify the student's parent/guardian, and the District will work with the parent in the establishment of a plan to assist the student in whatever means are deemed necessary and appropriate. The incident shall be reported to law enforcement.**

The mere fact that a student previously disclosed use of alcohol or a controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

#### Use of Alcohol/Drugs Not Disclosed Voluntarily

If the District has reasonable suspicion (based upon reliable information received or the personal observations of staff) ~~to believe~~ that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the District may take whatever action is deemed appropriate, including but not limited to **notifying the parent or legal guardian and notifying local law enforcement, suspension, and/or expulsion. The following shall be used as a guide in determining what procedures may be followed when this occurs,**

however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if he/she has used and/or is under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/legal guardian will be immediately called. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
3. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
4. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk, or any other school property used by the student. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion may be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school.

Only persons who have a "need to know" may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others.

Law enforcement will be called when deemed appropriate.

The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to twenty (20) days and/or recommended for expulsion.

As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. Notification of the disclosure and the availability of counseling for students and other programs paid at the expense of the parents, legal guardians or child's custodians shall be provided to the parents, legal guardians, or child's custodian.

If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk or any other school property used by the student may be subject to search. In addition, law enforcement will be called immediately as will the parent/guardian.

The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion will be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

The District shall provide written annual notification of the voluntary disclosure provisions of

this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

## H—School Activities

School activities play an integral part of the total educational process of students enrolled in the Garden Valley School District. Because activities provide an educational opportunity, participants and coaches/advisors strive to meet the following objectives:

- Promote and contribute to the goals of the total educational program
- Promote good citizenship and respect for rules and authority
- Promote involvement and community interest in activities
- Promote good sportsmanship
- Learn the value of competitive participation
- Development of individual and team skills
- Practice good health habits
- Practice physical, intellectual, and artistic development
- Represent the school and community in a positive manner

If students choose to participate in activities, they do so voluntarily, and, therefore, there are expectations beyond those required of students who do not wish to participate in activities. These include maintaining academic eligibility, abiding by rules set forth by the coach/advisor, and setting high standards for behavior. Moreover, commitment to activities requires that participants refrain from the use or possession of controlled substances. Participation in activities is not considered to be a right, but rather, it is a privilege.

Those students who violate the "Alcohol and Substance Abuse Policy" shall be subject to discipline that may include permanent removal from participation in school district activities. Additionally, the Garden Valley School District Board of Trustees, by adopting this policy, hopes to decrease peer pressure to use controlled substances on students participating in activities.

## III.—Definitions

1. **Curricular Activities:** These are instructional activities that are integral to the classroom as a part of the curriculum and are a natural extension of classroom activities that result in a course grade or credit (ie field trips).
2. **Co-Curricular Activities:** Any activity for which a grade is issued will be considered a co-curricular activity. Examples of graded activities that may occur outside of the normal classroom situation include, but are not limited to, band or choir concerts, competitions, music festivals, and selected drama productions.
3. **Extra Curricular Activities:** Extra-curricular activities are defined as any activity sponsored by Garden Valley School District in which activities are not involved in a school course of study.
4. **Controlled Substances:** These include, but are not limited to; alcohol, tobacco (including smokeless tobacco), opiates, opium derivatives, stimulants, steroids, hallucinogenic substances, cocaine, cannabis, synthetic equivalents of the substances that have a depressant effect on the central nervous system, and drug paraphernalia. Exempted from this definition are

any medications specifically prescribed for a student's use by his/her own doctor.

#### **IV. Seasons**

The athletic season extends from the first day of official practice to the last day of IHSAA competition for that sport. All non-athletic activities begin with the first day of school. This policy shall be applied season by season for athletics, cheerleading, and pep band, or semester by semester for non-athletic co-curricular activities.

#### **V. Commission of a Controlled Substance Violation**

1. A participant shall not use, consume, possess, transmit, or sell any controlled substance.
2. A participant shall not engage in conduct detrimental to his/her group or the school at a party or other gathering where one or more minors are using controlled substances.
3. A participant, within the constraints of safety, shall not knowingly drive or remain in a vehicle where controlled substances are possessed or being used by one or more minors.

