

Idaho Falls School District 91

CODE OF STUDENT CONDUCT

2025-2026

DRAFT

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Idaho Falls School District No. 91
Code of Student Conduct

INTRODUCTION

In order to maximize educational opportunities for students, Idaho Falls School District No. 91 has adopted this ***Code of Student Conduct*** (referred to in this document as "Code") to support the creation of a safe, positive learning environment for every student, employee, and school visitor. Effective learning in school requires discipline, which is defined as the absence of disturbances that interfere with the effective functioning of the school community where students and school personnel work cooperatively toward mutual goals. Every student has the right to learn and every teacher has the right to teach.

In addition to this Code, the Board of Trustees has adopted policies and procedures that govern conduct in the District. Board Policies and Procedures can be found on the district website, under the School Board section. This ***Code of Student Conduct*** can be found on the district website under the Parent menu. Copies of Board Policies and this ***Code of Student Conduct*** can be printed from the website or obtained from any school office or the District Office at 690 John Adams Parkway, Idaho Falls, Idaho.

Students and parents/guardians should review all information in the ***Code of Student Conduct*** carefully and discuss the consequences of violating the rules. When a student registers for school, either as a new student or a returning student, parents/guardians and students will acknowledge they have reviewed the ***Code of Student Conduct*** together. This acknowledgement is required for each student for each year the student attends school in the Idaho Falls School District #91. This acknowledgement will indicate they have reviewed the ***Code of Student Conduct*** and are aware of the explanation of rules it provides. Questions regarding the ***Code of Student Conduct*** may be directed to your principal, the Superintendent, or the Executive Director of Learning and Instruction.

PURPOSE OF THE CODE OF CONDUCT

This Code of Student Conduct is not comprehensive nor is it a contract between the District and students or their parents or guardians and may be amended at any time. The purpose is to assist students, teachers, and administrators in maintaining an environment conducive to learning. The Code states the District's standards for acceptable student conduct and explains the consequences for unacceptable and serious misbehavior.

The ***Code of Student Conduct*** will:

- describe the scope of the code, equal opportunity, language access;
- describe the right to appeal, including grievance procedures;
- describe disciplinary actions and supportive measures;
- describe the process for reporting discrimination or harassment;
- identify levels of violations and how rule violations are labeled;
- list suggested interventions and disciplinary actions;
- identify the ***Code of Student Conduct*** rules; and
- provide relevant definitions.

SCOPE OF THE CODE

Although increasing age and maturity lead to students assuming greater responsibility for their actions and require different types of disciplinary action, the procedures identified in this ***Code of Student Conduct*** shall apply to all Idaho Falls School District No. 91 students.

School officials may discipline students for misconduct as defined in this Code that occurs:

- on school premises at any time;
- during any school-sponsored activity, function, or event regardless of location; and
- while being transported to and from school, including at bus stops; or to school sponsored events, field trips, clubs, extracurricular or co-curricular activities on school buses or other conveyances at public expense.

EQUAL OPPORTUNITY STATEMENT

Idaho Falls School District No. 91 complies with all federal, state, and local laws, and provides an equal opportunity for all students. Discrimination will not be tolerated in admission, grading, discipline, or any other activity based on the actual or perceived age, race, religion, color, national origin, spoken language, disability, marital status, sexual orientation, gender identify, physical characteristic, cultural background, socioeconomic status, or geographic location. All decisions will be administered without regard to any of these categories.

LANGUAGE ACCESS STATEMENT

Regarding school related information, students and parents or guardians whose first language is not English have the right to translation and interpretation services free of charge. The request may be made through the building administrator. If requested by the student or their parent or guardian, the District will provide language access services through qualified personnel as far as it is practical. To request copies of this Code in languages other than English, please contact the District Office.

SECTION 1

RIGHT TO APPEAL

There may be times when students feel they have been unfairly penalized. When this is the case, they should seek a resolution at the lowest administrative level.

Most problems can be solved if a student or parent/guardian discusses the matter with the teacher or staff member who was involved. If a student or parent/guardian feels uncomfortable with that person, they may request a conference with the next level of authority. The student or parent/guardian may also request the presence of a third party, such as a counselor, assistant principal, other staff person, translator, or interpreter. If discussing the matter does not resolve the matter, the student or their parent or guardian should submit a written statement, using the 4110F1 Public Complaint Form, within the required timelines. The concern form should contain a statement of what happened, who was involved, and suggested solutions.

If the matter is not resolved with the principal or their designee, the student or their parent or guardian may, pursuant to policy 4110 timelines, request in writing that the Superintendent or their designee review the decision. The Superintendent's or their designee's decision shall be final for the appeal of any penalties that are fewer than ten (10) days.

If the student or their parents or guardians believe that District policy has not been followed or the imposed penalty is ten (10) days or more, a written appeal may be made to the Board of Trustees. The decision of the Board will be final.

SECTION 2

DISCIPLINE

All students shall submit to the reasonable rules of the Idaho Falls School District No. 91. Refusal to comply shall constitute sufficient cause for discipline, suspension, or expulsion. Graduated consequence and discipline will be used when discipline decisions are being made by the administration. Discipline processes shall be designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to the discipline, that the previous discipline history of the student being disciplined and other relevant factors will be taken into account, and that all due process procedures required by federal and state law will be followed.

CORPORAL PUNISHMENT

The District does not permit corporal punishment as a means for discipline. No teacher, other school employee, or administrator shall use physical force or physical contact against a student or strike a student as punishment for a violation of the *Code of Student Conduct*. This prohibition also extends to parents, guardians, or visitors on school grounds. However, a teacher, other school employee, or administrator shall only be authorized to physically restrain a student when their behavior poses an imminent risk of serious physical harm to self or others, per Board Policy 3345 Restraint and Seclusion.

MANIFEST DETERMINATION

If a student with disabilities violates the *Code of Student Conduct* and disciplinary action involves suspension, recommendation for expulsion, or other actions involving removal from a program for more than a total of ten (10) days within a school year, the *Individual Education Program* (IEP) team must meet to determine whether the misconduct resulted from the disability. If the behavior is determined to be a manifestation of the disability, a Functional Behavioral Assessment (FBA) must be conducted and a behavior intervention plan either implemented or reviewed and modified to address the behavior. If this meeting determines the misconduct was not a result of the disability, the student can be suspended or expelled.

ACTIVITY OR PRIVILEGE SUSPENSION

Violations of School Bus Safety Rules

The Director of Transportation, school bus drivers, and building principals will manage school bus safety rules violations. The principal or their designee has the authority to take appropriate reasonable disciplinary action whenever a student poses an immediate safety hazard to the bus driver, other passengers, and/or passersby while transportation services are being provided. In addition, students may be suspended or expelled from attendance at school because of severe misbehavior on a school bus or other public conveyance. Students may also be suspended from riding the bus for a period of time based on misbehavior on the bus.

Suspension or Exclusion from Extracurricular, Co-Curricular Activities, or Club

A student will be immediately suspended from all extracurricular, co-curricular, and club activities when they receive a suspension (not including an in-school suspension) from school for any reason. Violation of this Code may cause further disciplinary action from the coach or adviser. Any display of unsportsmanlike conduct toward an opponent or official, or the use of profanity, vulgarity, or lewd or obscene comments or gestures is prohibited while participating in a practice, a contest, or a performance. Such actions will result in conferencing by the head coach or advisor and/or school administrator and may include an improvement plan. A possible suspension from the extracurricular, co-curricular, or club activity may result up to and including the remainder of the season or duration of the activity in that scholastic year. Such suspension will only be from the activity where the violation occurred. Students may be required to sign and comply with a behavior contract before being reinstated to active participation.

A student may be suspended from extracurricular, co-curricular, and club activities for a period of time up to and including the remainder of their attendance in the District when they have been knowingly present during a **Level 4 violation** of this Code, or commit a **Level 4 violation** of this Code, have been arrested, or it reasonably appears to the District that they have violated criminal law (other than infractions or minor traffic violations).

If an investigation finds that a student knowingly or in a malicious manner falsely accused another, they may be excluded from any form of extracurricular, co-curricular, or club activity for a period of time up to and including the remainder of their attendance in the District, per procedure 3085P.

REPORTING BULLYING, HARASSSMENT, INTIMIDATION AND/OR SEXUAL HARASSMENT

Students or third-parties who have knowledge that an individual has been affected by an act or acts of bullying, harassment, or intimidation, and/or sexual harassment as defined in District Policies 3085 and 3085P, should report the incident following policy and procedure. Such reports may be submitted by a targeted individual, a friend, a parent/guardian of a targeted individual, a witness, or parent/guardian of a witness, or any other individual with knowledge of bullying, harassment, or intimidation. Reports may be made in one of the following ways:

- Electronically through email or other methods provided by the District,
- By informing a district or school official as defined in this policy, including a teacher, a school counselor, a school nurse, a principal or assistant principal, or other administrator.
- By providing a written statement to a district or school official as defined in Policy 3085P.
- By calling the District 91 Office and reporting to the Coordinator of Safety & Student Wellness at (208) 525-7500 ext. 50911.

A parent or guardian signature is not required for a student to report acts of bullying, harassment, intimidation and/or sexual harassment. During the investigation a parent or guardian may be asked to sign statements made by their student as an acknowledgement of the investigation.

SECTION 4

LEVELS OF VIOLATIONS, LABELING OF RULE VIOLATIONS, AND INTERVENTIONS

Levels of Offenses

This Code divides violations into four levels. The level of offense dictates the severity of the remedial measure imposed. Interventions will generally become more severe if rule infractions persist. However, the teacher or principal or their designee may move to the most severe penalty at any time based on the circumstances involved in an incident and the disciplinary history of the student. The principal or their designee may also reduce disciplinary sanctions when warranted.

Before determining the appropriate remedial measure to impose, the student's explanation shall be heard. However, the determination of sanctions shall be at the sole discretion of the principal or their designee pursuant to applicable law and District policy. 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 aspect of the educational process, unless they have been knowingly present during a **Level 4 Violation** of this Code, or commit a **Level 4 Violation** of this Code, have been arrested, or it reasonably appears to the District that they have violated criminal law (other than infractions or minor traffic violations).