#### **VI. Determination of Violations—Student's Right to Due Process**

- A. When there is reasonable cause to believe that a student has violated this policy by committing any of the above acts, an investigation will be conducted by the athletic director or other appropriate school administrator.
- B. As a part of the investigation process, the student will receive written notice of the allegation that he/she violated the policy, and will be given an informal hearing with the investigator. Parents/guardians and the head coach/advisor are also encouraged to attend this hearing.
- C. At the hearing, the reasons for possible suspension from activities will be stated, and the student will be given an opportunity to provide evidence to refute those reasons.
- D. The investigator may determine a violation of the policy has occurred from examination of the facts, information, or evidence from any of the following sources:
  1. Direct observation by an adult of a student possessing, using, or distributing controlled substances;
  2. Self-admission by the student to a coach, activities director, or appropriate school administrator;
  3. Notification of school authorities by the student's parent or guardian;
  4. A criminal charge involving the possession, use, or distribution of controlled substances.
  5. Results from random drug testing—See GVSD Policy 3321

#### **E. Appeals**

1. A student may appeal the determination that he/she has violated this policy and/or the penalty imposed by filing a written request with the principal within ten (10) days of the date the determination is made. The request for an appeal must clearly state the reasons why the review is being requested. The review will be an informal meeting of the student, parents/guardians if desired, and a panel

consisting of the principal, activities director, and head coach/advisor. The panel will issue a written decision within two (2) school days of the date of the review.

2. If the student's appeal to the panel is not successful, the student has the right to appeal to the Garden Valley School District Board of Trustees by filing a written request with the Superintendent's office within ten (10) days of the date the determination is made. The request for an appeal must clearly state the reasons why the review is being requested. The Board of Trustees will issue a written decision within five (5) school days of the date of the review. The decision of the Board of Trustees is final.
3. Students shall abide by all other terms of their suspension until a final determination is made regarding their appeal.

## **VII. — Penalties**

### **A. — First Violation**

1. The participant shall be suspended for a minimum of 30% of all activities and/or sport(s) season/semester from participating in any game, contest, competition, or event. For athletics, cheerleaders, and pep band, the number of contests per season (rather than the calendar year) shall be used to determine the length of the suspension.
2. In the event that a student self-reports the violation voluntarily the suspension will be reduced to 20% of the season/semester.
3. If a police citation is given related to the use of controlled substances, the student must self-report within 72 hours of the citation, or when questioned by a school official if less than 72 hours have elapsed, for the reduction in suspension to be granted.
4. For activities with performances/contests, students must attend all practices and performances/contests while suspended (suspended from participation, not suspended from school) unless an alternative plan is requested by the student's coach/advisor. Failure to do so will result in continued suspension from activities. For all other activities, such as student council, students will not be allowed to participate while suspended.
5. Students will also be suspended from all other extracurricular activities unless they attend with their parent/guardian.
6. When the full penalty cannot be imposed, the remaining portion of the suspension will be carried over and served during the next activity participated in by the student. If a student does not participate in an extra/co-curricular activity in the next season/semester the ruling panel will determine the remaining penalty.
7. If a student self-reports, that student must submit to additional testing during the suspension period.

### **B. — Second Violation**

1. The participant shall be suspended for 50% of all activities and/or sport(s) the sport season/semester from participating in any game, contest, competition, or event. For athletics, cheerleaders, and pep band, the number of contests per season (rather than the calendar year) shall be used to determine the length of the suspension.

2. In addition, for a second alcohol or drug violation, the student must participate in drug and alcohol abuse education program. The expenses of the program and any actions necessary to comply with the recommendations must be borne by the student and his/her parents. The school will provide the student with options for such programs.
3. For activities with performances/contests, students must attend all practices and performances/contests while suspended unless an alternative plan is requested by the student's coach/advisor. Failure to do so will result in continued suspension from activities. For all other activities, such as student council, students will not be allowed to participate while suspended.
4. Students will also be suspended from all other extracurricular activities unless they attend with their parent/guardian.
5. When the full penalty cannot be imposed, the remaining portion of the suspension will be carried over and served during the next activity participated in by the student. If a student does not participate in an extra/co curricular activity in the next season/semester the ruling panel will determine the remaining penalty.

C. Third Violation

1. A participant in grades 9-12 who commits a third violation shall be suspended from participation in activities for the remainder of his/her high school career.

**VIII. Reinstatement**

1. A student who has completed an approved treatment program and provides a recommendation from that treatment program that the student has successfully completed the program and is unlikely to use controlled substances in the future may apply for reinstatement of eligibility following a third violation.
2. This application for reinstatement must be submitted in writing to the principal no less than two calendar years from the date of the suspension. The Board of Trustees will make the final determination of reinstatement.

**IX. Review Clause**

The Alcohol and Substance Abuse Policy was approved by the Board of Trustees of the Garden Valley School District at a meeting held August 8, 2017 and is in effect for the 17-18 school year. At the end of the 17-18 school year, the policy will be reviewed by the Alcohol and Substance Abuse Committee and recommendations based upon that review will be submitted to the Board of Trustees. Any changes in the Alcohol and Substance Abuse Policy as a result of Board of Trustee action based on the review of the policy will be in place for the 2018-2019 school year. If no changes are made, this policy as written will be in effect for the 2018-19 school year and subsequent years or until such time as the Board of Trustees approves changes to the policy.

**Resources**

When a student admits to using alcohol or drugs or is reasonably suspected of doing so, the student's parent/guardian will be notified of available opportunities for counseling for the student.

When a student is expelled for such substance use, the Board may require, as a condition of readmission, that the student undergo assessment and counseling for alcohol and/or drug use if qualified District staff are available to provide these services.

The District shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

Legal Reference: I.C. § 33-210 Students using or under the influence of controlled substances

### **Legal References**

	<b>Description</b>
IC § 33-210	Attendance at Schools —Students Using or Under the Influence of Alcohol or Controlled Substances
IC § 33-6000	Parental Rights
IC 37-2732C	Using or Being Under the Influence - Penalties
IDAPA 08.02.03.160	Safe Environment and Discipline
Pub. L. 100-690	The Anti-Drug Abuse Act of 1988 (as amended)

### **Other References**

ISBA Policy Services <https://www.idsba.org/member-services/policy/>

### **Cross References**

### **Code**

	<b>Description</b>
3330	<a href="#">Student Discipline</a>
3340	<a href="#">Corrective Actions, Punishment, and Denial of Enrollment</a>
3340-P	<a href="#">Corrective Actions, Punishment, and Denial of Enrollment</a>
3370	<a href="#">Searches and Seizure</a>
3370-P(1)	<a href="#">Searches and Seizure</a>

### Policy History:

Adopted on: 12-13-2011

Revised on: 10-13-2014, 09-12-2017

## Garden Valley School District No. 71

### STUDENTS

3330

#### Student Discipline

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

1. Habitual truancy;
2. Incorrigibility;
3. Academic dishonesty;
4. Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District;
5. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils;
6. Using, possessing, distributing, purchasing, or selling tobacco products;
7. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession;
8. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession;
9. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy;
10. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons in a School Building" section of this policy;
11. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
12. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct;
13. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;

14. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;
15. Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or disruptive to the educational environment;
16. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
17. Hazing – For purposes of this policy, the term “hazing” shall have the meaning set forth in Idaho Code;
18. Initiations;
19. The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school;
20. Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and District policy.

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

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

### Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

1. Expulsion;
2. Suspension;
3. Detention, including Saturdays;
4. Clean-up duty;
5. Loss of student privileges;
6. Loss of bus privileges;
7. Notification to juvenile authorities and/or police;
8. Temporary removal from the classroom;
9. Meeting with the student and the student's parents; and
10. Restitution for damages to school property.