Level 1 Violations

Level 1 violations are those infractions that are minor in nature and should be managed by the classroom teacher. Each teacher will manage classroom disruptions using in-class disciplinary action as well as student conferences, contacting parents or guardians, asking the parents or guardians to shadow the student, and/or conferring with other school staff. Students should only be referred to the principal or their designee for formal disciplinary action when interventions by the teacher have been ineffective or the disruption sufficiently severe.

Level 2 Violations

Level 2 violations are those infractions that are more disruptive and require removal of a student from the classroom or activity when it has been documented that the behavior has seriously disrupted the educational environment. These are managed by the principal or their designee in consultation with the student's parents or guardians when necessary, and

generally result in the student serving in-school detention, after-school detention, before-school detention, or Saturday School. Detention occurs outside of instructional hours or class time. If parents or guardians agree, students can be assigned to school community service at the school. Detention and community service will be under the supervision of a staff member. Parents or guardians will be notified prior to a student serving after-school or before-school detention and will be informed of the date and time at least two school days in advance of Saturday School. Students who repeatedly commit Level 2 violations that have previously been disciplined with lower-level interventions may be temporarily suspended. In this case, the following may be considered before deciding to suspend:

- Has the student been sent to the principal or their designee at least once before?
- Have parents or guardians been informed that the behavior is a problem and that the student may be suspended?
- Has the student been referred to a guidance counselor?
- Has the student been given a work assignment before?
- Has the student been referred to an outside agency for assistance?

Level 3 Violations

Level 3 violations are major infractions managed by the principal or their designee and generally include in-school suspension, out of school suspension, or disciplinary reassignment of the student per Board Policy 3330 and 3340. The student may be placed in an alternative education program or recommended for expulsion at the discretion of the principal after consultation with the Superintendent or their designee and following applicable state and federal law.

Level 4 Violations

Level 4 violations are severe infractions managed by the principal or their designee and law enforcement agencies. Students will be suspended and recommended to the Board of Trustees for expulsion in compliance with Board Policy 3330, 3340, and applicable state and federal law. If a student commits an offense that causes critical human injury, extensive property damage, or excessive school disruption, the Board may decide not to allow them to attend any school in the District, including Emerson Alternative High School. Referrals to community resources may be made. If a student is expelled during the last semester of their senior year, they will not be allowed to participate in the graduation ceremony.

Labeling Rule Violations

This Code separates violations at each level into two categories: (1) **Elementary** and (2) **Secondary**. Rule violations are labeled by using **E** for elementary students, or **S** for secondary students, followed by a **1, 2, 3, or 4** to indicate the level and then the **number** of the rule that was violated (such as E1:2 – Elementary level 1: Rule 2 or S1:2 – Secondary level 1: Rule 2). A rule violation may be placed at one level for elementary students and at a different level for secondary students or it may be placed at the same level for both. Placement of a rule at a certain level will depend on the perceived ability of students to understand or cause harm or damage.

Examples:



The tables in Section 5 identify interventions or disciplinary actions at each level for elementary and secondary students that may be followed by the principal or their designee.

If a student commits multiple offenses at one time, that is taken into consideration at the time of discipline.

For example:

- If one student verbally taunts Student X, and does it by themselves, that could fall under bullying.
- If that student works with their friends to taunt Student X, that is bullying AND conspiracy.
- If multiple students decide to taunt and kick Student X, then that is bullying, conspiracy, AND Battery.

SECTION 5 INTERVENTIONS/DISCIPLINARY ACTIONS BY DIVISION (ELEMENTARY OR SECONDARY) AND LEVEL

Elementary (Grades K- 6) - Level 1 – Minor Violations

1. These occurrences are considered minor in nature and should be dealt with by school building teachers and staff in consultation with the student's parents/guardians.
2. Normally, disciplinary actions for Level 1 occurrences will become more severe if minor rule infractions persist. However, the teacher or administrator may choose a more severe consequence at any time based on the student's past disciplinary record and may reduce disciplinary sanctions when warranted.
3. If a student refuses to cooperate, then a detention may be invoked.
4. When an in-school, before school, or after school detention or Saturday school is imposed on a student, the parent/guardian will be notified in advance.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
E1:2	Tardiness	Possible actions include but are not limited to: 1. Warning 2. Student, teacher, and/or parent/guardian conference 3. Supportive measures 4. Behavior management plan 5. Conflict mediation 6. Detention 7. Student community service (must have parental/guardian consent) 8. Parent/guardian asked to shadow student
E1:4	Leaving Class without Permission	
E1:5	Cheating/Plagiarism	
E1:7	Disrespect	
E1:9	Gambling	
E1:11	Endangerment	
E1:19	Provoking/Instigation Behavior	
E1:35	Display of Unsportsmanlike Conduct at an Extracurricular or Co-Curricular Event	
E1:40	Use of Profane Language or Sexual Connotations	
E1:41	Use of Abusive or Sexually Explicit Language, Racial Slurs, or Obscene Gestures	
E1:43	Inappropriate Personal Property	
E1:45	Public Display of Affection	
E1:52	Possession or Use of Smartphones, Cellular Phones, and/or Other Electronic Communication Devices	

Elementary (Grades K – 6) - Level 2 – Intermediate Violations

1. These occurrences are more serious than Level 1 violations, are disruptive to the educational environment, and require removal of the student from the classroom or activity.
2. These violations are managed by the principal or their designee in consultation with the student's parents or guardians when necessary and may result in the student serving in-school detention, after-school detention, before-school detention, or Saturday School. For more serious occurrences, in-school and temporary suspensions may also result.
3. When a before school detention, after school detention, Saturday School, in-school suspension or temporary suspension is imposed on a student, the parent/guardian will be notified.
4. The principal or their designee may choose a more severe consequence at any time based on the student's past disciplinary record.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
E2:3	Absence/Truancy	Possible actions include but are not limited to: 1. Confiscate contraband 2. Conference with student 3. Student and/or parent/guardian conference 4. Supportive measures 5. Before-school or after-school detention (must have parental/guardian consent) 6. School community service 7. In-school suspension 8. Out-of-school suspension 9. Referral to law enforcement agencies
E2:4	Leaving Campus without Permission	
E2:6	Insubordination	
E2:8	Hindering or Interfering with a School Function	
E2:18	Fighting	
E2:28	Distribution of Non-school-sponsored Materials	
E2:29	Knowingly Present	
E2:34	Possession and/or Use of Other Dangerous Substances or Materials	
E2:36	Disruption or Hazard on the Bus	
E2:37	Forgery or Falsification of Information	
E2:39	Participation in Prohibited Clubs, Gangs, Fraternities and Sororities, or Similar Organizations	
E2:47	Possession of Stolen Property	
E2:49	Petit Theft	
E2:51	Inappropriate Use of Technology or Computers	
E2:53	Threat	
E2:57	Vandalism under $100	
E2:59	Impermissible Driving to School	
E2:60	Reckless Vehicle Use	

Elementary (Grades K – 6) - Level 3 – Major Violations

1. Level 3 violations are major infractions managed by the principal or their designee and generally give rise to in-school suspension, out of school suspension, or disciplinary reassignment of the student (in consultation with the Superintendent or designee).
2. If a student is suspended, they will not be permitted on school premises or to attend any school activities regardless of location.
3. The principal or their designee may choose a more severe consequence at any time based on the student's past disciplinary record and may reduce disciplinary sanctions when warranted.
4. Violations that are felony occurrences will be reported to law enforcement agencies.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
E3:1	Arson	Possible actions include but are not limited to: 1. Confiscate contraband 2. Conference with Student 3. Student and/or parent/guardian conference 4. Supportive measure 5. In-school suspension 6. Out of school suspension 7. Recommendation for expulsion or denial of attendance 8. Referral to law enforcement agencies
E3:10	Conspiracy	
E3:12	Inappropriate Communication Directed at School Personnel	
E3:13	Battery of School Personnel	
E3:14	Assault	
E3:15	Battery	
E3:17	Disorderly Conduct	
E3:21	Harassment	
E3:22	Bullying, Intimidation, Cyber Bullying	
E3:23	Hazing	
E3:25	Extortion	
E3:27	Distribution of Inappropriate Materials	
E3:30	Possession or Use of Vape Products, Tobacco Products, Nicotine Innovations, or Paraphernalia	
E3:31	Use, Concealment, Possession, or Under the Influence of Alcohol	
E3:32	Use, Concealment, or Possession of Drug Paraphernalia, and/or Under the Influence of Drugs, Controlled Substances, or Unauthorized Drugs or Substances	
E3:38	False Alarm	
E3:42	Stalking	
E3:44	Failure to Permit a Lawful Search or Inspection by a School Official	
E3:46	Sexual Misconduct, Inappropriate Touching, or Indecent Exposure, or Sexual Harassment	
E3:48	Robbery	
E3:50	Grand Theft	
E3:56	Trespassing	
E3:58	Vandalism more than $100	
E3:63	Threat with a Dangerous Object or Weapon	
E3:64	Possession of a Weapon or Facsimile Weapon	
E3:66	Use of Mace or Chemical Agents	
E3:67	Possession or Use of Explosives or Fireworks	

Elementary (Grades K – 6) - Level 4 – Severe Violations

1. Level 4 violations are severe infractions managed by the principal or their designee and law enforcement agencies.
2. Students will be suspended and recommended to the Board of Trustees for expulsion.
3. Violations that are felony occurrences will be reported to law enforcement agencies.
4. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Disciplinary Actions
E4:16	Aggravated Battery	Possible actions include but are not limited to: 1. Any contraband will be confiscated 2. Law enforcement agencies will be immediately notified 3. Supportive measures 4. Out of school suspension • Temporary suspension • Extended temporary suspension • Prolonged temporary suspension 5. Recommendation to the Board for expulsion • **A minimum of a calendar year expulsion is required by law for deadly or dangerous weapon or firearm violations** 6. Violators may be prosecuted to the fullest extent of the law
E4:20	Inciting to Riot	
E4:24	Kidnapping	
E4:26	Off-campus Commission of a Crime	
E4:33	Drug and/or Alcohol Sale or Distribution	
E4:54	Bomb, Chemical, or Biological Threats	
E4:55	Threat with Intent to Kill	
E4:62	Purchase or Sale of a Weapon	
E4:65	Possession or Use of Firearms	
E4:68	Making or Planning a Bomb or Fake Bomb	
E4:69	Chemical and Biological Attacks	