No person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are

permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

### Alternative Disciplinary Measure

Alternative disciplinary action is discipline other than traditional suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

Alternative discipline includes, but is not limited to:

1. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
2. Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
3. Counseling;
4. Anger management;
5. Health counseling or intervention;
6. Mental health counseling;
7. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
8. Diversion or use of juvenile specialty courts;
9. Behavioral management plan;
10. Corrective instruction or other relevant learning or service experience;
11. Community service; and
12. In-school detention or suspension which may take place during lunchtime, after school, or on weekends.

### Consequences for Harassment, Intimidation, and Bullying

Students engaging in harassment, intimidation, or bullying will be subject to graduated consequences appropriate to the severity of the violation as determined by the Board, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences for bullying may include any of the above listed traditional or alternative disciplinary measures or a combination thereof in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. However, depending upon the nature of the act, the District reserves the right to deviate from the process of graduated consequences to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings. District personnel may also report the student's conduct to the appropriate law enforcement officials.

### Disciplining Students on Individual Education or Section 504 Plans

The District shall comply with the procedural safeguards enumerated in State and federal law and rule when disciplining students with individualized education plans or 504 plans.

## Gun-Free Schools

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

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

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.

## Possession of a Weapon on School Property – Misdemeanor

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

As used in this section of this Policy only:

1. "Deadly or dangerous weapon" means any weapon as defined in United States Code; and
2. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District.

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

This section of this policy does not apply to:

1. Law enforcement personnel;
2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, nonthreatening manner;

3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or school employees to and from school or a school activity; or
4. A person or an employee of the school or District who is authorized to carry a firearm with the permission of the Board of Trustees.

#### Delegation of Authority

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

#### Nondiscrimination

The District will ensure that student discipline is enforced in a nondiscriminatory manner to avoid subjecting similarly situated students to different treatment without a legitimate reason for doing so, or when such a reason is merely a pretext for discrimination. Such discrimination, which the District will endeavor to avoid, includes the following:

1. Adopting discipline rules which treat students differently based on race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical or mental handicap or disability, economic or social conditions, or actual or potential marital or parental status, or status as a homeless child;
2. Adopting any rule with the intention of targeting students based on the personal characteristics listed above, rather than for a legitimate purpose, regardless of whether the phrasing of the rule appears neutral with regard to students' personal characteristics;
3. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
4. Discipline of any student when it is motivated by intentional discrimination.

#### Notification

A summarized version of this policy shall be provided in writing at the beginning of each school year to the school personnel, parents, and students in the District. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

Cross Reference: 3295 Hazing, Harassment, Intimidation, Bullying, Cyber Bullying  
3340 Corrective Actions and Punishment  
4320 Disruption of School Operations

Legal Reference: I.C. § 33-205 Denial of school attendance  
I.C. § 18-917 Hazing  
I.C. § 18-917A Student Harassment — Intimidation — Bullying  
I.C. § 18-3302D Possession Weapons or Firearms on School Property  
I.C. § 18-3302I Threatening Violence on School Grounds  
I.C. § 33-1224 Powers and duties of teachers  
I.C. § 33-1630 Requirements for Harassment, Intimidation, and Bullying Information and Professional Development  
20 U.S.C. § 7151 Gun-free requirements  
20 U.S.C. § 8921, et seq. Gun Free Schools Act  
29 U.S.C. § 701 Rehabilitation Act of 1973  
IDAPA 08.02.03.109.05 Special Education  
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline  
Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline

Legal References	Description
18 USC § 921	Firearms - Definitions
18 USC § 930	Possession of Firearms and Dangerous Weapons in Federal Facilities
20 USC § 7961	Gun-Free Requirements
29 USC § 701, et seq.	Section 504 of the Rehabilitation Act of 1973
IC § 18-3302D	Possessing Weapons or Firearms on School Property
IC § 18-3302I	Threatening Violence on School Grounds
IC § 18-917	Assault And Battery - Hazing
IC § 18-917A	Student Harassment — Intimidation — Bullying
IC § 33-1224	Powers and Duties of Teachers
IC § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development
IC § 33-205	Denial of School Attendance
IDAPA 08.02.03.109.05	Special Education
IDAPA 08.02.03.160	Safe Environment and Discipline

Other References	Description
ISBA Policy Services	<a href="https://www.idsba.org/member-services/policy/">https://www.idsba.org/member-services/policy/</a>
Office of Civil Rights	Dear Colleague Letter on the Nondiscriminatory Administration

## of School Discipline

### Cross References

Code	Description
3085	<a href="#">Sexual Harassment, Discrimination, and Retaliation Policy</a>
3085-P(1)	<a href="#">Sexual Harassment, Discrimination, and Retaliation Policy - Title IX</a> <a href="#">Sexual Harassment Grievance Procedure, Requirements, and Definitions</a>
3085-F(1)	<a href="#">Sexual Harassment, Discrimination, and Retaliation Policy - Notice of Investigation &amp; Allegation Template</a>
3085-F(2)	<a href="#">Sexual Harassment, Discrimination, and Retaliation Policy - Reporting Form for Students</a>
3200	<a href="#">Student Rights and Responsibilities</a>
3270	<a href="#">District-Provided Access to Electronic Information, Services, and Networks</a>
3270-F	<a href="#">District-Provided Access to Electronic Information, Services, and Networks - INTERNET ACCESS CONDUCT AGREEMENT</a>
3295	<a href="#">Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying</a>
3295-P	<a href="#">Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying</a>
3295-F	<a href="#">Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying - COMPLAINT FORM</a>
3300	<a href="#">Drug Free School Zone</a>
3305	<a href="#">Prohibition of Tobacco Possession and Use</a>
3320	<a href="#">Substance and Alcohol Abuse</a>
3340	<a href="#">Corrective Actions, Punishment, and Denial of Enrollment</a>
3340-P	<a href="#">Corrective Actions, Punishment, and Denial of Enrollment</a>
4140	<a href="#">Visitors to the Schools</a>
4300	<a href="#">Conduct on School Property</a>
4320	<a href="#">Disruption of School Operations</a>
5265	<a href="#">Employee Responsibilities Regarding Student Harassment</a>
8140	<a href="#">Student Conduct on Buses</a>

### Policy History:

Adopted on: 12-13-2011

Reviewed on:

Revised on: 04-11-17

# Garden Valley School District No. 71

## STUDENTS

3340

### Corrective Actions and Punishment, and Denial of Enrollment

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

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

1. "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five (5) school days. Administrators may temporarily suspend. The Superintendent or the Principal may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation, or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the Superintendent or Principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Superintendent or principal who suspended him or her on reasonable conditions prescribed by the Superintendent or principal. **The Board of Trustees shall be notified of any temporary suspensions, the reasons for them, and the response to them.**
2. "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten (10) school days. **Prior to suspending any student, the Superintendent or Principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons.** Only the Superintendent (or the Board) can extend an initial temporary suspension. The student may still be readmitted to the school by the Superintendent who suspended them on reasonable conditions prescribed by the Superintendent. **The Board of Trustees shall be notified of any extended temporary suspensions, the reasons for them, and the response to them.**
3. "Prolonged Temporary Suspension" is the exclusion from school or individual classes for an additional five (5) school days. Only the Board can extend a temporary suspension for an additional five (5) days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare or safety.
4. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, ~~who is incorrigible~~, whose conduct is such to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school district in the State of Idaho or any other state, **including if they were disenrolled from a previous school or district**

in any state in lieu of discipline. In addition, the Board has authority to expel or deny enrollment to any student if they are convicted or adjudicated of offenses outlined in IC 20-525A(5) or other criminal offenses listed in chapter 9, 61, or 66 in Title 18, Idaho Code. Such convictions or adjudications shall be disclosed by the student's parent/guardian at the time of enrollment, and failure to do so may result in expulsion or denial of enrollment to the student. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five (5) days of the Board's actions.

No student shall be expelled nor denied enrollment without the Board having first given written notice to the parent/guardian of the student stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the Board. The notice shall also state the rights of the student to be represented by counsel, to produce witnesses and submit evidence on their own behalf, and to cross-examine any adult witnesses who may appear against them. Within a reasonable period of time following such notification, the Board shall grant the student and their parents/guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board shall allow a reasonable period of time between notification and the hearing to allow the student and their parents/guardian to prepare their response to the charge.