Secondary (Grades 7 – 12) - Level 1 – Minor Violations

1. These occurrences are considered minor in nature and should be dealt with by school building teachers and staff in consultation with the student's parents/guardians.
2. Normally, disciplinary actions for Level 1 occurrences will become more severe if minor rule infractions persist. However, the teacher may choose a more severe consequence at any time based on the student's past disciplinary record and may reduce disciplinary sanctions when warranted.
3. If a student refuses to cooperate, then a detention may be invoked.
4. When a before school or after school detention or Saturday School is imposed on a student, the parent/guardian will be notified.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
S1:2	Tardiness	Possible actions include but are not limited to: 1. Warning 2. Student, teacher, and/or parent/guardian conference 3. Supportive measures 4. Behavior management plan 5. Conflict mediation 6. Detention 7. School community service (must have parental/guardian consent) 8. Parent/guardian asked to shadow student
S1:5	Cheating/Plagiarism	
S1:7	Disrespect	
S1:9	Gambling	
S1:11	Endangerment	
S1:43	Inappropriate Personal Property	
S1:45	Public Display of Affection	
S1:52	Possession or misuse of Smartphones, Cellular Phones, and/or Other Electronic Communication Devices	

Secondary (Grades 7 – 12) - Level 2 – Intermediate Violations

1. These occurrences are more disruptive than Level 1 violations, are disruptive to the educational environment, and require removal of the student from the classroom or activity.
2. These violations are managed by the principal or their designee in consultation with the student's parents or guardians when necessary and generally result in the student serving in-school detention, after-school detention, before-school detention, or Saturday School.
3. When a before school detention, after school detention, or Saturday School is imposed on a student, the parent/guardian will be notified.
4. The principal or their designee may choose a more severe consequence at any time based on the student's past disciplinary record and may reduce disciplinary sanctions when warranted.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
S2:3	Absence/Truancy	Possible actions include but are not limited to: 1. Confiscate contraband 2. Conference with student 3. Student and/or parent/guardian conference 4. School community service (must have parental/guardian consent) 5. Supportive measures 6. In-school detention 7. Before-school or after-school detention 8. Saturday School 9. In-school suspension 10. Supervised school suspension 11. Out-of-school suspension
S2:4	Leaving Campus or Class without Permission	
S2:6	Insubordination	
S2:19	Provoking/Instigating Behavior	
S2:28	Distribution of Non-school-sponsored Materials	
S2:29	Knowingly Present	
S2:34	Possession and/or Use of Other Dangerous Substances or Materials	
S2:35	Display of Unsportsmanlike Conduct at an Extracurricular or Co-curricular Event	
S2:36	Disruption or Hazard on the Bus	
S2:37	Forgery or Falsification of Information	
S2:39	Participation in Prohibited Clubs, Street Gangs, Fraternities and Sororities, or Similar Organizations	
S2:40	Use of Profane Language or Sexual Connotations	
S2:41	Use of Abusive or Sexually Explicit Language, Racial Slurs, or Obscene Gestures	
S2:47	Possession of Stolen Property	
S2:49	Petit Theft	
S2:51	Inappropriate Use of Technology or Computers	
S2:57	Vandalism under $100	
S2:59	Impermissible Driving to School	
S2:60	Reckless Vehicle Use	
S2:61	Violation of Parking Rules	

Secondary (grades 7 – 12) - Level 3 – Major Violations

1. Level 3 violations are major infractions managed by the principal or their designee and generally lead to in-school suspension, out of school suspension, or disciplinary reassignment of the student (in consultation with the Superintendent or designee).
2. If a student is suspended, they will not be permitted on school premises or to attend any school activities regardless of location.
3. The principal or their designee may choose a more severe consequence at any time based on the student's past disciplinary record and may reduce disciplinary sanctions when warranted.
4. Violations that are felony occurrences will be reported to law enforcement agencies.
5. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

Rule Designation	Description	Suggested Interventions/Disciplinary Actions
S3: 8	Hindering or Interfering with a School Function	Possible actions include but are not limited to: 1. Confiscate contraband 2. Student and parent/guardian conference 3. Supportive measures 4. Referral to law enforcement agencies 5. In-school suspension 6. Supervised school suspension 7. Out-of-School Suspensinon 8. Recommendation for expulsion or denial of attendance
S3:10	Conspiracy	
S3:12	Inappropriate Communication Directed at School Personnel	
S3:13	Battery of School Personnel	
S3:14	Assault	
S3:15	Battery	
S3:17	Disorderly Conduct	
S3:18	Fighting	
S3:21	Harassment	
S3:22	Bullying, Cyber Bullying, and Cyber Harassment	
S3:23	Hazing	
S3:25	Extortion	
S3:27	Distribution of Inappropriate Materials	
S3:30	Possession or Use of Vape Products, Tobacco Products, Nicotine Innovations, or Paraphernalia	
S3:31	Use, Concealment, Possession, or Under the Influence of Alcohol	
S3:32	Use, Concealment, or Possession of Drug Paraphernalia, and/or Under the Influence of Drugs, Controlled Substances, or Unauthorized Drugs or Substances	
S3:38	False Alarm	
S3:42	Stalking	
S3:44	Failure to Permit a Lawful Search or Inspection by a School Official	
S3:46	Sexual Misconduct, Inappropriate Touching, Indecent Exposure, or Sexual Harassment	
S3:48	Robbery	
S3:50	Grand Theft	
S3:53	Threat	
S3:56	Trespassing	
S3:58	Vandalism more than $100	
S3:64	Possession of a Weapon or Facsimile Weapon	
S3:66	Use of Mace or Chemical Agents	

Secondary (grades 7 – 12) - Level 4 – Severe Violations

1. Level 4 violations are severe infractions managed by the principal or their designee and law enforcement agencies.
2. Students will be suspended and referred to the District Discipline Review Committee with a recommended to the Board of Trustees for expulsion.
3. Students' age, cognitive development, and disabilities shall be considered when determining appropriate interventions and disciplinary actions that are consistent with applicable state and federal law.

If a student commits an offense that causes critical human injury, extensive property damage, or excessive school disruption, the Board may decide not to allow them to attend any school in the District, including Emerson Alternative High School.

Rule Designation	Description	Suggested Disciplinary Actions
S4:1	Arson	Possible actions include but are not limited to: 1. Any contraband will be confiscated 2. Law enforcement agencies will be immediately notified 3. Supportive measures 4. Supervised school suspension 5. Out-of-school suspension • Temporary suspension • Extended temporary suspension • Prolonged temporary suspension 6. Referral to the District Discipline Review Committee with a recommendation to the Board for expulsion **7. A minimum of a calendar year expulsion is required by law for firearm violations** 8. Violators may be prosecuted to the fullest extent of the law
S4:16	Aggravated Battery	
S4:20	Inciting to Riot	
S4:24	Kidnapping	
S4:26	Off-campus Commission of a Crime	
S4:33	Drugs and /or Alcohol Sale or Distribution	
S4:54	Bomb, Chemical, or Biological Threats	
S4:55	Threat with Intent to Kill	
S4:62	Purchase or Sale of a Weapon	
S4:63	Threat with a Dangerous Object or Weapon	
S4:65	Possession or Use of Firearms	
S4:67	Possession or Use of Explosives or Fireworks	
S4:68	Making or Planning a Bomb or Fake Bomb	
S4:69	Chemical and Biological Attacks	

SECTION 6
CODE OF STUDENT CONDUCT RULES

The following is a list of rules describing possible student misconduct. In addition to specific offenses set forth, the District has the right to discipline any student who engages in conduct that is not listed, but threatens the health, safety, or welfare of others or disrupts the learning environment. The Code of Student Conduct will adhere to all Idaho Falls School District #91 Board policies.

If a Board policy specifically addresses the policies, procedures, or definitions in this code and there is a discrepancy, the specific Board policy will prevail. If multiple Board policies are specific to the policies, procedures, or definitions in this code, the most current Board policy will prevail.

ARSON

Rule 1: Arson

1.1 The willful and deliberate burning of, or attempting to burn, school property or property of others while on school grounds.
(E3:1; S4:1)

ATTENDANCE

Rule 2: Tardiness

2.1 Not in the assigned classroom when the bell rings.

(E1:2; S1:2)

Rule 3: Absence/Truancy

The age of compulsory attendance in Idaho is seven (7) through sixteen (16).

Excused Absence: An absence from school with the knowledge and approval of the student's parent or guardian. Such absences are counted toward the maximum number of absences allowed per grading period.

Truancy: An absence without prior approval of the student's parent or guardian and includes departure from school or class during the school day without the permission of the principal/designee and without checking out through the attendance office. When a student misses class and remains on school grounds, parental/guardian permission after the fact does not validate the absence.

Habitual Truancy: Any student who repeatedly has violated the attendance regulations established by Board policy; or any child whose parents/guardians, have failed or refused to cause such child to be instructed as provided in Idaho Code 33-202.

1.1 Absent from school or class in excess of five (5) days during a grading period (K-8 students).
1.2 Absent from school or class in excess of five (5) days during a grading period (9-12 students).
1.3 Absent without prior approval of the student's parent or guardian.
1.4 Missing class with parental/guardian permission and remaining on school grounds.
1.5 Any child whose parents or guardians have failed or refused to cause such child to be instructed as provided in Idaho Code 33-202.