5. "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

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

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

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

~~When a disabled student is acting in such a way that he/she poses a danger to himself/herself or to~~

another student or property, or substantially disrupts his/her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The principal shall convene the Team for reviewing the student's record before the student is readmitted to school and no later than the tenth (10<sup>th</sup>) day of suspension.

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

No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

### Discipline of Students with Disabilities

Additional requirements apply when suspending or expelling a student with a disability. The District shall comply with these requirements as outlined in Procedure 3340P.

Cross Reference: 3360 Discipline of Students with Disabilities

Legal Reference: 20 U.S.C. 1400, et seq. Individuals with Disabilities Education Act

I.C. § 33-205 Denial of school attendance

I.C. § 33-512 Governance of schools

#### Legal References

20 USC § 1400, et seq. Individuals with Disabilities Education Act (IDEA)

20-525A(5) Expungement of Record - Exceptions

IC § 33-1631 Requirements for Harassment, Intimidation and Bullying Information and Professional Development

IC § 33-205 Denial of School Attendance

IC § 33-512 District Trustees - Governance of Schools

#### Other References

#### Description

ISBA Policy Services <https://www.idsba.org/member-services/policy/>

#### Cross References

#### Description

3000 Entrance, Placement, and Transfer

3070 Students of Legal Age

3265 Student Owned Electronic Communication Devices

3320 Substance and Alcohol Abuse

3330 Student Discipline

**5265  
8130**

**Employee Responsibilities Regarding Student Harassment  
Transportation of Students with Disabilities**

**Policy History:**

Adopted on: 12-13-2011

Reviewed on:

Revised on: 05-09-2017

## **Garden Valley School District No. 71**

### **STUDENTS**

**3340P**

#### Corrective Actions and Punishment

It is the intent of the Board to provide each student with those due process rights that are provided by law.

#### Suspension

In the event the proposed punishment of a student is to include denial of the right of school attendance from any single class or full schedule of classes for at least one (1) day, the following procedure shall be used:

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given the opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent or legal guardian. A written notice of suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent or guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Superintendent.
4. Upon request of the parent or legal guardian, a review of the suspension shall be conducted by the Superintendent. At the review, the student and parent or legal guardian may appear and discuss the suspension with the Superintendent. After the meeting, the Superintendent shall take such action as appropriate. That action is final.
5. Students who are absent as a result of an out-of-school suspension do not have the right to make up the work missed.
6. The suspension of a student may be extended by the Superintendent and/or the Board in accordance with State law. Written notice of the extension of a suspended student will be provided to the student's parent/legal guardian.

#### Expulsion

A student may be expelled from school only by the Board, and only after the following due process procedures have been followed:

1. The Principal shall make a recommendation **to the Superintendent** in writing for expulsion. The recommendation shall include a history of the student's general behavior, all previous suspensions, if any, a chronological account of the unacceptable behavior, and academic history of the pupil.
2. The student and parent or legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five (5) school days before the date scheduled for the hearing. The notice shall include the grounds for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.
3. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent or legal guardian by submitting a request showing good cause to the Superintendent at least two (2) school days prior to the date of the hearing as originally scheduled. The Superintendent shall determine if the request shows good cause.
4. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.

#### Procedures for Suspension and Expulsion of Students with Disabilities

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

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

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from the student's current placement. Such

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

### Procedures for Students with Disabilities

Students with disabilities are entitled to all of the due process rights set forth above. In addition, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) provide additional discipline procedures to a student with disabilities. The District shall comply with the provisions of the IDEA and Section 504 when disciplining students with disabilities.

### Suspension of Students with Disabilities

The District may suspend a student with disabilities for up to ten cumulative or consecutive school days in a school year for violation of the code of student conduct and educational services may cease to the same extent educational services cease for students without disabilities. Cumulative suspensions, if over ten school days in a school year, must not constitute a significant change in placement.

A significant change in placement occurs when a student with a disability is removed for more than ten consecutive school days or is subjected to a series of suspensions or removals that constitute a pattern of exclusion because they are more than ten school days in a school year, and because the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another indicate a pattern of exclusion.

For a student with an Individualized Education Program (IEP) who is suspended for more than ten cumulative school days in a school year and a change in placement does not occur, educational services shall be provided to the extent necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals set out in the IEP, although in another setting, as determined by school personnel, in consultation with at least one of the student's teachers.

### Expulsion of Students with Disabilities

A student with an IEP or 504 plan may not be expelled if the student's violation of the student code of conduct is a manifestation of the student's disability. Any student with an IEP or 504 plan whose violation of the code of conduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures to the same extent a nondisabled student would be expelled for the same violation.

If a student on an IEP is expelled for conduct not a manifestation of the student's disability the student shall continue to receive education services at an alternative setting, consisting of services necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals set out in the student's IEP during the period of expulsion. Additionally, the student must receive, as appropriate, a functional behavioral assessment (FBA) and behavior intervention services and modifications designed to address the behavior violation so that it does not recur.

If a student with a 504 plan is expelled for conduct not a manifestation of the student's disability, educational services may cease during the period of expulsion to the same extent educational services cease for students without disabilities.

### Additional Provisions

A student on an IEP who has carried a weapon to school or to a school function, or who knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a school function may be removed from the student's current placement. Such a student may be placed in an appropriate interim alternative educational setting for no more than 45 school days in accordance with the IDEA.

A student who is not on an IEP and who has violated the code of student conduct may assert any of the protections provided by the IDEA if it is determined the District had knowledge that the student was a child with a disability before the behavior precipitated the disciplinary action occurred. The District had knowledge if:

The parent expressed concern in writing to supervisory or administrative personnel, or to the student's teacher, that the student is in need of special education and related services; or

The parent requested an evaluation; or

The student's teacher, or other District personnel expressed specific concerns about a pattern of behavior by the student directly to the director of special education or other supervisory personnel.

Legal References	Description
20 USC § 1400, et seq.	Individuals with Disabilities Education Act (IDEA)
20-525A(5)	Expungement of Record - Exceptions
IC § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development
IC § 33-205	Denial of School Attendance
IC § 33-512	District Trustees - Governance of Schools
Other References	Description ISBA Policy Services <a href="https://www.idsba.org/member-services/policy/">https://www.idsba.org/member-services/policy/</a>
Cross References	
Code	Description
3005	Entrance, Placement, and Transfer
3070	Students of Legal Age
3260	Student Owned Electronic Communication Devices
3320	Substance and Alcohol Abuse
3330	Student Discipline
5265	Employee Responsibilities Regarding Student Harassment
8130	Transportation of Students with Disabilities

### Policy History:

Adopted on: 12-13-2011

Reviewed on: 04-10-2017

Revised on:

## **Garden Valley School District No. 71**

### **NONINSTRUCTIONAL OPERATIONS**

**8705**

#### Generative Artificial Intelligence

This policy sets out guidelines for the permissible use of generative artificial intelligence (AI) by staff for work-related purposes and by students for school-related purposes. It is also intended to help inform the District community about issues to be aware of regarding generative AI tools, such as data privacy concerns, their potential to provide inaccurate or inappropriate responses, and the fact it is not possible to own or copyright material created using such tools.

This policy is not intended to limit use of District-approved search engines with limited AI functions.

Any use of generative AI must comply with any relevant District policies. For instance, such tools may not be used in ways that violate the District's policies prohibiting plagiarism, bullying, or unacceptable uses of electronic devices.

The designee, may create a list of District-approved generative AI tools. Before approving such tools, the designee shall review and understand each tool's terms of service and privacy policy and ensure the use of the tool is compatible with District policy and laws related to student privacy, data security, and other applicable requirements. The designee may grant approval on a case-by-case basis of generative AI tools not yet given general approval. The Superintendent may also require a data protection agreement between the District and any software tool covered by this policy.

#### Use by Staff

Staff may use District-approved generative AI tools.