(E2:3; S2:3)

Rule 4: Leaving Campus or Class without Permission

4.1 Leaving campus without prior consent and authorization from school administration and/or parents or guardians.
4.2 Leaving or missing a class without permission from a teacher, school administrator, and/or parents or guardians.

(E1:4; S2:4)

CHEATING

Rule 5: Cheating/Plagiarism

BP3335 Academic Honesty

Cheating: Cheating includes, but is not limited to, the following:

1. Copying or attempting to copy another student's homework, quiz, test, essay, or lab report;
2. Cheating on tests through such means as cheat sheets, use of unauthorized electronic devices, and discussion of test information with other students;
3. Obtaining test questions and/or copies of tests outside the classroom test setting;
4. Lending and/or copying from another student's work (homework, tests, projects, assignments);
5. Altering or interfering with grading (forging signatures, changing or inserting answers on work after grading);
6. Allowing another student to copy answers during a test situation;
7. Collaborating with other students on an assignment in direct violation of a teacher's instructions;
8. Using books and electronic information in generating an assignment in direct violation of teacher's instructions;
9. Accessing, taking, and benefiting from copies of tests and quizzes previously used or to be used by teachers unless provided as study guides by the teacher; and
10. Submitting work previously presented in this course or in another course.

Plagiarism: Plagiarism is defined as and includes, but is not limited to, the following:

1. Copying material from the source, including internet sources, or without citing the source.
2. Paraphrasing the source without proper citation;
3. Copying stories, in whole or part, which appear in books, magazines, television, or film;
4. Copying directly, without making any changes, alterations, or adaptations from a drawing, painting, illustration, photographic image, or graphic symbol without citing the source;
5. Submitting papers written in whole or part by someone else, including internet sources;
6. Submitting papers on which the student has received substantial assistance from peers and/or adults that dramatically changes the character of the work so that it is no longer the student's own; and
7. Submitting a paper purchased from a research or term paper service, including, but not limited to internet sources.

5.1 Misleading, breaking rules, deceiving, or acting dishonestly on purpose on any school premises or at any school sponsored activity, regardless of location.
5.2 Plagiarizing in whole or in part assignments, research papers, compositions, projects, etc.

(E2:5; S2:5)

DISRESPECT

Rule 6: Insubordination

Insubordination: Failure or refusal to follow school rules and regulations and/or reasonable directives of school staff.

6.1 Refusal to stop, provide name, and/or other information when asked to do so by school personnel.
6.2 Failure or refusal to obey school rules.
6.3 Failure or refusal to obey directives from teachers, administrators, instructional aides, bus drivers, or any other

authorized District employee.

6.4 Failure to comply with the responsibilities identified in the Student Rights and Responsibilities document, including the dress and grooming standards.

6.5 Failing or refusing to serve assigned consequences when directed to do so by the principal or their designee or other authorized school personnel.

(E2:6; S2:6)

Rule 7: Disrespect

7.1 Responding in a rude and/or impertinent manner toward school personnel.

(E1:7; S1:7)

Rule 8: Hindering or Interfering with a School Function

1.1 Inappropriate behavior that substantially disrupts or interferes with, or is likely to disrupt or interfere with a school function, activity, or program. This rule shall take into consideration a students' age, cognitive development, and disabilities and shall also take into consideration any IEP, 504 Plan, and/or behavior plan.

(E2:8; S3:8)

DISORDERLY CONDUCT

Disruptive Conduct: Includes, but is not limited to:

- Any conduct intended to, or having the effect of, obstructing, disrupting, or interfering with teaching, service, administrative disciplinary functions, or any school sponsored activity;
- Physical abuse or threat of harm to any person;
- Sexual harassment of any person; or
- Forceful or unauthorized entry to or occupation of school facilities or the facilities of an authorized school activity.

Rule 9: Gambling

9.1 Playing a game of chance for something of tangible value on a school campus, a school bus, during the school day, or during a school related activity unless approved by school administration.

(E1:9; S1:9)

Rule 10: Conspiracy

10.1 Any two (2) or more persons mutually agreeing to do any unlawful act.

(E3:10; S3:10)

Rule 11: Endangerment

11.1 Failure to report any knowledge of illegal or dangerous activities that could harm others.

(E1:11; S1:11)

Rule 12: Inappropriate Communication Directed at School Personnel

12.1 The use of violent, abusive, or obscene language or gestures addressed to teacher or other District personnel in a threatening manner.

(E3:12; S3:12)

Rule 13: Battery of School Personnel

Battery: Any unlawful touching.

13.1 Inappropriate physical contact (including intentional pushing or shoving) towards a teacher or other school personnel.

13.2 The act of striking or attempting to strike a teacher or other school personnel (including School Resource Officers). **NOTE: Staff should not block a student's egress unless to protect the health and safety of others and in compliance with Board Policy 3345 Restraint and Seclusion.**

(E3:13: S3:13)

Rule 14: Assault

Assault: An unlawful attempt or intentional unlawful threat by word or act to inflict violent injury upon another person, when coupled with an apparent ability to do so, and any act that creates a well-founded fear in such other person that such violence is imminent (Idaho Code §18-901 Assault defined). An assault may be committed without touching, striking, or doing bodily harm to another person.

14.1 An unlawful attempt, coupled with apparent ability, to commit a violent injury on another person.

14.2 An intentional, unlawful threat by word or act to do violence to another person, coupled with an apparent ability to do so, and/or doing some act which creates a well-founded fear in another person that such violence is imminent.

(E3:14; S3:14)

Rule 15: Battery

(Excludes actions that fall under Rule 13)

Battery: Any unlawful touching of another person.

15.1 Any intentional and unlawful touching or striking of another person against the will of the other.

15.2 Willful and unlawful use of force or violence upon another person.

15.3 Acting as a decoy/accomplice in a physical attack.

(E3:15; S3:15)

Rule 16: Aggravated Battery

Serious Bodily Injury: An injury that creates a substantial risk of death or causes serious, permanent disfigurement, or loss or impairment of the function of any bodily member or organ.

Any unlawful touching of another person with the intent to do harm. This rule includes battery against staff, students, and third-parties.

16.1 The act of purposely and/or recklessly causing physical injury to another person by beating or striking either directly or with an object.

16.2 Battery involving a hate crime, which is defined as a crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability. This can include the perception by the perpetrator that the victim belonged to a group on this list, even if they do not.

16.3 When a deadly weapon or other instrument is used to inflict bodily injury on a person that requires medical treatment, including but not limited to: treatment for bone fractures, cuts requiring stitches, disfigurement, dislocations, or any similar or more serious injury.

(E4:16; S4:16)

Rule 17: Disorderly Conduct

17.1 Behaving in a violent or seriously inappropriate manner that disrupts the educational process. **NOTE: This rule is used when the police are called to cite a student for extreme disruption. It is not used when recording classroom disorders that only result in student referrals to the office.**

(E3:17; S3:17)

Rule 18: Fighting

Note: Fighting DOES NOT include self-defense, which is defined in Idaho Code 19-202A. If one person attacks another person, and that person acts in self-defense, then the first person may be in violation of Rule 15 or Rule 16.

18.1 Mutual combat where participants intentionally inflict bodily injury to another person.

(E2:18; S3:18)

Rule 19: Provoking/Instigating Behavior

19.1 Encouraging or urging other students to violate school rules or regulations.

(E1:19; S2:19)

Rule 20: Inciting to Riot

Riot: A public disturbance where a group of angry people become noisy and out of control, often damaging property and acting violently. In law, a riot is typically defined as a group of three (3) or more persons disturbing the peace for private purposes.

20.1 A group of three (3) or more angry people creating a public disturbance for private purposes, becoming noisy and out of control, often damaging property and acting violently.
20.2 Organizing, promoting, encouraging, participating in, or carrying out a riot.

(E4:20; S4:20)

Rule 21: Harassment and Intimidation

Harassment: Any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature based on the actual or perceived age, race, religion, color, national origin, spoken language, disability, marital status, sexual orientation, gender identify, physical characteristic, cultural background, socioeconomic status, or geographic location. Harassment of a sexual nature, or based on actual or perceived sexual orientation or gender identity, including sexual assault, will be handled according to Policy 3085 Sexual Harassment, Discrimination, and Retaliation and 3085P Title IX Sexual Harassment Grievance Procedure, Requirements, and Definitions.

Intimidation: includes, but is not limited to, any threat or act intended to:

- Tamper, substantially damage, or interfere with another's property;
- Cause substantial inconvenience;
- Subject another to offensive physical contact, or
- Inflict serious physical injury based on race, color, religion, national origin or sexual orientation.

Menacing: Means to express or use threats against another person or to be annoying, dangerous, or harmful to another or to cause a fear of imminent serious physical injury, and is a form of bullying, harassment and intimidation.

Violations of this rule will follow Policy 3085 Sexual Harassment, Discrimination, and Retaliation and 3085P Title IX Sexual Harassment Grievance Procedure, Requirements, and Definitions.

Actions that may constitute harassment include, but are not limited to:

21.1 Physical acts (i.e. aggression or assault, battery, damage to property, intimidation, vandalism, implied or overt threats of violence),

21.2 Verbal acts (i.e. demeaning jokes, taunting, intimidation, hate speech, slurs, derogatory nicknaming, innuendoes, or other negative remarks),

21.3 Visual acts (i.e. graffiti, slogans, or visual displays such as cartoons or posters depicting derogatory sentiments), or

21.4 Criminal acts (i.e. acts in violation of Idaho or Federal Criminal Codes or Idaho Federal Human Rights Commission Code).

21.5 Allowing another person to use a telephone or other electronic device under the student's control for the purpose of harassing or intimidating.

21.6 Written acts (letters or other hard copy communications and email or text messages that contain demeaning, taunting, intimidating language, or hate speech, slurs, derogatory nicknaming, innuendoes, or other negative remarks).

21.7 Falsely accusing another of harassment or intimidation.

21.8 Retaliating against an individual who in good faith reports, associates with the individual reporting, participates in the investigation, or investigates alleged harassment.

(E2:21; S2:21)

Rule 22: Bullying, Cyberbullying and Cyber Harassment

Pursuant to Idaho Code §18-917A Student harassment, Intimidation, Bullying behavior is any:

- Intentional gesture, or
- Intentional written, verbal, or physical act or threat by a student that a reasonable person under the circumstances should know will have the effect of:
    - harming a student;
    - damaging a student's property;
    - placing a student in reasonable fear of harm to their person; or
    - placing a student in reasonable fear of damage to their property.
- Act sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

Student Harassment, Intimidation, Bullying can also be committed using:

- A landline, smart phone, or cellular phone; or
- Use of data or computer software that is accessed through a computer, computer system, or computer network.

A student who personally violates any provision of Idaho Code §18-917A may be guilty of an infraction.

Cyber-Bullying includes but is not limited to the following misuses of technology (computers, electronic communication devices, the Internet, pagers, etc.): harassing, teasing, intimidating, threatening, or terrorizing another person by sending inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, sexting, website postings, and blogs through use of the District's computer network or the Internet, whether accessed on campus or off campus, during or after school hours.

Violations of this rule will follow BP 3295 and BP3295F.

22.1 Verbal bullying, including written language, which includes, but is not limited to: Malicious teasing, Name-calling, Inappropriate sexual comments, Taunting, Threatening to injure an individual or damage their property (defined below as intimidation).
22.2 Social bullying, also referred to as relational bullying, involves intentionally harming someone's reputation or relationships. Social bullying includes, but is not limited to Intentionally excluding an individual, Telling others to not be friends with an individual, Spreading rumors about an individual, Intentionally embarrassing an individual.
22.3 Physical bullying involves injuring an individual or damaging their property. Physical bullying includes, but is not limited to Hitting, kicking, or otherwise, Spitting, Tripping, Taking or breaking or otherwise damaging another individual's property, Obscene gestures or derogatory language.
22.4 Cyberbullying and Cyber Harassment: Acts of bullying or harassment that use technology to send or post messages, images, or text that has the effect of bullying, harassing, or intimidating another individual as defined in this policy.
22.5 Students or third parties who use a district-owned device or network to engage in cyberbullying during or after school hours.
22.6 Cyber bullying that originates from a personal device not connected to the District network that is reported to school officials will be subject to the provisions of this code if the conduct is determined to have disrupted the educational process.
22.7 Other acts that create a hostile educational environment may also be considered bullying.
22.8 Retaliating against an individual who in good faith reports, associates with the individual reporting, participates in the investigation, or investigates alleged bullying.

(E2:22; S2:22)

Rule 23: Hazing

Hazing: A form of bullying that consists of actions that recklessly or intentionally endanger the mental health, physical health, or safety of students, school employees, or third parties for initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade level attainment such as but not limited to:

- Forced consumption of any drink, alcoholic beverage, drug, or controlled substance,
- Forced exposure to the elements,
- Requiring total or substantial nudity on the part of the person,
- Requiring, encouraging, authorizing or permitting another to be subject to wearing or carrying any obscene or physically burdensome article,
- Physical assaults upon the person;
- Offensive physical contact with the person,
- Participation by the person in boxing matches, excessive number of calisthenics, or other physical contests,
- Transportation and abandonment of the person,
- Forced prolonged exclusion from social contact,
- Confinement to unreasonably small, unventilated, unsanitary, or unlighted areas,
- Sleep deprivation,
- Assignment of pranks to be performed,
- Any forced activity that could adversely affect the mental or physical health or safety of students, school employees, or third parties or any other activities intended to degrade or humiliate.

Hazing refers to any act, whether physical, mental, emotional, or psychological, that subjects another person to abuse, mistreatment, humiliation, intimidation, or endangerment as a condition of initiation into, affiliation with, or continued membership in any group, organization, team, or activity, regardless of the individual's willingness to participate.

This definition applies to formal and informal actions taken by individuals or groups and includes both direct participation and

passive complicity (e.g., bystanders who allow hazing to occur).

Customary athletic practices, conditioning sessions, or competitions that are reasonably designed to improve skills or performance and do not involve abusive, harmful, or coercive conduct are not considered hazing.

Any activity that meets this definition shall be presumed to be coerced, and a participant's stated or implied consent shall not absolve individuals, organizations, or teams from responsibility.

Violations of this rule will follow BP 3295 and BP3295F.

23.1 Forced consumption of any drink, alcoholic beverage, drug, or controlled substance.
23.2 Forced exposure to the element.
23.3 Requiring total or substantial nudity on the part of the person;
23.4 Requiring, encouraging, authorizing or permitting another to be subject to wearing or carrying any obscene or physically burdensome article.
23.5 Physical assaults upon the person.
23.6 Offensive physical contact with the person.
23.7 Participation by the person in boxing matches, excessive number of calisthenics, or other physical contests.
23.8 Transportation and abandonment of the person.
23.9 Forced prolonged exclusion from social contact
23.10 Confinement to unreasonably small, unventilated, unsanitary, or unlighted areas.
23.11 Sleep deprivation.
23.12 Assignment of pranks to be performed.
23.13 Any forced activity that could adversely affect the mental or physical health or safety of students, school employees, or third parties.
23.14 Any other activities intended to degrade or humiliate.
23.15 Retaliating against an individual who in good faith reports, associates with the individual reporting, participates in the investigation, or investigates alleged hazing.

(E3:23; S3:23)

Rule 24: Kidnapping

24.1 Unlawful seizure, transportation, and/or detention of another against their will, or without parental/guardian consent, including taking of hostages.

(E4:24; S4:24)

Rule 25: Extortion

25.1 To obtain or attempt to obtain money or property from an individual by false pretenses.
25.2 Maliciously threatening injury to the person, property, or reputation of another (verbally or in writing) with the intent to extort money or personal property.
25.3 Maliciously threatening injury to the person, property, or reputation of another (verbally or in writing) with the intent to compel an individual to act against their will.

(E3:25; S3:25)

Rule 26: Off-campus Commission of a Crime

Any crime committed off campus where the student's continued attendance at school would have an adverse impact on order, discipline, or the educational process, or could pose a threat of violence or disruption and where the prosecuting attorney formally charges the student with a felony or with an act that would be a felony if an adult.

This includes but is not limited to the following:

26.1 Any felony involving violence.
26.2 Rape or sexual battery.
26.3 Lewd and lascivious act on a student under 16 years of age.
26.4 Possession of a concealed weapon.
26.5 Armed robbery.
26.6 Sale of illegal drugs.
26.7 Possession of a bomb.
26.8 Any felony involving the use of a firearm.
26.9 Battery on a school employee or official.
26.10 Aggravated battery.

(E4:26; S4:26)

DISTRIBUTION OF MATERIALS

Harmful to Minors: Any picture, image, graphic image file, or other depiction (text, audio, or video) that:

- Appeals to a prurient interest in nudity, sex, or excretion;
- Depicts, describes, or represents, in a patently offensive way an actual or simulated:
  - sexual act or sexual contact defined in *Section 2246 of Title 18, United States Code*,
  - normal or perverted sexual acts; or
  - a lewd exhibition of the genitals;
- Lacks serious literary, artistic, political, or scientific value as to minors; or
- Would endorse or promote any of the following:
  - abusive or threatening material;
  - alcohol, tobacco, nicotine innovations, and drug use or abuse;
  - gambling;
  - hate/discrimination materials;
  - murder/suicide material;
  - racially offensive material;
  - school cheating information; or
  - violence, and weapons.

Rule 27: Distribution of Inappropriate Materials

Distributing material containing language or graphics that:

27.1 Are harmful to minors;
27.2 Are libelous or slanderous;
27.3 Are explicit or rude by generally accepted standards of behavior.
27.5 Advocates violence or other illegal conduct;
27.6 Constitutes insulting or fighting words; the very expression of which injures or harasses other people;
27.7 Presents a clear and present likelihood that it will cause a material and substantial disruption of the school or school activities;
27.8 Presents a clear and present likelihood that it will cause the commission of unlawful acts;
27.9 Presents a clear and present likelihood that it will cause the violation of lawful school regulations.

(E3:27; S3:27)

Rule 28: Distribution of Non-school-sponsored Materials

28.1 Distributing materials that promote private gain of any individual or commercial firm unless approved by the district.
28.2 Distributing materials that advertise any product or private fund-raising project unless approved by the district.

28.3 Distributing materials during and at the place of a normal school activity when it is likely to cause a material and substantial disruption of the school or that activity.

28.4 Blocking the safe flow of traffic within corridors and entrance ways of the school or the school parking lots while distributing material.

28.5 Distribution that impedes entrance to or exit from school premises.

28.6 Coercing a student or staff member to accept any publication.

(E2:28; S2:28)

DRUGS, ALCOHOL, TOBACCO, VAPE, NICOTINE INNOVATIONS, CONTROLLED SUBSTANCES

Chemical Involvement: Whenever a student has consumed or is under the influence of drugs or alcohol.

Controlled Substances: Shall include, but are not limited to: opiates, opium derivatives, hallucinogenic, depressant or stimulant substances, including cocaine, 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.

Drugs: Shall include any alcohol or malt beverage, illegal inhalant, tobacco product, nicotine innovations, controlled substance, illegal substance, abused substance, look-alike or counterfeit drug, medication not approved and registered by the school authorities, substance intended to alter mood, and/or substance that is misrepresented and sold or distributed as a restricted or illegal drug.

Drug Free Zone: The area on or within one thousand (1,000) feet of school property.

Drug Paraphernalia: All equipment, products, and materials that are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing; or injecting, ingesting, inhaling, smoking, or otherwise introducing into the human body a controlled substance.

Nicotine Innovation: a device such as electronic vapor cigarettes, e-cigarettes, or another device that is meant to satisfy the smoker's oral fixation as well as deliver nicotine to the bloodstream.

Paraphernalia: Any object being used in the consumption, production, sale, or distribution of a controlled or illegal substance.

Possession: To have drugs, tobacco products, nicotine innovations, and/or alcohol on a student's person or within an area of the student's control (including but not limited to: car, locker, books, desks, and clothing) on or near school premises any time during school hours or at a school-sponsored activity regardless of location.

Reasonable Suspicion: An act of judgment by a District employee that leads to a reasonable and prudent belief that a student is in violation of the *Code of Student Conduct*. Said judgment shall be based on training in recognizing the signs and symptoms of drug, alcohol, tobacco, and nicotine innovation use.

- The fact that a student has previously disclosed use of a controlled substance shall not be deemed a factor in determining reasonable suspicion later.

Rule 29: Knowingly Present

Knowingly Present: Shall mean that a student attended a gathering of two (2) or more students where one (1) or more of the attendees (other than the student at issue) were using or in possession of drug paraphernalia, controlled substances, drugs, alcohol, or tobacco, nicotine innovations, and the student knew or reasonably should have known that such use or possession was occurring and chose to remain at the gathering.

29.1 Attending a gathering of two (2) or more individuals where one or more of the attendees (other than the

student at issue) were using or in possession of drug paraphernalia, controlled substances, drugs, or alcohol, tobacco, or nicotine innovations and knowing or reasonably should have known that such use or possession was occurring.

(E2:29; S2:29)

Rule 30: Possession or Use of Tobacco Products, Nicotine Innovations, or Paraphernalia

30.1 Smoking.
30.2 Using smokeless tobacco.
30.3 Possession of tobacco products or use of paraphernalia of any kind on school premises or at a school-related activity regardless of location.
30.4 Possession of matches, lighters, lighter fluids.
30.5 Using nicotine innovations on school premises or at a school-related activity regardless of location.

(E3:30; S3:30)

Rule 31: Use, Concealment, Possession, or Under the Influence of Alcohol

31.1. Use, concealment, possession, and/or under the influence of alcohol on school premises or at any school related activity regardless of location.

(E3:31; S3:31)

Rule 32: Use, Concealment, or Possession of Drug Paraphernalia, and/or Under the Influence of Drugs, Controlled Substances, or Unauthorized Drugs or Substances

32.1. Use, concealment, and/or possession, paraphernalia, drugs, hallucinogens, marijuana, or any unauthorized drug or substance on school premises or at any school related activity regardless of location.
32.2. The use, concealment, and/or possession of, drug paraphernalia, drugs, hallucinogens, marijuana, or any unauthorized drug or substance within District Drug-Free School Zones.

(E3:32; S3:32)

Rule 33: Drug and/or Alcohol Sale or Distribution

Distribution: To share and/or sell alcohol, drugs, tobacco products, nicotine innovations, or any controlled or dangerous substance to other students or persons**.**

33.1 The sale of alcohol, marijuana, non-prescribed or prescribed drugs, hallucinogens, or similar prohibited substances.
33.2 Giving away, and/or distribution of alcohol, marijuana, non-prescribed or prescribed drugs, hallucinogens, or similar prohibited substances.

(E4:33; S4:33)

Rule 34: Possession and/or Use of Other Dangerous Substances or Materials

34.1 Possessing, using, or having under one's control any substances, materials, or related paraphernalia that are dangerous to health or safety, or that disrupt the educational process including, but not limited to: non-alcoholic beer, look-a-likes, etc.

(E2:34; S2:34)

EXTRACURRICULAR, CO-CURRICULAR, or CLUB ACTIVITIES

Club: A sponsored club, sports club, or a non-sponsored or non-curriculum club of students in the school who wish to organize and meet to form common goals, objectives, or purposes, but does not include school activities.

Co-curricular Activities: Are held outside the regular school day but are integral to the classroom as part of the stated curriculum. Such activities include but are not limited to: Idaho High Schools Activities Association (IHSAA) sanctioned Speech Arts, Spirit, and Music activities.

Extracurricular Activities: Are held outside the regular school day. These include IHSAA sanctioned athletics and activities. Although many of these activities involve travel or participation during school time, the basis of the organization for meeting and practice is held outside of the school timetable.

Rule 35: Display of Unsportsmanlike Conduct at an Extracurricular, Co-Curricular or Club Event

35.1 Any act that shows unsportsmanlike conduct toward an opponent or official.
35.2 The use of profanity or expletives also known as cursing, swearing. or cussing or inappropriate comments or gestures while participating in a practice, contest, or performance.

(E1:35; S2:35)

Rule 36: Disruption or Hazard on the Bus

36.1 Violating school bus safety rules.
36.2 Bringing food or drink in glass containers onto the bus.
36.3 Refusing to clean up before leaving the bus at the end of the trip.

(E2:36; S2:36)

FORGERY OR FALSE REPORTS

Rule 37: Forgery or Falsification of Information

37.1 Falsifying any other person's signature.
37.2 Providing false information on official school records, hall passes, documents, and any items requiring staff signatures.
37.3 Knowingly providing false information to school authorities or law enforcement regarding an alleged policy violation or criminal conduct by another. This may also be a form of intimidation, and subject to Rules 21 and 22.

(E2:37; S2:37)

Rule 38: False Alarm

38.1 Intentionally pulling or attempting to pull a fire alarm without cause.
38.2 Calling in an alarm of a fire without a lawful purpose.
38.3 The act of communicating a false alarm or other emergency to or about a school, a school bus, or a school-sponsored or related activity.

(E3:38; S3:38)

GANGS OR PROHIBITED CLUBS

Fraternity, Sorority, or Secret Society: Any organization, or club, where active membership is comprised, in whole or in part, of pupils enrolled in the District, and that exists or perpetuates itself wholly or partly by selecting members on the basis of the decision of its membership rather than upon the basis of the right of any pupil, qualified by the rules and regulations of the school, to be a member. Exceptions include Boy Scouts of America, Girl Scouts of America, Campfire Girls, DeMolay, YMCA, and similar organizations.

Gang: Any ongoing organization, association, or group of three (3) or more people, whether formal or informal, that has a common name or common identifying sign or symbol, and whose members individually or collectively advocate, conspire, or commit:

- Any criminal act(s); or
- Any acts that threaten the safety or well-being of property or persons, including, but not limited to: harassment and intimidation (Idaho Code §18-85 Criminal Gang Enforcement Act).

Rule 39: Participation in Prohibited Clubs, Street Gangs, Fraternities and Sororities, or Similar Organizations

39.1 Participation in street gangs, hate groups, cults, or similar groups on campus. .
39.2 Establishing a fraternity, sorority, other secret society, or gang whose membership is composed in whole or in part of students enrolled in the District's schools.
39.3 Soliciting a student in any of the District's schools to become a member of a gang.
39.4 Disrupting and/or intimidating others at school by displaying any gang behavior including but not limited to:
- Gesturing of any sign, handshake, or signal;
- Use of language;
- Visible body markings or adornments;
- Wearing bandanas, scarves, or colors;
- Wearing clothing, jewelry, emblems, badges, symbols, or signs;

39.5 Confrontations identified or associated with gangs that could lead to violence;
39.6 Verbal or written language that implies street gang affiliations and/or membership in other prohibited groups;
39.7 Soliciting any person to pay for protection from a gang.
39.8 Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property.
39.9 Participation in gang related violence, extortion, or similar disturbance at school, in school vehicles, or at school-related activities regardless of location.

(E2:39; S2:39)

LANGUAGE OR GESTURES

Rule 40: Use of Profane Language or Sexual Connotations

40.1 The use of language that is considered profanity or expletives also known as cursing, swearing. or cussing or has sexual connotations (verbal or written).

(E1:40; S2:40)

Rule 41: Use of Abusive or Sexually Explicit Language, Racial Slurs, or Obscene Gestures

41.1. The use of inflammatory, intimidating, or abusive language or sexually explicit comments.
41.2. The use of racial slurs (verbal or written).
41.3. The use of obscene gestures.

(E1:41; S2:41)

Rule 42: Stalking

Stalking: Willful, malicious, and repeated following or harassing another person or a member of that person's immediate family.

- A pattern of conduct composed of a series of acts over a period to time directed at a specific person that seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.

42.1 Engaging in malicious and repeated following or harassing another person.
42.2 Engaging in a series of acts over a period to time directed at a specific person that seriously alarms, annoys, or harasses the person.

(E3:42; S3:42)

PERSONAL PROPERTY

Rule 43: Inappropriate Use Personal Property

Possession or use of personal property when prohibited by school rules and/or otherwise disruptive to the teaching and learning of others including, but not limited to:

43.1 Food.
43.2 Beverages.
43.3 Electronic equipment.
43.4 Cell Phones.
43.5 Laser pointers.
43.6 Other similar objects.

(E1:43; S1:43)

SEARCHES

Sweep: The use of a trained detection dog pursuant to a general inspection plan to detect the odor of contraband. A sweep is distinct from a search in that it is minimally intrusive to the individual and does not require reasonable suspicion because it does not include intrusion into areas or property that an individual has a reasonable expectation of privacy. However, the results of a sweep may generate the reasonable suspicion needed for a school official to execute a legal search.

Rule 44: Failure to Permit a Lawful Search or Inspection by a School Official

Search: A physical examination of a person's property or self for discovering contraband. A search is permissible in the school setting, including school sponsored activities and events, where a school official has reasonable suspicion based on the totality of the circumstances, for believing that the search will reveal evidence that the student has violated either the law, District policy, or the rules of the school.

44.1 Preventing or impeding a school official from conducting an authorized search or inspection.

(E3:44; S3:44)

SEXUAL ACTS

Sexting: The sharing of sexually explicit photos, videos, Email, text, or chat via cell phone or the Internet.

Sexual Harassment: Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employer of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- Sexual assault, dating violence, domestic violence or stalking as defined in this policy.

It includes, but is not limited to: unwelcome touching, crude jokes or pictures, discussions of sexual experiences, pressure for sexual activity, intimidation by words, actions, insults, or name calling, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, comments, sexual name calling, gestures, and profanity.

Violations of this rule will follow Policy 3085 and 3085P.

Rule 45: Public Display of Affection

45.1 Behaviors of over affection which are not appropriate for public places such as excessive intimate touching, kissing, hugging, etc.

(E1:45; S1:45)

Rule 46: Sexual Misconduct, Inappropriate Touching, Indecent Exposure, or Sexual Harassment

Sexual misconduct, inappropriate touching, indecent exposure, and/or sexual harassment is not allowed on any school property, or any school related activity. It is also prohibited off-campus if the actions may disrupt the learning environment in any school or school event. Prohibited actions may include, but are not limited to:

46.1 Behavior intended to result in sexual gratification without force or threat of force.
46.2 Engaging in intercourse.
46.3 Deliberately showing and/or touching of private body parts in a public place.
46.4 Masturbating in a public place including restrooms and locker rooms.
46.5 Unlawful, unwelcome, or offensive touching of another person.
46.6 Unwelcome sexual advances.
46.7 Requests for sexual favors.
46.8 Accessing, distributing, or possessing pornography via the internet, cell phone, or printed form.
46.9 Addressing another person by using sexually explicit language or gestures.
46.10 Teasing related to sexual characteristics.
46.11 Written or verbal reference to sexual acts. Telling crude jokes or showing crude pictures.
46.12 Sexting via the internet or cell phone.
46.13 Discussions of sexual experiences.
46.14 Spreading rumors related to a person's alleged sexual activities.
46.15 Written or verbal propositions to engage in sexual acts.
46.16 Intimidation by words, actions, insults, or name calling.
46.17 Retaliating against persons who file a complaint of sexual harassment.
46.18 Knowingly making a false accusation regarding sexual harassment.

(E3:46; S3:46)

STEALING

Rule 47: Possession of Stolen Property

47.1 Having in one's possession, property obtained without permission of the owner.
47.2 Knowingly receiving stolen property.

(E2:47; S2:47)

Rule 48: Robbery

48.1 The taking of any goods, money, or other valuable items from another person by force, threats, violence, assault, putting in fear of the same, or with a weapon.

(E3:48; S3:48)

Rule 49: Petit Theft

Petit Theft: Taking personal property through fraud or stealth with the intent to deprive another of it permanently (where the combined value of property is under $1,000).

49.1 Taking school or personal property through fraud or stealth with the intent to deprive another of it permanently where the value is $1,000 or less.

(E2:49; S2:49)

Rule 50: Grand Theft

Grand Theft: Any theft where the property is obtained by extortion committed by instilling in the victim a fear of physical injury to some person, damage to property, or use or abuse of position as a public servant to affect some person adversely.

- The combined value of the property taken exceeds one thousand dollars ($1,000).
- The property consists of a public record.
- The property is taken from the person of another.
- The property is obtained by extortion. (Idaho Code §18-2407)

50.1 Theft of school or personal property where the value exceeds $1,000.
50.2 Entering or remaining in a District structure or conveyance with the intent to commit an act of burglary or larceny therein during the hours the premises are closed to the public.

(E3:50; S3:50)

TECHNOLOGY, ELECTRONIC DEVICES, OR COMPUTERS

Electronic Communication Devices: may include, but not be limited to, smart phones, cellular telephones, pagers/beepers, laptops, tablets, e-readers, or other related electronic devices.

Rule 51: Inappropriate Use of Technology or Computers

This rule applies to technology, computers, and/or other related electronic devices on a school campus, a school bus, or at a school-related activity during the regular school day that disrupts the educational environment or as prohibited in this code.

51.1 Publishing information that violates or infringes on the rights of others.
51.2 The use of the computer to access, store, or distribute abusive, profane, defamatory, inaccurate, obscene, pornographic, inappropriately suggestive, threatening, racially offensive, or illegal material.
51.3 Publishing information that encourages the use of controlled substances.
51.4 Misuse of communication between students
51.5 Unapproved publishing of information that contains advertising or solicitation of others to use goods or services.
51.6 Conducting business or activity or soliciting the performance of any activity that is prohibited by law or District policy.
51.7 Promoting or soliciting funds for political or charitable causes or organizations without the permission of the district.
51.8 Accessing or hacking into the computer files of the District or of other students or staff members.

51.9 Restricting or inhibiting other users.
51.10 Unlawful transmission of materials, information, or software.
51.11 Connecting unauthorized equipment to the network.
51.12 Performing unauthorized maintenance on any equipment connected to the network.
51.13 Downloading any software having the purpose of damaging other users' systems or the network (e.g. computer viruses).
51.14 Unauthorized non-commercial re-distribution of copyrighted programs.
51.15 Using another person's account.
51.16 Attempting to login using another person's account or as a System Administrator.
51.17 Attempting to harm or destroy data of another user.
51.18 Playing games on the network.
51.19 Accessing someone else's information or transferring information that is password protected.

(E2:51; S2:51)

Rule 52: Misuse of Smartphones, Cellular Phones and/or Other Electronic Communication Devices

52.1 Misusing electronic communication devices such as smartphones, cellular telephones, laptops, tablets, e-readers, or other related electronic devices on a school campus, a school bus, or at a school-related activity during the regular school day that disrupts the educational environment or as prohibited in this code.
52.2 Using electronic communication devices in a way that poses a threat to academic integrity by sending or receiving data or information that would contribute to or constitute cheating on tests or examinations.
52.3 Using electronic communication devices in a way that violates the confidentiality or privacy rights of another individual.
52.4 Using any electronic communication device to view inappropriate, unethical, or illegal materials.
52.5 The use of cameras in any type of electronic device is strictly prohibited in locker rooms, restrooms, and any other area where privacy is assumed.

(E1:52; S1:52)

THREATS

Rule 53: Threat

53.1 Intention, or perceived intention, to inflict pain, injury, damage, or other hostile action on someone including retribution for something done or not done.

(E2:53; S3:53)

Rule 54: Bomb, Chemical, or Biological Threats

54.1 Making a bomb threat, by any means that has the effect of causing disruption of the educational process.
54.2 Making a chemical or biological threat against the school, a school function, or an individual at school or a school function.

(E4:54; S4:54)

Rule 55: Threat with Intent to Kill

55.1 Any willful or unlawful offer with force or violence to kill another coupled with the demonstrated intent and/or means to do so.

(E4:55: S4:55)

TRESPASSING

Trespass: Shall mean the entrance onto school grounds when an individual has been prohibited.

Rule 56: Trespassing

56.1 Entering any school property or facility without proper authority (includes any unauthorized entry during a period of suspension or expulsion).

(E3:56; S3:56)

VANDALISM

Rule 57: Vandalism under $100

57.1 While on school premises or at a school sponsored activity regardless of location, the act of intentionally destroying, cutting, defacing, or otherwise damaging property belonging to another person.
57.2 The act of intentionally destroying, cutting, defacing, or otherwise damaging buses, or other property belonging to the District.
57.3 The act of physically damaging, modifying, or abusing computer hardware or software owned by the District.
57.4 The act of physically damaging, modifying, or abusing files stored on or originating from District owned computers, with value determined the cost to restore or replace damaged, modified, or abused files.

(E2:57; S2:7)

Rule 58: Vandalism more than $100

58.1 The act of intentionally destroying, cutting, defacing, or otherwise damaging property belonging to another person while on District property or at a school sponsored activity regardless of location.
58.2 The act of intentionally destroying, cutting, defacing, or otherwise damaging buses, or other property belonging to the District.
58.3 The act of physically damaging, modifying, or abusing computer hardware or software owned by the District, with value determined by the cost to restore or replace damaged, modified, or abused hardware and software.

(E3:58; S3:58)

VEHICLE OPERATION

Rule 59: Impermissible Driving to School

59.1 The act of students not properly licensed driving a motorized or self-propelled vehicle to or from school.

(E2:59; S2:59)

Rule 60: Reckless Vehicle Use

60.1 Using any motorized or self-propelled vehicle on or near school grounds in a reckless manner or as a threat to health and safety, or as a disruption to the educational process.

(E2:60; S2:60)

Rule 61: Violation of Parking Rules

61.1 Failure to comply with or follow established procedures for student parking at school.

(S2:61)

WEAPONS

Dangerous Objects/Instruments: Anything that, although not specifically designed to hurt someone, is used to cause injury or to put someone in fear. Examples may include belts, scissors, combs, writing utensils, compasses, chains, etc. Such items should be considered dangerous instruments when they are used to cause injury or to put someone in fear.

Dangerous Weapon: a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length as defined in 18 United States Code (U.S.C.) Section 930.
Destructive Device: Pursuant to 26 U.S.C. § 5845(f) a destructive device is defined as follows:

- Any explosive, incendiary, or poison gas including but not limited to:
    - bombs;
    - grenades;
    - non-hobby rockets having a propellant charge of more than four (4) ounces;
    - missiles having an explosive or incendiary charge of more than one-quarter (¼) ounce;
    - mines;
    - fireworks; or
    - similar devices.
- Any type of weapon that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half (½) inch in diameter except a shotgun or shotgun shell that is generally recognized as particularly suitable for sporting purposes; and
- Any combination of parts either designed or intended for use in converting any device into a destructive device as defined above and from which a destructive device may be readily assembled.
- A destructive device shall not include:
    - an antique firearm;
    - a rifle or shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes; or
    - any device that is not designed or redesigned for use as a weapon.

Firearm:

- Any weapon (including an athletic event starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any such weapon;
- Any firearm muffler or silencer; or
- Any destructive device including any explosive, incendiary or poisonous gas bombs, grenades, rocket, missile, mine, or similar devices as defined in 18 U.S.C. Section 921.

Weapon: Is defined in Section 922(l) of Title l8, United States Code and Section l8-3302D, Idaho Code and includes firearms, dirk knife, bowie knife, dagger, metal knuckles, and other deadly or dangerous weapons.

Rule 62: Purchase or Sale of a Weapon

62.1 Sale or purchase of an instrument or object designed to inflict harm on other persons on school premises or at a school sponsored activity regardless of location.

(E4:62; S4:62)

Rule 63: Threat with a Dangerous Object or Weapon

63.1 Using a sharp or dangerous object or weapon to threaten another person with bodily injury.

(E3:63; S4:63)

Rule 64: Possession of a Weapon or Facsimile (Look Alike) Weapon

Look Alike Weapons: Objects that closely resemble a weapon or explosive and could put persons in fear of their safety. Examples include toy guns, smoke bombs, etc.

64.1 While on school premises or at any school-related activity regardless of location having in one's possession a knife, box cutter, dirk, brass knuckle, unauthorized martial arts implement, razor, ice pick, BB gun, pellet gun, pump gun, stun gun, blackjack, unauthorized tools, sword, spear in a cane, billy club, sap, facsimile weapon, or any other instrument that is specifically designed, made or adapted, or is capable of inflicting physical injury to another person.
64.2 While on school premises or at any school-related activity regardless of location having in one's possession a facsimile weapon without school administrative approval.

(E3:64, S3:64)

Rule 65: Possession or Use of Firearms

65.1 Possession of a firearm, whether loaded or unloaded, without written permission from school authorities.
65.2 Possession of any device that will, is intended to, or may readily be converted to expel a projectile by the action of an explosive.
65.3 Possession of the frame or receiver of any weapon.
65.4 Possession of any firearm muffler or silencer.
65.5 Discharging any pistol, rifle, shotgun, air gun, BB gun, or any other such device.

(E4:65; S4:65)

Rule 66: Use of Mace or Chemical Agents

66.1 Use of mace, pepper spray, or other chemical agents that may cause irritation or physical discomfort and/or bodily harm. Use of these items in self-defense as defined in Idaho Code 19-202A is not a violation of this rule.

(E3:66; S3:66)

Rule 67: Possession or Use of Explosives or Fireworks

67.1 Preparing, possessing, using, or threatening to use any explosives or other such devices capable of inflicting bodily harm or property damage.
67.2 Possession of fake devices or devices that are claimed to be explosive devices.
67.3 Possession of any unauthorized destructive device.
67.4 Possession and/or igniting of fireworks on District property.

(E3:67; S4:67)

Rule 68: Making or Planning a Bomb or Fake Bomb

68.1 Involved in making a bomb, plans for a bomb, or a fake bomb while at school or a school sponsored activity regardless of location.
68.2 Involved in making a bomb, plans for a bomb, or a fake bomb for use at school or at a school sponsored function regardless of location.

(E4:68; S4:68)

Rule 69: Chemical and Biological Attacks

69.1 Involved in making a chemical or biological attack with the intent to harm or destroy school premises.

69.2 Involved in making a chemical or biological attack with the intent to harm or destroy an individual on school premises or at school function regardless of location.

(E4:69; S4:69)

SECTION 7 DEFINITIONS

Activity Suspension or Suspension from Clubs, Extracurricular or Co-Curricular Activities: Is a suspension where students are not allowed to travel, dress in uniform, associate, or participate with the team or group at scheduled events. Suspended students may be allowed to participate in practices or meetings if deemed appropriate by the principal or designee.

Administrative Hearing - District Discipline Review Committee: A hearing conducted by an administrator appointed by the Superintendent and/or Board of Trustees.

After-School Detention: Assignment of a student to a designated room on campus at the end of the regular school day for a specified period of time. Parents or guardians must be notified in advance and arrange for the student's transportation home.

Alert: A predetermined change of a detection dog's behavior, which is recognized by the canine handler as indicating the presence of the odor of the suspected substance.

Board of Trustees: Refers to the governing body of the District composed of five elected representatives. The Board of Trustees sets District policy and acts as the final panel for expulsions.

Code: Shall mean this *Code of Student Conduct*.

Contraband: Is any illegal or prohibited property, the possession of which is forbidden under school policy or illegal under federal or state laws. Contraband shall consist of, but is not limited to: weapons, stolen property, pornography, alcohol, tobacco, nicotine innovations, illicit drugs, prescription or nonprescription drugs designed to alter the feeling or behavior of an individual, or drugs or substances that appear to be any of the above.

Corporal Punishment: Physically punishing a student - See BP 3330

- Corporal Punishment does not include teachers' and school authorities' use of force (1) to quell a disturbance; (2) to obtain possession of weapons or other dangerous objects; (3) for the purpose of self-defense; or (4) for the protection of a person.

Disability: A physical or mental impairment that (1) substantially limits one or more of the major life activities of an individual; (2) a record of such an impairment; or being regarded as having such an impairment; or (3) a specific disability such as: multiple disabilities, autism, mental retardation, specific learning disability, hearing impairment, speech or language impairment, visual impairment, serious emotional disturbance, orthopedic impairment, traumatic brain injury, or other health impairment.

Detention: For minor infractions of school rules or regulations, or for minor misconduct, school officials may detain students in school, before school, or after school. Students may also be required to attend Saturday school for up to four (4) hours.

- **After-School Detention:** Assignment to a designated room on campus at the end of the regular school day for a specified period of time. Parents or guardians must be notified in advance and arrange for the student's transportation home.
- **Before-School Detention:** Assignment to a designated room on campus for a specified period before school. Parents or guardians must be notified in advance and arrange for the student's transportation to school.
- **In-School Detention:** The student remains in school, isolated from peers, and assigned to designated rooms or programs. The student is considered present in school for attendance purposes. Make-up work is allowed.
- **Saturday School:** Supervised detention that is assigned by a school administrator where a student is required to attend school on Saturday or other non-school days. Students will be required to work on school

assignments or complete work assignments to evaluate their behavior. Parents or guardians must be notified in advance and arrange for the student's transportation.

Discipline: Constitutes forms of corrective action or punishment, that include 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 a specific academic grade, subject, or graduation requirements, if all required work is performed pursuant to District policy.

District/School District: Shall mean the Idaho Falls School District No. 91, Idaho Falls, Idaho.

District Official: Includes, but is not limited to: teacher, school counselor, school nurse, principal, assistant principal, or another District administrator.

District Premises: Shall include but is not limited to: buildings, facilities and grounds on the school campuses, school busses, properties leased by the District, and school parking areas.

Emergency: Any event that threatens the safety and security of students, staff, or visitors.

Emergency Activity Suspension: An activity suspension imposed by the principals or their designee regarding the reasons for the suspension and the opportunity to challenge those reasons when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

Emergency Suspension: A suspension imposed by the principals or their designee prior to an informal hearing regarding the reasons for the suspension and the opportunity to challenge those reasons when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

Event: A performance, match, game, meet, or other competition including regional, state, and/or national tournaments or competitions.

Expulsion: The removal or exclusion of a student from the immediate supervision and control of school beyond the balance of the school semester. Only the Board of Trustees has the authority to expel or deny enrollment to any student. Students who are expelled from any district cannot attend any Idaho Falls School District No. 91 school except as allowed by the Board. Any student who is expelled is prohibited admission to any school premises or to any school sponsored activity, regardless of location.

IEP: Shall mean an *Individual Education Plan* to support a student with disabilities who requires specially designed instruction and related services.

Intimidating, Hostile, and Offensive: Includes conduct that has the effect of humiliation, embarrassment, or discomfort.

Manifestation Determination: A review of a special education student's program and disability to determine if misconduct is related to the disability.

On Any School Premises or at Any School Sponsored Activity, Regardless of Location: Shall include, but not be limited to buildings, facilities, and grounds on the school campus, school buses, school parking areas; and the location of any school sponsored activity. This includes instances where the conduct occurs off the school premises but impacts a school related activity.

Parent/Guardian Shadow Student: The parent or guardian attends classes with the student for a specific amount of time.

Reasonable Grounds to Suspect: More than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred. It may be based upon direct observations or the reported observations or experiences of others. It

involves common-sense conclusion about human behavior based upon all the circumstances presented.

Referral to Law Enforcement: A request for assistance regarding information gained through a person or event that reveals a student's possible involvement in illegal activities.

Saturday School: Makeup time on Saturdays where students who have excessive absences will be required to work on school assignments or as used for detention.

School: Any school in the Idaho Falls School District No. 91.

School Bus Suspension: Denial of the privilege of riding a school bus based on misconduct occurring while the student was transported at public expense.

School Days: Those days when school is in session.

School District Employee: Any individual hired by the Board of Trustees for work on either a part-time or full-time basis.

School Premises: Any property owned or utilized by the District or property utilized by any vendor under contract with the District. Includes but is not limited to: buildings, facilities, and grounds on the school campus, school buses, school bus stops, school parking areas, and any facility being used for a school function.

School Privileges: Any school-related activity or program including but not limited to: graduation ceremonies, class trips, dances, extracurricular or co-curricular activities, clubs, riding a bus, driving and parking on school property, or recesses.

Student: Means any individual (preschool through twelfth grade) that is full-time, part-time, or dually enrolled in any school facility or program of Idaho Falls School District No. 91.

Supportive measures: Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Suspension: Involuntary removal of a student from the regular classroom environment.

- **In-School Suspension:** The student remains in school, isolated from peers and is considered present in school for attendance purposes. Make-up work along with credit for such work is allowed.
- **Out-of-School Suspension:** The student is supervised by a family member at home. A suspended student will not be counted as truant but is considered absent for attendance purposes and make-up work will be allowed.
    - **Temporary Suspension:** Is the exclusion from school or individual classes for a specific period up to five (5) school days. Principals/ designees are authorized to temporarily suspend.
    - **Extended Temporary Suspension:** Is an extension of an initial temporary suspension for up to an additional ten (10) school days. Only the Superintendent/designee or the Board of Trustees has the authority to impose an extended temporary suspension.
    - **Prolonged Temporary Suspension:** Is the addition of up to five (5) school days to an extended temporary suspension. Only the Board of Trustees can prolong a suspension 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.
- **Supervised School Suspension:** A student is required to attend school at the Supervised Suspension Center classroom.

School Community Service: Supervised activities for upkeep of school facilities. Assignments will not disrupt a student's class schedule. Parent or guardian permission is required.