For generative AI tools that require an account, staff shall maintain separate accounts for work and personal uses and shall inform their supervisor of any work-related accounts created. Personal generative AI accounts shall not be used on District equipment or a District-provided internet connection.

Staff shall not use any of the following in prompts for an AI tool:

1. Personally identifiable information;
2. Sensitive or confidential student or personnel records; or
3. Any copyrighted material.

Staff shall not use AI tools to determine a student's grade on any project, including but not limited to any grade which includes a subjective component.

If an employee uses a generative AI tool for a work-related task, they should disclose that they've done so if:

1. The tool's terms of service require such disclosure.
2. It would be misleading to the supervisor or to the audience not to disclose this use. This includes misleading them about the work being entirely the work of the employee.
3. The work is being used in a context when sources are generally cited.

Such disclosure shall not be required when AI is used to draft routine emails or correspondence, or for such purposes as Administrative tasks.

Prior to using any output of a generative AI tool, staff shall check the output for inaccuracies, bias, stereotyping, or any other content that is inappropriate or unsuitable for the intended purpose. Staff shall not use such tools for any purpose where they are not able to verify the accuracy and appropriateness of the output.

The District may provide professional development on generative AI, including on such topics as ethical use, the abilities and limitations of such tools, how to evaluate their output, monitoring student use, data and confidentiality issues, and possible in-class uses. If staff are uncertain of whether any use of AI is appropriate or within the requirements of District policy, they should ask their supervisor about it.

#### Use by Students at the Direction of Staff

Staff shall clearly communicate to students how they are and are not permitted to use generative AI tools for class assignments as well as any expectations to cite or disclose their use of such tools. Unauthorized use of AI tools and failure to cite such use when citation is required are violations of Policy 3335 Academic Honesty and may be subject to disciplinary action.

Staff will not knowingly allow students to use AI tools in ways that violate their terms of service.

Teachers shall take reasonable steps to prevent use of generative AI tools in ways that undermine learning and assessment or create safety and/or confidentiality concerns. Ways to limit/control the use of such tools may include, but are not limited to:

1. Greater use of in-class assignments;
2. Directing students to describe their research/writing process within the assignment;
3. Directing students to include their personal experiences with the topic or assignment;
4. Requiring page numbers to support claims made in assignments about a book the student was assigned to read;
5. Requiring students to complete and provide outlines and/or early drafts for grading;

6. Requiring students to base a paper/project solely on specific materials provided.

If a teacher suspects a student may have used an AI tool in a prohibited way for an assignment, the student may be asked to demonstrate their academic competence in a different way.

Tools to detect the use of AI may be used as one factor among others to determine whether such use has occurred provided the use of such a tool is authorized by the District.

Violation of this policy by any student or staff member may be met with disciplinary action.

Staff members who notice new, emerging issues with generative AI tools in the school environment should report these concerns to their supervisor.

The Superintendent may convene a committee to examine the issue of generative AI tools in school further and provide research or recommendations.

The unauthorized copying of any computer software which is licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the District and/or legal action by the copyright owner.

No District-owned computing resources should be used for unauthorized commercial purposes. Illegal copies of copyrighted programs may not be made or used on school equipment. The legal or insurance protection of the District will not be extended to employees who violate copyright laws.

The Principal of the school and Superintendent are the only individuals who may sign license agreements for software for the school.

**Other References**

ISBA Policy Services <https://www.idsba.org/member-services/policy/>

**Cross References**

<b>Code</b>	<b>Description</b>
1250	Committees
3270	District-Provided Access to Electronic Information, Services, and Networks
3270-P(1)	District-Provided Access to Electronic Information, Services, and Networks - Acceptable Use of Electronic Networks
3270-F(1)	District-Provided Access to Electronic Information, Services, and Networks - INTERNET ACCESS CONDUCT AGREEMENT
3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
3295-P(1)	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
3295-F(1)	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying - COMPLAINT FORM
3335	Academic Honesty
3575	Student Data Privacy and Security

Policy History:

Adopted on:

Revised on: