

# THE NETWORK SCHOOLS STUDENT POLICY

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#### **3000 Entrance, Initial Enrollment, Placement, Transfer and Exit**

##### Entrance, Date and Age

No pupil may be enrolled in the kindergarten or first grade whose fifth (5th) or sixth (6th) birthday does not occur on or before the first (1st) day of September of the school year in which the child registers to enter school. Any child of the age of five (5) years who has completed a private or public out-of-state kindergarten for the required 450 hours but has not reached the age and date requirements set forth above, shall be allowed to enter the first grade.

##### Initial Enrollment

Immunization records (or an appropriate waiver) and birth certificate are required for admission to the Network Schools, subject to provisions of McKinney Homeless Assistance Act (see Policy 3060). Communication of the requirement for immunization records or exemptions shall comply with Policy 3525.

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, The Network Schools shall notify the person enrolling the student in writing that he must provide within thirty (30) days either a certified copy of the student's birth certificate or other reliable proof of the student's identity and birth date, which proof shall be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate.

Other reliable proof of the student's identity and birth date may include a passport, visa or other governmental documentation of the child's identity. If the person enrolling a student fails to provide this information within the requested thirty (30) (days), The Network Schools shall immediately notify the local law enforcement agency of such failure and shall notify the person enrolling the student, in writing, that he has an additional ten (10) days to comply.

If any documentation or affidavit received pursuant to this section appears inaccurate or suspicious in form or content, The Network Schools shall immediately report the same to the local law enforcement agency. Local law enforcement will investigate these reports. Idaho code provides that failure of a parent, person in custody of a child, or a person enrolling a student to comply with the documentation requirements of this section after a lawful request, is a misdemeanor.

##### Placement

The goal of The Network Schools shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing, together with other relevant criteria, including, but not limited to, health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the Administrative Staff, subject to review by the Executive Director and the Board.

## Transfer

The Network Schools policies regulating pupil enrollment from other accredited elementary and secondary schools are designed to protect the educational welfare of the child and of other children enrolled at The Network Schools.

Requests for transfer of credits from any secondary school shall be subject to a satisfactory examination of the following:

- A. Appropriate certificates of accreditation.
- B. Length of course, school day and school year.
- C. Content of applicable courses.
- D. The school facility as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction).
- E. An appropriate evaluation of student performance leading toward credit issuance.
- F. Final approval of transfer credits will be determined by the designated Administrative Staff person, subject to review upon approval by the Executive Director and Board of Trustees.

## Transfer from Persistently Dangerous Schools

If The Network Schools is found to be persistently dangerous in accordance with federal law, students attending the school shall be permitted to transfer to another traditional or charter school which is not persistently dangerous and which is meeting annual yearly progress requirements. The transfer may be either permanent or temporary and lasting until the school of origin is no longer designated as persistently dangerous. Parents or guardians of students shall be notified that the school has been designated as persistently dangerous within ten days of being so designated. Within 20 days of receiving such notification, students may be transferred to another school.

Any student who is the victim of a violent criminal offense on school grounds shall be permitted to transfer to another school.

## Exit from School

The Network Schools requires parents to sign a Student Exit Form when withdrawing student(s) from the school. Student records will not be released without a signed exit form and an official records request from the student's new school.

Cross References:	Student Policy 3525	Immunization Requirements
	Student Policy 3060	Education of Homeless Children
	Community Policy 4160	Parents Right-to-Know Notices

Legal References:	Art. IX, § 9, Idaho Constitution- Compulsory Attendance at School	
	I.C. § 18-4511	School Duties—Records of Missing Child—
		Identification Upon Enrollment—Transfer of
		Student Records
	I.C. § 33-201	School Age
I.C. § 33-209	Transfer of School Records	
I.C. § 39-4801	Immunization required	
I.C. § 39-4802	Exemptions	

20 USC § 6313	Eligible School Attendance Areas
20 USC 7912(a)	Unsafe School Choice
42 USC § 11432	Education of Homeless Children and Youths

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: June-July 2017	Revised: 7/12/2017
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	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 3/21/2022	Revised: 3/21/2022

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**3020 Enrollment and Attendance Records**

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill The Network Schools' responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

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### 3020P Enrollment and Attendance Records

#### Average Daily Attendance

A day of attendance is one in which a pupil is physically present for a full day (at least four (4) hours for grades 1 through 12 (1-12) and at least two and one-half (2 ½) hours for kindergarten) under the guidance and direction of a teacher or other authorized school personnel while school is in session or is a homebound student under the instruction of a teacher employed by The Network Schools.

Average Daily Attendance (ADA) is the aggregate number of days enrolled students are present divided by the number of days of school in the reporting period. Students for whom no Idaho school is a home school shall not be counted for purposes of ADA. Funding for schools is based on ADA and must be accurate.

#### Attendance Accounting:

Days present and absent for every student are to be recorded in each building for the purpose of informing parents of a student's attendance record.

Legal References: I.C. § 33-1001 Definitions  
I.C. § 33-1002E Pupils Attending School in Another State  
IDAPA 08.02.01.250.05 Day of Attendance (ADA) – Grades One Through Twelve  
IDAPA 08.02.01.250.03 Day in Session When Counting Pupils in Attendance  
IDAPA 08.02.01.250.04 Day of Attendance - Kindergarten

#### Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
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#### 3030 Part-Time Attendance / Dual Enrollment

For purposes of this policy the term “non-public school student” is any student who is enrolled in a non-public school (including a home school or private school), enrolled in a public charter school other than The Network Schools or enrolled in a post-secondary institution.

Any non-public school student will be allowed to enroll in The Network Schools and be entitled to participate in any program (curricular or extracurricular), subject to the same requirements as other students who are enrolled full-time in The Network Schools and subject to the requirements set forth below in this Policy.

Non-public school students admitted to The Network Schools shall only be on school property during the hours of enrollment or as otherwise indicated by the Administrative Staff. The Network Schools will not be responsible for the student during non-enrollment hours or times.

#### Admittance

The parent/legal guardian of any non-public school student wishing to admit their son/daughter in this The Network Schools for any academic or nonacademic program must register the student and provide the following prior to acceptance of any such student:

- a. Birth certificate;
- b. Evidence of residency within the Boise School District;
- c. Immunization records (or an appropriate waiver as described in Policy 3535); and
- d. Student records from the previously attended public school, if any, and any other records providing academic background information.

#### Enrollment Priority

Priority for enrollment, when school programs reach maximum capacities, will be given to students enrolled on a regular full-time basis at The Network Schools. If a number of non-public school students request admission into the same class, they will be accepted on a first-come basis. In the event the class enrollment position of a non-public school student is needed for a regular, full-time Network Schools student during the course of the year, the full-time Network Schools student will have priority for the position beginning with the semester after the need is identified.

Students with disabilities, residing in the attendance boundaries of any Network Schools, who are attending private or home schools, will be accepted in accordance with state and Federal statutes.

#### Average Daily Attendance

Students who are dual enrolled (i.e., enrolled on a part-time basis) at The Network Schools shall be used in calculating that school's state fund, but only to the extent of the student's participation in The Network Schools programs.

Graduation

In order to graduate from The Network Schools, all non-public school students must meet the grade and other graduation requirements the same as regular full-time students.

Cross Reference    Policy 3525                    Immunization Requirement

Legal References:    I.C. § 33-203                    Part Time/Dual enrollment  
                              I.C. § 33-1001, et. seq.    Average Daily Attendance  
                              IDAPA 08.02.03.111.13    Dual Enrollment

Policy History:

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#### **3031 Extracurricular Activities – Eligibility for Students Not Enrolled for Academic Activities**

The following rules apply for non-public school students who wish to participate in nonacademic school activities, such as extracurricular activities, for which public school students must demonstrate academic proficiency or eligibility. For the purposes of this policy, “non-public school student” means a student who attends another public charter school, home school, or private school regardless of whether they are dually enrolled for academic or instructional activities as described in Policy 3030:

1. Non-public school students must meet the same eligibility standards as full-time Networks School students;
2. The non-public school student must, on any State Board of Education recognized achievement test, portfolio, or other mechanism, demonstrate composite grade-level academic proficiency;
3. The non-public school student must achieve a minimum composite, core, or survey test score within the average or higher than average range as established by the test service utilized on any nationally-normed test. The minimum score on each assessment is the fifth stanine for the battery total score. The parents/guardian of a dual enrollment student are responsible for obtaining third party testing for their child at their expense in accordance with I.C. 33-203 and State Board of Education rules. Demonstrated proficiency shall be used to determine eligibility for the current and next school year, not to exceed a period of 12 months from the date the test results are released;
4. Non-public school students must be provided the opportunity to take State tests or other standardized tests given to all regularly enrolled public school students when pre-arranged with the principal of the building where the student is registered.
5. A non-public school student will be subject to the same requirements as public school students regarding school attendance on the date of an activity. If the non-public school student is not scheduled to attend academic courses in The Network Schools on activity days, the non-public school student’s primary education provider shall provide assurance to The Network Schools that such student has met the attendance requirements in the non-public school academic setting. The primary education provider shall also be responsible for the oversight of any other academic standards relating to participation in nonacademic activities.

Cross Reference      Policy 3030      Part-Time Attendance/Dual Enrollment

Legal Reference:      I.C. § 33-203      Attendance at Schools - Dual Enrollment  
                                 I.C. § 33-512      Governance of Schools

Other Reference:      IHSAA Rules and Regulations on Eligibility

Policy History:

Adopted on: 8/16/2021

Revised on: 3/21/2022

Reviewed on: 8/16/2021

Reviewed on : 3/21/2022

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**3040 Compulsory Attendance**

Parents are responsible for seeing that their children of age seven (7) or older prior to the first day of school attend school until the child’s sixteenth (16th) birthday.

Unless the child is otherwise comparably instructed, the parent/guardian shall cause the child to attend a public, private or parochial school during a period in each year equal to that in which the public schools are in session.

Legal References: Art. IX, § 9, Idaho Constitution – Compulsory Attendance at School  
I.C. §33-201 School Age  
I.C. §33-202 School Attendance Compulsory

Policy History:

Adopted: 8/2013                      Reviewed: 7/20/2015                      Revised: 7/20/2015  
Reviewed: 2/25/2019                      Revised: 2/25/2019

## **The Network Schools**

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#### **3050 Attendance Policy**

Idaho law requires compulsory school attendance for children between the ages of seven (7) and sixteen (16) years of age. State law also requires each school district to establish attendance policies. Regular and consistent attendance is an indicator of success in school and is necessary for maximum student learning and success. The Network Schools Board of Directors policies have been established to achieve the following:

Education - Regular attendance helps to assure that students stay current in academic skills, personal management skills, and their ability to work in a team setting increasing the likelihood of academic success.

Success and Self-Esteem - Students must be present to experience success which leads to better self-esteem. The student's presence leads to the success of the entire classroom.

Life Skills - Prepare students for life and career by setting the expectation for punctuality and presence.

Safety - Increase parent/guardian involvement in student attendance and increase an awareness of where students are during school hours

It is the responsibility of the parent(s)/guardian(s) to assist school officials in enforcing The Network Schools attendance policies.

School Administrators will make decisions in keeping with the overall intent of this policy. All absences from class shall be counted unless the student physically remains within an accountable school setting such as with a counselor, administrator or other school personnel.

A student is tardy if he or she is not in the assigned classroom at the start of the school day or period start time. Tardies may be waived by administration in extraordinary circumstances - i.e. late bus, inclement weather or other extenuating circumstances.

#### High School Attendance Standard (9-12)

Students are allowed three (3) absences per class period during the semester. Students who receive four (4) absences in any class will lose credit unless cleared by Administrative Staff, or the Executive Director, as a supportable absence. Verbal communication must come from a parent/guardian within 48 hours of the absence to prevent truancy.

Excessive tardiness may result in administrative discipline and loss of credit.

A high school student who is absent during any part of the day may not participate in evening school related functions that fall on that day. A student serving in or out-of-school suspension will not be allowed to participate in after school functions until their suspension is over.

### Middle School Attendance Standard (6-8)

Students are allowed six (6) absences per class period during the semester. Students who receive seven (7) absences within a semester may be referred to Administrative Staff, or the Executive Director, and the Board of Directors. Verbal communication must come from a parent/guardian within 48 hours of the absence to prevent truancy.

Excessive tardiness may result in administrative discipline and referral to the board. A middle school student who is absent during any part of the day may not participate in evening school related functions that fall on that day. A student serving in or out-of-school suspension will not be allowed to participate in after school functions until their suspension is over.

### Elementary Attendance Standard (K-5)

Students are allowed eight (8) daily\* absences per semester. Students who receive nine (9) daily absences within a semester may be referred to Administrative Staff, or the Executive Director, and the Board of Directors. Inadequate and unacceptable academic progress due to absences may result in retention for the next school year. Verbal communication must come from a parent/guardian within 48 hours of the absence to prevent truancy.

Excessive tardiness may result in administrative discipline or retention.

\*Daily is defined as follows:

- Half day kindergarten - will be marked absent if in attendance less than 2 hours
- Full day kindergarten to 5th grade - any student in attendance less than 4 hours

### Attendance Follow-Up

The school will attempt to reach the parent/guardian of the absent student on the day of their absence.

The student's parent/guardian will be notified, in writing, when a student has reached the number of allowable absences for the semester as defined by the grade groups above. A second letter will be issued in the event credit loss or retention is being considered. At that time administration will meet with parent(s)/guardian(s) and the student.

### Attendance Codes

Does not count against attendance standard:

- Field Trip/Class Activity, S-FT, does not count against attendance standard; an absence for a school field trip or activity. Students with excessive tardies or absences may not be allowed to participate in field trips or other activities.
- Bereavement, S-BR, does not count against attendance standard; up to five (5) days for a member of the immediate family, i.e. father, mother, brother, sister, grandparents.
- Supportable, S-SP, does not count against attendance standard; Administrative discretion, i.e. unforeseen emergencies, court dates, educational travel, etc.
- Illness Waiver, S-IL, does not count against attendance standard; confirmed with documentation from licensed medical personnel.

Counts against attendance standard:

- Illness, A-IL, counts against attendance standard; student is absent as verified by parent/guardian phone call or email.
- Parent call, A-PC, counts against attendance standard; student is absent as verified by parent/guardian phone call.
- Truant, A-TR, counts against attendance standard: student is absent without permission of parent/guardian or school officials. Persistent and/or habitual truancy may result in suspension or expulsion from school.
- Unverified, A-UV, counts against attendance standard; no information regarding absence an unverified absence will convert to a truancy unless verbal communication is received from a parent/guardian within 48 hours.
- Verified, A-VF, counts against attendance standard; phone call initiated by the school to confirm the absence and response was received by the parent.

### Supportable Absences

Supportable absences require prior notification from a parent/guardian. The student will be expected to complete the assigned work within a time period agreeable to the teacher(s) of the missed class(es). The following guidelines are used to determine supportable absences:

1. Activities or events organized for the purpose of continuing competition or as an extension of an approved school program as approved by administration (i.e. national or international competitions).
2. Court appearance that is verified by official documentation.
3. Professional appointments confirmed with documentation from professional personnel such as counselors, attorneys, etc.
4. Extended educational trips with family or organizations while school is in session. The parent/guardian and student requesting this exception must meet the following to get approval for a supportable absence:
  - Submit a letter of request to administration at least two (2) weeks prior to the trip;
  - Have passing grades in all classes;
  - Have no more than six (6) absence total for the year;
  - Request work from teachers and turn in all pre-arranged work on or before the first day back to class;
5. Religious observances verified by parent/guardian, church official, or document.

### Excessive Absences

If a student is absent for fifteen (15) consecutive school days, whether or not the absences are verified, the student will be dis-enrolled from school. At the time the student returns to school, the student may be re-enrolled after the parent(s)/guardian(s) and the student meet with administration. Students absent due to illness documented by licensed medical personnel will not be included in this procedure

### Habitual Truancy

Excessive absences (see above section 'Excessive Absences ') for students between the ages of 7- 16 may result in the initiation of an Attendance Court hearing and/or filing, pursuant to Idaho Code 33-207, for a hearing regarding the student's habitual truancy status.



Attendance Appeal

In the event that a parent chooses to appeal the decision of administration, it must be made no less than ten (10) working days after the decision has been rendered. The Board of Directors will receive the appeal and respond at the next scheduled board meeting. The decision of The Board of Directors is final.

Legal Reference: I.C. §§ 33-206 Truancies

Policy History:

Adopted: 2/22/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

## **The Network Schools**

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#### **3060 Education of Homeless Children**

It is the policy of The Network Schools to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;
2. Homelessness does not in any way separate homeless students from the mainstream school environment; and
3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Board of Directors directs The Network Schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment.

The employees of The Network Schools shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The Network Schools will also strive to prevent stigma against students who are homeless.

#### Definitions

For the purposes of this Policy, the following definitions shall apply.

The terms “enroll” and “enrollment” includes attending classes and participating fully in all school activities.

The terms “homeless,” “homeless individual,” and “homeless person” include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

4. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses 1 through 3 above; and
5. An unaccompanied student living in any of the circumstances described in clauses 1 through 3 above.

“Children and youth in transition” is defined as children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence.

“Unaccompanied youth” is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

The term “school of origin” is defined as the school that the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool.

### In General

The Network Schools shall ensure the following is provided according to the homeless student's best interest:

1. That the homeless student's education continues in the school of origin for the duration of homelessness:
  - A. In any case in which a family becomes homeless between academic years or during an academic year; and
  - B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or
2. That the homeless student is eligible to enroll at The Network Schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

### School Stability

In determining the best interest of the homeless student, The Network Schools shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the student;
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the Administrative Staff determines that it is not in student's best interest to attend the school of origin requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent or guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such

parent, guardian, or unaccompanied student, including information regarding the right to appeal under “Enrollment Disputes”, below; and

4. In the case of an unaccompanied student, ensure that The Network Schools’ liaison designated under “Charter School Liaison,” below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under “Enrollment Disputes,” below.

#### Immediate Enrollment:

1. **In General:** The Network Schools, in accordance with this policy, shall immediately enroll the homeless student, even if the student:
  - A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or
  - B. Has missed application or enrollment deadlines during any period of homelessness; or
  - C. Has outstanding fees or fines, including fees associated with extracurricular activities.
2. **Relevant Academic Records:** The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.
3. **Relevant Health Records:** If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to The Network Schools’ liaison designated under “Charter School Liaison,” below, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with “Records,” below.

#### Records

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and
2. In a manner consistent with FERPA, applicable Idaho law, and Charter School policy.

#### Disputes

If a dispute arises over eligibility or enrollment, or any other issue addressed in this policy:

1. The student shall be immediately enrolled at The Network Schools if the student has been admitted through the lottery process is sought, pending final resolution of the dispute, including all available appeals;
2. The parent or guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the bases for any decisions related to enrollment made by The Network Schools, including the rights of the parent, guardian, or unaccompanied student to appeal such decisions;

3. The parent, guardian, or unaccompanied student shall be referred to the local educational agency liaison designated under “Charter School Liaison” below, and upon being informed of the dispute, the liaison shall initiate an appeal of the dispute regarding the educational placement of homeless student as expeditiously as possible; and
4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled at The Network Schools if the student has been admitted through the lottery process pending resolution of the student’s dispute.

### Placement Choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

### Privacy

Information about a homeless student’s living situation shall be treated as a student education record, and shall not be deemed to be disclosable “directory information” under the Family Education Records Privacy Act (“FERPA”).

### Contact Information

Nothing in this policy shall prohibit The Network Schools from requiring the parent or guardian of a homeless student to submit contact information.

### Comparable Services

Each homeless student in The Network Schools shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including the following:

1. Transportation services. Students may be provided with additional transportation services if needed to ensure the student’s full participation in the Network School’s education program;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or Charter School sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and
5. School nutrition programs.

### Charter School Liaison

For purposes of this policy, the Executive Director or Administrative Staff shall designate a Network Schools employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Executive Director or Administrative Staff shall ensure that:

1. All homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies;

2. The Network Schools tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students at The Network Schools;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by The Network Schools;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;
8. Enrollment disputes are mediated in accordance with "Dispute," above;
9. The parent or guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student's school of origin, and is assisted in accessing transportation to the student's assigned school;
10. School personnel receive annual professional development and other support; and
11. Unaccompanied homeless students:
  - A. Are enrolled in school;
  - B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
  - C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from The Network Schools Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

#### Local and State Coordination

The Network Schools' liaison for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

Homeless Status

The Network Schools’ Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by The Network Schools, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 *et. seq*), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

Title 1, Part A

Any student who is homeless and attends The Network Schools is eligible for Title 1, Part A services.

Cross References: Community Relations Policy 4120 Uniform Grievance Policy  
Community Relations Policy 4160 Parents Right-to-Know Notices

Legal References: 20 U.S.C. § 1400-82 Individuals with Disabilities Education Improvement Act (IDEA)  
20 U.S.C. § 6311, et seq. Improving Basic Programs Operated by Local Education Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act  
42 U.S.C. § 1758 School Lunch Programs-Program Requirements  
Pub. L. 110-134 Improving Head Start for School Readiness Act of 2007  
42 U.S.C. § 11301, et seq. McKinney-Vento Homeless Assistance Act of 1987

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 9/18/2017	Revised: 10/16/2017
	Reviewed: 2/26/2018	Revised: 2/26/2018
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 3/15/2021	Revised: 3/15/2021

## **The Network Schools**

### **STUDENTS**

#### **3085 Sexual Harassment, Discrimination and Retaliation Policy**

##### Policy Purpose

The purpose of this policy is to promote working and learning environments that are free from sex and gender-based harassment, discrimination, and retaliation, and to affirm The Network Schools' commitment to non-discrimination, equity in education and equal opportunity for employment.

##### Scope of Policy

This policy applies to all members of The Network Schools' community, including students, employees, and other members of the public including guests, visitors, volunteers, and invitees.

##### Policy Statement

The Network Schools is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, the Network Schools prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment and discrimination, file a formal complaint, or participate in a grievance process.

Students, employees, or other members of the Network Schools community who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance process(es). Violations of this policy may result in discipline for both students and [The Network Schools] employees.

##### Title IX Coordinator

Dani Zwolfer serves as The Network Schools' Title IX Coordinator and oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating the Network Schools' efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sex and gender-based harassment, discrimination, and retaliation prohibited under this policy. The Title IX Coordinator acts with independence and authority and is free from bias and conflicts of interest.

To raise any concern involving bias, conflict of interest, misconduct or discrimination committed by the Title IX Coordinator, contact the Human Resources Coordinator at 208 343 7243 x 285.

If the Network Schools' Title IX Coordinator is the subject of any complaint regarding sex or gender-based harassment or has an apparent bias or conflict of interest regarding such a case, another person shall be appointed to act as the Title IX Coordinator for handling that case. Such appointees may include, but are not limited to:



1. The Title IX Coordinator of another school Charter School which the Network Schools has an agreement with;
2. Another employee of the Network Schools who is qualified and trained to address the matter, such as a deputy Title IX Coordinator;
3. A qualified and trained individual who enters into a professional services contract with the Network Schools; including but not limited to the Network Schools' legal counsel and/or contracted Human Resources or Title IX professionals.

Concerns of bias, conflict of interest, misconduct, or discrimination committed by any other official involved in the implementation of this policy or related grievance processes should be raised with the Title IX Coordinator.

### Mandatory Reporters

The Network Schools has classified all employees as mandatory reporters of any knowledge they have that a member of the Network Schools community experienced sex or gender-based harassment, discrimination, and/or retaliation. Accordingly, all Network Schools employees must promptly report actual or suspected sex and gender-based harassment, discrimination, and/or retaliation to the Title IX Coordinator. The Network Schools employees must share with the Title IX Coordinator all known details of a report made to them in the course of their employment, as well as all details of behaviors under this policy that they observe or have knowledge of. Failure of a Network Schools employee to report an incident of sex or gender-based harassment, discrimination, or retaliation to the Title IX Coordinator of which they become aware is a violation of this policy and can be subject to disciplinary action for failure to comply.

In addition, The Network Schools employees must also report allegations of suspected child abuse and/or neglect to either law enforcement or the Idaho Department of Health and Welfare as described in Policy 5260 on reporting suspected abuse, abandonment, or neglect.

### Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and related procedures, may be made internally to The Network Schools Title IX Coordinator (or deputies, if applicable) using the contact information below:

Office of Dani Zwolfer, Title IX Coordinator  
Sage International Network of Schools  
1513 Tyrell Lane Ste. 110  
Boise, ID 83706  
(208) 343 7243 x 280  
[dani.zwolfer@sageintl.org](mailto:dani.zwolfer@sageintl.org)  
<http://www.sageinternationalschool.org/>

External inquiries can be made to the U.S. Department of Education, Office for Civil Rights, Region 10, using the contact information below:

Seattle Office  
Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue, #3310

Seattle, WA 98174-1099  
OCR.Seattle@ed.gov  
1-800-877-8339

### Notice/Formal Complaints of Sex and Gender-Based Harassment, Discrimination, and/or Retaliation

Notice or formal complaints of sex or gender-based harassment, discrimination, and/or retaliation may be made using any of the following options:

1. File a complaint with, or give verbal notice to, the Title IX Coordinator (or deputy/deputies, if applicable). Such a report may be made at any time, including during non-business hours, by using the telephone number, email address, or by mail to the office address listed for the Title IX Coordinator (or any other official as listed above).
2. Report online, using the reporting form posted at <http://sageinternationalschooldistrict.ss16.sharpschool.com/common/pages/DisplayFile.aspx?itemId=29480569>
3. Report by phone at 208 343 7243.
4. **[Add any other reporting options, if applicable.]**

When notice is received regarding conduct that may constitute Title IX sexual harassment, The Network Schools shall provide information about supportive measures and how to file a formal complaint, as described in Policy Section 3085P.

A formal complaint means a document filed/signed by the alleged victim or signed by the Title IX Coordinator alleging an individual violated this policy and requesting that the Network Schools investigate the allegation(s). As used in this paragraph, the phrase “document filed/signed by the alleged victim” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the Network Schools, if applicable) that contains the alleged victim’s physical or digital signature, or otherwise indicates that the alleged victim is the person filing the complaint. For example, an alleged victim may send an email to the Title IX Coordinator, identify themselves as the alleged victim and the one sending the email, to file a formal complaint. If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the alleged victim to ensure that it is filed correctly.

Parents and legal guardians of primary and secondary school students who have the legal authority to act on their child’s behalf may file a formal complaint on behalf of their child.

### Grievance Processes

When a formal complaint is made alleging that this policy was violated, the allegations are subject to resolution using one of The Network Schools’ grievance processes noted below, as determined by the Title IX Coordinator. All processes provide for a prompt, fair, and impartial process.

1. For formal complaints regarding conduct that may constitute Title IX sexual harassment involving students or employees, the Network Schools will implement procedures detailed in Procedure 3085P.

2. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where students are the accused party, and that do not constitute Title IX sexual harassment, the Network Schools will implement procedures described in 4120 Uniform Grievance Policy and 3295P Hazing, Harassment, Intimidation, Bullying and Cyber Bullying procedures, requirements and definitions.
3. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where employees are the accused party, and that do not constitute Title IX sexual harassment, the Network Schools will implement procedures described in: Uniform Grievance Policy 4120.
4. Additional Policies containing harassment reporting and procedures include Personnel Section 5250, Student Section 3290 and 3295, and Community Section 4110. Each of these policy sections make use of the Uniform Grievance Policy in 4120.

Cross References:	3570	Student Records
	3570P	Student Records
	3285	Relationship Abuse and Sexual Assault Prevention and Response
	3290	Sexual Harassment/Intimidation of Students
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3295P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3330	Student Discipline
	4120	Uniform Grievance Policy
	4600	Volunteer Assistance
	4600P	Volunteer Assistance
	5240	Sexual Harassment/Sexual Intimidation in the Workplace
	5250	Certificated Staff Grievances
	5275	Adult Sexual Misconduct
	5500	Personnel Records
	5800	Classified Employment, Assignment, and Grievance

Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Policy History:

Adopted on:	10/26/2020
Revised on:	11/15/2021
Reviewed on:	11/15/2021

## The Network Schools

### STUDENTS

#### 3085F1 Notice of Investigation & Allegation Template

*Note: May also be used for initial Interview Request*

[DATE]

[ADDRESSEE (RESPONDENT AND PARENT/LEGAL GUARDIAN)]  
[MAILING ADDRESS OR (IF DELIVERED VIA EMAIL) EMAIL ADDRESS]

Dear [ADDRESSEE]:

On [DATE] the [NAME OF OFFICE] received a formal complaint from [COMPLAINANT] (“complainant”) alleging that you may have engaged in behavior that potentially violates The Network Schools policy, including misconduct alleged on [DATE(S)] at [LOCATION(S)].

Specifically, it is alleged that you [APPROPRIATELY DETAILED DESCRIPTION].

This letter serves as formal notice that The Network Schools will be conducting a prompt, thorough, and impartial investigation of these allegations pursuant to the procedures detailed in the Policy 3085: <http://sageinternationalschooldistrict.ss16.sharpschool.com/board/policies>. The Network Schools’ Title IX Sexual Harassment Grievance Procedure is compliant with applicable federal and state law, including the 2020 Title IX implementing regulations. A copy of this notice has also been provided to the complainant.

Specifically, you are alleged to have violated the following provision(s) of the Policy 3085 Sexual Harassment, Discrimination and Retaliation Policy:

**[ALL POTENTIALLY APPLICABLE POLICY SECTIONS]**

**[ALL POTENTIALLY APPLICABLE SANCTIONS THAT COULD RESULT] (Keith to check)**

You are considered “not responsible” for violating The Network Schools policy, unless and until **[a preponderance of the evidence OR clear and convincing evidence]** proves that a violation of policy has occurred. The burden is on The Network Schools to gather evidence, investigate the allegations, summarize all relevant evidence in a final investigation report, and make a final determination of responsibility (subject to appeal). No determination of responsibility will be made until the conclusion of the process and after the parties have been given an opportunity to inspect, review, and respond to all directly related and/or relevant evidence obtained by The Network Schools.

Should the allegations need to be modified, or if additional allegations emerge over the course of this investigation, this office will provide you with an updated and revised Notice of Investigation and Allegations.

Below, you will find details included to ensure that The Network Schools process is transparent to you, so that you fully understand your rights and The Network Schools’ procedures.

1. The Network Schools' applicable procedures can be found online at **[LINK]**. If you need a hardcopy or accessible copy of these procedures, you should direct a request to **[INDIVIDUAL OR DEPARTMENT]** with contact information.
2. You are expected to preserve any evidence in your possession related to the allegations. Examples include, but are not limited to, screenshots of social media posts or electronic conversations (e.g., Snapchat, Facebook Messenger, WhatsApp, TikTok, text messages, etc.), written communication, audio or video recordings, photos, receipts, call logs, or any other relevant information.
3. Please plan to bring all evidence, documents, and items that you believe will be helpful to the investigator(s) to your interview or provide them beforehand. Originals are preferred to copies, and all materials should be in unaltered form. Expect that you will be asked to verify the accuracy and authenticity of evidence you provide. If information is stored on an electronic device (e.g., cell phone) it is recommended that you be able to show the device itself to the investigator(s) during the interview.
4. You may not record any meetings pursuant to this process. Doing so is a violation of Procedure 3085P. The Network Schools will record or transcribe proceedings, and those recordings or transcriptions will be made available to you.
5. Breaks are permitted during the interview, upon request.
6. You should plan to be available for the interview for at least **[LENGTH OF TIME]**.
7. You may bring materials into the interview that are relevant to the investigation, but no other materials, bags, backpacks or personal items are permitted. Your phone should be silenced if you will have one with you.
8. You will be permitted to ask questions of the investigator(s), and should be prepared for them to ask many questions of you. Your honesty and cooperation are expected. You are expected to maintain decorum during the interview and to respect the serious nature of the proceedings.
9. The Network Schools cannot obligate you to participate in the interview. If you do not intend to attend, please notify **[PERSON]** at **[CONTACT INFORMATION]**.
10. Your rights in the process are detailed throughout The Network Schools' procedures.

### **Investigation and Interview**

**[INVESTIGATOR(S)]** has/have been assigned to this matter. The investigator(s) are neutral professionals whose role is to objectively collect and compile all available information relevant to the allegations and compose a thorough, detailed investigation report. They will be **[taking notes AND/OR recording]** during the interview. A summary or transcript of your interview will be provided to you following the interview and you will be asked to verify its accuracy, in writing, to the investigator(s).

If you have any questions regarding the qualifications or training of the investigator, please feel free to contact me directly. Similarly, if you have a concern that the investigator is potentially

biased or has a conflict of interest, you must raise that issue with me prior to your scheduled interview.

At this time, we ask you to schedule an interview with The Network Schools' investigator(s). Two suggested times that work for an appointment to interview you are below, and we have already checked to make sure that these times work with your class schedule. Please contact the investigator(s) at **[CONTACT INFORMATION]** to confirm which of these times work best for you.

1. **[OPTION 1]**
2. **[OPTION 2]**

**[SPECIFY ANY MEETING PROCEDURES OR CONDITIONS IF THE STUDENT/EMPLOYEE HAS BEEN SUBJECT TO EMERGENCY REMOVAL.]**

**[ONLY INCLUDE IF ISSUING A NO CONTACT ORDER BETWEEN THE PARTIES:**

No Contact Order

**Effective immediately, I am instituting a no contact order that prohibits you and the complainant from having direct or indirect contact with one another. This information will also be provided to the complainant and other appropriate officials as needed. This order is not a determination that Policy 3085 has been violated. If you have questions or concerns about the no contact order, please contact me.]**

### **Advisors**

You have the right to an advisor of your choosing, who can be an attorney, to accompany you to all meetings, interviews, and hearings and to assist you in this process. **[OPTIONAL: If you would prefer that the school/The Network Schools appoint a school/The Network Schools-trained advisor for you, please let me know as soon as possible.]** Upon request, a pre-interview meeting between you, your advisor, and the investigator(s) to explain The Network Schools process and answer any questions may be arranged by contacting the investigator.

### **Retaliation**

This letter also serves as a reminder that The Network Schools policy prohibits retaliation, as defined in Procedure 3085P. Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a person because of that person's participation in an investigation or because of their support of someone involved in an investigation.

The Network Schools will impose sanctions on any faculty, student, or staff member found to be engaging in retaliation, and on individuals who encourage third parties to retaliate on their behalf.

If you experience any retaliation, please contact me immediately.

### **False Statements and/or False Information**

Please also be reminded that Procedure 3085P prohibits making false statements and knowingly providing false information in the course of a The Network Schools grievance process.

To ensure that the investigator(s) can obtain as much accurate and objective information about this matter as possible, please do not suggest to any witness that they distort or align their accounts.

Should it be alleged that you have violated these rules, The Network Schools reserves the right to address those allegations inside of this process or to address the allegations as a separate matter pursuant to Procedure 3085P.

### **Confidentiality**

You have the right to discuss this matter with your advisor and others, but The Network Schools will conduct this investigation confidentially, meaning that it will only share information as permitted or required by law. The Network Schools asks for your discretion in what you choose to share and hopes that you will respect the private and sensitive nature of these allegations. The complainant has been provided with the same information.

### **Campus Resources**

I understand that receiving this notice may result in many questions and potential distress. I encourage you to avail yourself of any of the following resources that you may find helpful as you work to resolve this matter.

[OPTIONAL: Counselor

**{SERVICES PROVIDED AND CONTACT INFORMATION}**

**{ANY OTHER INTERNAL OR EXTERNAL APPLICABLE SUPPORTIVE SERVICES}**

**{DESCRIPTION OF SERVICES PROVIDED AND CONTACT INFORMATION}**]

### **Disability Services**

If you or another individual needs reasonable accommodations due to a qualifying disability in order to fully and meaningfully participate in this process, please contact **[OFFICE]** at **[PHONE NUMBER]** prior to any meeting or interview in which reasonable accommodations may be needed.

Should you have any questions about the process and/or the interview, please contact your investigator(s) for this matter at **[PHONE NUMBER]** or **[EMAIL ADDRESS]**.

Sincerely,

Dani Zwolfer  
Title IX Coordinator  
Sage International Network of Schools  
1513 Tyrell Lane Ste. 110  
Boise, ID 83706  
(208) 343 7243 x 208  
[dani.zwolfer@sageintl.org](mailto:dani.zwolfer@sageintl.org)  
<http://www.sageinternationalschool.org/>

**The Network Schools**

**STUDENTS**

**3085F2 Sexual Misconduct Reporting Form for Students**

The Network Schools

Date \_\_\_\_\_

Student's Name \_\_\_\_\_

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? \_\_\_\_\_

\_\_\_\_\_

Describe the incident(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date(s), time(s), and place(s) the incident(s) occurred: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were other individuals involved in the incident(s)?  yes  no

If so, name the individual(s) and explain their roles: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did anyone witness the incident(s)?  yes  no



If so, name the witnesses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did you take any action in response to the incident?     yes     no

If yes, what action did you take? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were there any prior incidents?     yes     no

If so, describe any prior incidents: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of complainant \_\_\_\_\_

Signatures of parents/legal guardian \_\_\_\_\_

## **The Network Schools**

### **STUDENTS**

#### **3085P Title IX Sexual Harassment Grievance Procedure, Requirements, and Definitions**

##### **Scope of Procedure**

This Title IX Grievance Process applies to all members of The Network Schools' community, including students, employees, and Board members as well as Network Schools patrons, guests, visitors, volunteers, and invitees.

##### **Purpose of This Policy and Procedure**

The Network Schools is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, The Network Schools prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment and discrimination, file a formal complaint, or participate in a grievance process.

Students, employees, or other members of The Network Schools community who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance procedure. Violations of this Network Schools procedure or its related policy may result in discipline to either students or employees.

##### **Guiding Principles**

Title IX requires Charter Schools to put into place policies and procedures that promote the goal of Title IX, specifically, to prohibit discrimination based on sex, and to respond appropriately if and when sex discrimination occurs or may occur. Title IX explains that when an appropriate official at The Network Schools has "actual knowledge" of "sexual harassment" of a student or employee that occurs in one of its educational programs or activities, The Network Schools must respond promptly and in a manner that is not "deliberately indifferent." This standard does not require a perfect response; rather, it requires a response that is not "clearly unreasonable" in light of the known circumstances over which The Network Schools exercises control.

##### **Grievance Procedure**

#### **1. Receipt of a Complaint, Report, or Information Alleging Sexual Harassment**

Upon receipt of a complaint or report (whether verbal or written) of possible sexual harassment, The Network Schools shall first determine whether to initiate a formal or informal response. Thus, any and all complaints, reports, or information received by any Network Schools employee that sexual harassment is occurring or has occurred shall be immediately forwarded to The Network Schools' Title IX Coordinator or other designated employee for review and action as appropriate.

The Title IX Coordinator (Coordinator) shall promptly contact the complainant or reporting party and discuss with them the availability of supportive measures and will consider the complainant's wishes with respect to the provision of supportive measures. The Coordinator shall explain the availability of these measures to the complainant with or without the filing of a "formal complaint." During this initial meeting, the Coordinator or designee shall explain to the complainant the process for filing a written formal complaint and shall provide assistance to the complainant to ensure the written formal complaint is properly prepared and submitted.

*Emergency Removal (of students):* Nothing in this procedure prevents The Network Schools from removing a respondent from a Network Schools education program or activity on an emergency basis, provided that an individualized safety and risk analysis is performed by the Coordinator and Executive Director who determine that an immediate threat to the physical health or safety of any student or other individual arise from the allegations of sexual harassment that justify removal. The Coordinator and Executive Director shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights and requirements under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

*Administrative Leave (of employees):* Nothing in this procedure precludes The Network Schools from placing a non-student employee respondent on administrative leave during the pendency of a grievance investigation under this procedure. Notwithstanding the above, prior to placing an employee respondent on administrative leave, the Coordinator or designee shall ensure any rights provided by Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act are not impaired or violated.

## **2. Providing Supportive Measures**

If an informal complaint is filed, (for instance, because the complainant does not wish to file a written formal complaint,) as well as during the pendency of the investigation and the decision concluding a formal complaint, the following supportive measures may be implemented to restore or preserve the complainant's access to The Network Schools' educational programs without unreasonably burdening the other party (also referred to herein as respondent).

Supportive measures may include actions taken to protect the safety of all parties or The Network Schools' educational environment, or which otherwise deter sexual harassment from occurring in the future. Additional supportive measures may include, but are not limited to: counseling, the availability of a safe place or person in the event complainant feels threatened or uncomfortable, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services at school, mutual restriction of contact between the parties, changes in work locations, leaves of absence, increased security and/or monitoring of locations where prohibited conduct has occurred or may occur in the future, as well as additional measures to protect the complainant, provided the supportive measures initiated are not punitive to the respondent.

## **3. Filing a Written Formal Complaint**

Upon receipt of a written formal complaint, the Coordinator or designee is required to provide written notice to all known complainants and respondents of the allegations and the resulting investigation.

- A. General Notice Requirements: The notice will include The Network Schools' Title IX grievance process as well as information regarding The Network Schools' informal resolution process.
- B. Specific Notice Requirements: The written notice shall include the following information:
  - i. Information describing the alleged conduct potentially constituting sexual harassment, including sufficient details known at the time the notice is prepared to allow the parties to prepare a response prior to the investigator's initial interview, and shall be delivered to the parties in enough time to allow their preparation for the initial interview.
  - ii. Sufficient details include but are not limited to the identities of the parties involved, the conduct allegedly constituting sexual harassment, the date(s), and location(s) of the incident(s).
  - iii. A statement that the respondent is presumed to not be responsible for the alleged conduct, and that a determination of responsibility will not be made until the conclusion of the grievance process.
  - iv. A statement informing the parties that they are entitled to have an advisor or representative of their choosing who may be, though is not required to be, an attorney, and that the advisor is authorized to review all evidence submitted in the matter.
  - v. The notice must inform the parties that The Network Schools policy and procedure prohibit knowingly making false statements or knowingly submitting false information to the investigator or at any other time during the grievance process.
  - vi. The notice must warn the parties that retaliation is prohibited. Accordingly, the parties must be informed that no Network Schools employee or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this procedure. Retaliation includes circumstances where intimidation, threats, coercion, or discrimination are made for the purpose of interfering with any right or privilege secured by Title IX or this procedure. This includes threatening charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment. The Network Schools shall keep confidential the identity of:

- a. Any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment;
- b. Any complainant;
- c. Any individual who has been reported to be the perpetrator of sex discrimination;
- d. Any respondent; and
- e. Any witness

except:

- a. As may be permitted by FERPA ( 20 U.S.C. § 1232g) or a FERPA regulation (34 CFR Part 99);
- b. As required by law; or
- c. To carry out the purposes of this procedure, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed as an additional charge or counter-charge under these procedures.

- C. **Additional Charges:** If, during the course of the investigation, it is determined based on the information gathered that additional allegations or charges are warranted, an amended notice shall be prepared and submitted to the parties including the new allegations and charges as appropriate.
- D. **Consolidation:** The Coordinator may consolidate two or more formal complaints into a single action provided that the allegations of sexual harassment and retaliation arise out of a common set of facts or circumstances and if in the course of an investigation, it is determined that:
  - i. There is more than one respondent and/or more than one complainant; or
  - ii. There are cross-complaints, or additional complaints raised by the original complainant against the original respondent (such as retaliation), or by the respondent against any other party.

#### 4. **Conduct of the Investigation, Informal Resolution**

In the course of their investigation, The Network Schools' Coordinator and designees shall comply with the following requirements.

##### *Investigation*

- A. **Burden of Investigation:** The burden of gathering evidence sufficient to make a determination of responsibility is the responsibility of The Network Schools' investigator(s) and not the parties. However, The Network Schools' investigator is not authorized to access a party's records that are made or maintained by a health care provider such as a physician, psychiatrist, psychologist, or other recognized health care provider, if the record was made in the course of providing treatment to

the party, unless and until written consent from an authorized person is provided to obtain such privileged records for purposes of investigating and resolving the allegations of the formal complaint.

- B. Evidence Offered by Parties: The parties shall be provided an equal opportunity to call witnesses, including fact and expert witnesses, as well as other inculpatory and exculpatory evidence.
- C. No Restrictions: The ability of the parties to discuss the allegations under investigation or to gather and present evidence shall not be restricted.
- D. Equal Representation Rights: All parties shall have the same opportunity to have others present, or to be represented by the advisor of their choice throughout the grievance process, including attendance at related meetings or proceedings. If The Network Schools limits access to representation in any way at any time during the proceedings, such limitation shall be equally applied to all parties in the same manner. Access to representation may be limited only where a party is already represented as authorized by this procedure, and the additional representation will unduly increase the cost to the parties, and/or will not otherwise serve to significantly promote a legitimate purpose under this procedure.
- E. Notice of Interviews and Hearings: Adequate notice of the purpose, date, time, place, and the identities of all participants involved shall be provided to any party whose participation at a hearing, interview, or meeting is invited or expected, and allowing sufficient time for the party to prepare and fairly participate.
- F. Evidentiary Considerations: The investigation shall not consider:
  - i. Incidents not directly related to the possible violation, unless they evidence a pattern;
  - ii. The character of the parties; or
  - iii. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- G. Right to Inspect Evidence: All parties shall be provided equal access to inspect and review any or all evidence gathered during the investigation related to the allegations of the formal complaint, whether or not relied upon or referred to in the investigator's report. This will ensure that the parties can respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigation report, the investigator shall provide the parties and their respective advisors, when advisors are identified, a secured electronic or hard copy of the evidence subject to inspection. The parties must have at least ten business days to submit a written response which the investigator shall consider prior to completion of the investigative report. All such evidence shall be made available to all parties at any hearing to give the parties

equal opportunity to refer to such evidence during the hearing, including cross-examination of adult parties.

- H. Investigative Report: At least ten business days prior to a hearing, or other time of determination regarding responsibility, the investigator shall send to all parties and their advisors, if any, by electronic format or hard copy, a copy of the investigative report for the parties' review and written response. The parties' responses shall be made part of the record.

*Informal Resolution:* The informal resolution process may include mediation, or other meeting of the parties that does not involve a full investigation and adjudication of the complaint. The Network Schools may **not** require the parties to participate in an informal resolution process. Informal resolution is available **only** if a written formal complaint was submitted to the Coordinator. If these conditions are satisfied, then at any time during the course of an investigation, but prior to the time of the Decision-Maker's final determination of responsibility, the parties may request the Coordinator to initiate the informal resolution by process. In so doing, the Coordinator is required to comply with the following:

- A. Provide the parties with written notice informing them of the allegations at issue and the requirements of the resolution process. These requirements include the fact that a written agreement signed by the parties that resolves the allegations at issue will preclude the parties from resuming the formal complaint process that arose from the same allegations. The parties will also be informed that at any time prior to reaching a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and will be notified that the records submitted or discussed during the informal process will be maintained by The Network Schools as part of the record, and may be used by the Decision-Maker to determine responsibility.
- B. Require the parties submit voluntary, written consent to participate in the informal resolution process.
- C. Ensure that the informal resolution process is **not** made available to resolve allegations that an employee sexually harassed a student.
- D. An informal resolution, signed and agreed to by the parties thereto, is not appealable.

*Dismissal of a Formal Complaint:* A written formal complaint may be dismissed by the Coordinator under any of the following circumstances, and prior to a finding of responsibility:

- A. After investigating the allegations of the written formal complaint, dismissal is required if:
  - i. The Coordinator or designee determines that the conduct alleged in the complaint, even if proven, would not constitute sexual harassment as defined herein; or
  - ii. The alleged conduct did not occur in a Network Schools education program or activity; or
  - iii. The alleged conduct did not occur against a person in the United States.

Dismissal of the Title IX formal complaint, however, does not preclude action under another provision of The Network Schools' Code of Conduct or other Network Schools Policy.

- B. If the Complainant notifies the Coordinator in writing that he or she would like to withdraw the formal complaint or any allegations contained therein.
- C. If the respondent is no longer enrolled or employed by The Network Schools.
- D. If specific circumstances exist which prevent the investigator from gathering evidence sufficient to reach a determination regarding the merits of the formal complaint or allegations therein.

Upon dismissing a formal complaint, the Coordinator shall simultaneously inform the parties in writing that the complaint has been dismissed, and shall identify the reason(s) for the dismissal. This decision may be appealed in accordance the Appeals portion of this procedure, below.

## 5. **Decision-Maker's Participation**

If the matter is not dismissed for one of the reasons set forth above and is not resolved by the parties through the informal resolution process then, (following completion of the investigation, including issuance of the investigator's final investigation report,) the matter shall be submitted to the Decision-Maker for review and issuance of a determination of responsibility. The Decision-Maker cannot make a determination regarding responsibility until ten business days after the date the final investigation report is transmitted to the parties and the Decision-Maker, unless all parties and the Decision-Maker agree to an expedited timeline.

The Coordinator shall designate a single Decision-Maker or a three-member panel, and inform the parties and their advisors.

The Decision-Maker(s) may not have had any previous involvement with the investigation. Those who have served as investigators in the investigation cannot serve as Decision-Makers. Those who are serving as advisors for any party cannot serve as Decision-Makers in that matter. The Coordinator is also prohibited from serving as a Decision-Maker in the matter.

All objections to any Decision-Maker must be raised in writing. Any written objection must detail the rationale for the objection and must be submitted to the Coordinator no later than 2 business days after being notified of the Decision-Maker's identity. Decision-Makers shall not be removed unless the Coordinator concludes that the Decision-Maker's bias or conflict of interest precludes a fair and impartial consideration of the evidence.

The Coordinator shall give the Decision-Maker(s) a list of the names of all parties, witnesses, and advisors. Upon review thereof, if any Decision-Maker believes they cannot make an objective determination, they must recuse themselves from the proceedings. If a Decision-Maker is unsure whether a bias or conflict of interest exists, they shall immediately disclose their concern(s) to the Coordinator and simultaneously inform the parties and their advisors.



No less than ten business days prior to any meeting or the decision-making phase of the process, the Coordinator or the Decision-Maker shall send notice to all parties. Once mailed, emailed, or received in-person, Notice will be presumptively delivered.

The Notice shall contain the following:

- A. A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions that could result.
- B. The time, date, and location of any meeting.
- C. Any technology that will be used to facilitate the meeting.
- D. The name and contact information of the Decision-Maker, along with an invitation to object to any Decision-Maker on the basis of demonstrated bias. Such objections must be raised with the Coordinator at least two business days prior to the meeting.
- E. Information on whether the meeting will be recorded and, if so, information on access to the recording for the parties after the meeting.
- F. A statement that if any party does not appear at the scheduled meeting, the meeting will only be rescheduled for compelling reasons.
- G. Notification that the parties may have the assistance of an advisor of their choosing at the meeting.
- H. A copy of all the materials provided to the Decision-Maker(s) about the matter.
- I. An invitation for the parties to review and submit a written response to the final investigation report within seven business days of the date of the notice.
- J. An invitation to each party to submit to the Decision-Maker any written, relevant questions they want the Decision-Maker to ask of any other party or witness within seven business days of the date of the notice.
- K. An invitation to each party to submit to the Decision-Maker an impact statement, pre-meeting, that the Decision-Maker will review during any sanction determination.
- L. An invitation to contact the Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at any meeting or in the decision-making process, at least seven business days prior to the meeting/final determination.
- M. Whether parties can or cannot bring mobile phones or devices into the meeting.

Meetings for possible violations that occur near or after the end of a school year, assuming the respondent is still subject to Policy 3085 and Procedure 3085P, and are unable to be resolved prior to the end of the school year will typically be held as soon as possible given the availability of the parties, but no later than immediately upon the start of the following school year. The Network Schools will implement appropriate supportive measures intended to correct and remediate any hostile environment while the resolution is delayed.

- A. **Evidentiary Consideration by the Decision-Maker:** Whether at a hearing or through an exchange of questions, only relevant, credible evidence will be admitted into evidence and considered by the Decision-Maker. Any evidence that the Decision-Maker(s) determine(s) is relevant and credible may be considered. The Decision-Maker will not consider:
  - i. Incidents not directly related to the possible violation, unless they evidence a pattern;
  - ii. The character of the parties; or

- iii. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information may only be considered at the sanction stage of the process and cannot be shared with the Decision-Maker until that time.

The parties may each submit a written impact statement for the consideration of the Decision-Maker(s) at the sanction stage of the process when a determination of responsibility is reached.

- B. **Hearing Procedure and Exchange of Questions Procedure:** At the time the matter is referred to the Decision-Maker(s), the Coordinator shall determine, based on the parties involved and the circumstances of the alleged sexual harassment, whether to hold a hearing or to initiate an exchange of questions procedure, and shall so inform all parties and their advisors. Both of these decision-making procedures are discussed below. Upon their selection, the Decision-Maker(s) shall review the evidence and issue a determination of responsibility based on the following circumstances and procedures.
- C. **Exchange of Questions Procedure:** Where a party involved is an elementary student, or where the Coordinator otherwise determines that a hearing is not appropriate under the circumstances, the Coordinator will initiate the Exchange of Questions Procedure, which provide as follows.

After the Coordinator or designee has submitted the investigative report to the parties pursuant to this procedure and before reaching a determination regarding responsibility, the Decision-Maker(s) shall provide each party an opportunity to submit written, relevant questions that party desires to ask of any party or witness, and shall subsequently provide each party with the answers. The Decision-Maker will also allow for additional, limited follow-up questions from each party to the other, and provide both with complete copies of the answers. Upon receipt of the proposed questions, the Decision-Maker will review the proposed questions and determine which questions will be permitted, disallowed, or rephrased. The Decision-Maker shall limit or disallow any questions that are irrelevant, repetitive (and thus irrelevant), or abusive. The Decision-Maker shall have full authority to decide all issues related to questioning and determinations of relevance. The Decision-Maker may ask a party to explain why a question is or is not relevant from their perspective. The Decision-Maker shall explain any decision to exclude a question as not relevant or to reframe it for relevance. Whether a hearing is held or not, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant:

- i. Unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
- ii. If the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. This basis for asking questions or presenting evidence shall not be allowed if the respondent is an adult, non-student employee, because consent is not a recognized defense in cases where the complainant is a student and the respondent is an employee.

The Decision-Maker, after any necessary consultation with the parties, investigator(s), and/or Coordinator, shall provide the parties and witnesses with:

- i. The relevant written questions to be answered; and
- ii. A deadline for the parties and witnesses to submit written responses to the questions and any appropriate follow-up questions or comments by the parties.

The exchange of questions and responses by the parties and witnesses shall be concluded within a seven business day period.

- D. **Hearing procedure:** Where both parties are adult employees, or a mature secondary school student, the Coordinator may initiate the live Hearing Procedure. If either party, however, objects and requests the Exchange of Questions Procedure, then the Exchange of Questions procedure shall be followed by the Decision-Maker(s). The Hearing Procedure shall include the following:

At the live hearing, the decision maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of The Network Schools to restrict the extent to which advisors may participate in the proceedings, as long as the restrictions apply equally to all parties. At the request of either party, The Network Schools must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions. Only relevant cross-examination and other relevant questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, The Network Schools shall provide without fee or charge to that party, an advisor of The Network Schools' choice to conduct cross-examination on behalf of that party. The advisor may be, but is not required to be, an attorney.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- i. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
- ii. If the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

In cases where both parties are 18 or older, if a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker(s) is prohibited from relying on any statement of that party or witness in reaching a determination regarding responsibility. However, that the Decision-Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Live hearings pursuant to this paragraph may be conducted with all parties physically present in the same geographic location or, at The Network Schools' discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. The Network Schools shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

At the hearing, the Decision-Maker shall have the authority to hear and make determinations on all allegations of Title IX sexual harassment and may also hear and make determinations on any additional alleged violations of policy or procedure that have occurred in concert with the Title IX sexual harassment, even though those collateral allegations may not specifically fall within the definition of sexual harassment set for in these procedures.

Any witness scheduled to testify before the Decision-Maker must have been first interviewed by the investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Decision-Maker agree to the witness's participation.

If the parties and Decision-Maker do not agree to the admission of evidence newly offered at the hearing, the Decision-Maker may delay the meeting and instruct that the investigation needs to be re-opened to consider that evidence.

If the parties raise an issue of bias or conflict of interest of an investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, and/or refer them to the Coordinator, and/or preserve them for appeal. If bias is not in issue during the hearing, the Decision-Maker shall not permit irrelevant questions regarding bias.

## **6. Decision Making Process and Determination Requirements**

Following its review of the evidence submitted by the investigator and the parties, the Decision-Maker, (who cannot be the Coordinator) shall issue a written determination of responsibility. To reach this determination, The Network Schools' burden of proof — clear and convincing evidence — must be described, and the burden satisfied, before the respondent can be found responsible for sexual harassment in violation of Title IX.

The written determination of responsibility shall include the following information:

- A. Identification of the allegations potentially constituting sexual harassment in violation of Title IX.
- B. A description of the procedural steps taken from receipt of the written formal complaint through the determination, including notifications to the parties, interviews of the parties and witnesses, site visits, methods used to obtain other evidence, and hearings used.
- C. Findings of fact supporting the determination.
- D. Conclusions regarding application of The Network Schools' code of conduct to the facts.
- E. A statement of and rationale for the determination as to each allegation, including any determination regarding responsibility, any disciplinary action to be imposed on the respondent, and identification of remedies and measures, if any, that will be provided to restore or preserve equal access to The Network Schools' educational programs and activities to be provided to the complainant.
- F. Considerations for disciplinary action. Factors considered when determining discipline may include, but are not limited to:
  - i. The nature, severity of, and circumstances surrounding the violation(s);
  - ii. The respondent's disciplinary history;
  - iii. Previous allegations or allegations involving similar conduct;
  - iv. The need for discipline to bring an end to the Title IX sexual harassment;
  - v. The need for discipline to prevent the future recurrence of Title IX Sexual harassment;
  - vi. The need to remedy the effects of the Title IX sexual harassment;
  - vii. The impact on the parties; and
  - viii. Any other information deemed relevant by the decision-maker(s)
- G. The discipline imposed shall be implemented as soon as is feasible, either upon the outcome of any appeal or upon the expiration of the window to appeal if no appeal is requested. The sanctions described in this process are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.
- H. Identification of the procedures for filing an appeal and the permissible grounds for complainant or respondent to base their appeal.

The Decision-Maker shall simultaneously provide their written determination to all parties. The determination becomes final either, (where an appeal is filed,) on the date the parties are provided copies of the written determination of the result of the appeal; or, (if no appeal is filed,) the date on which an appeal would no longer be considered timely.

The Coordinator is responsible for the effective implementation of any and all remedies set forth in the written determination of responsibility. In the event a student expulsion is recommended, pursuant to and in accordance with the requirements of Idaho Code § 33-

205, the Coordinator shall ensure that an expulsion hearing is scheduled and heard by the Board of Trustees.

## 7. Appeals

Any party may file a request for appeal in writing with the Coordinator within seven business days of the delivery of the notice of a final decision.

A single appeal decision-maker shall chair the appeal. No appeal decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The request for appeal shall be forwarded to the appeal chair for consideration to determine whether the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is filed in a timely manner.

Appeals shall be limited to the following grounds:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- C. The Coordinator, investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter;

Appeal procedure: Upon receipt of a valid appeal, the Coordinator shall:

- A. Notify the other party in writing that an appeal has been filed, and implement the appeal procedure fairly and equally for both parties.
- B. Ensure the appeal decision-maker(s) is not:
  - i. The same person(s) as the Decision-Maker(s) that issued the written determination of responsibility;
  - ii. The person who issued the dismissal;
  - iii. The investigator; or
  - iv. The Coordinator.
- C. Ensure the appeal decision-maker has been trained in accordance with the requirements of this grievance procedure.
- D. The appealing party shall have ten business days following the delivery of the notice of the appeal to submit a written statement in support of the appeal and challenging the outcome. The responding party shall have ten business days following the delivery of the appealing party's statement in support of appeal to submit the

responding party's written statement in opposition to the appeal (and supporting the outcome that is the subject of the appeal). In the event the parties and the appeal decision-maker agree to a different briefing schedule (whether allowing more or less time), the time allowed to prepare a written statement shall be the same for all parties.

- E. Issue a written decision describing the result of the appeal and identifying the bases and rationale for the decision.
- F. Provide the written decision simultaneously to all parties.

### **Requirements of the Title IX Grievance Procedure**

The following requirements apply to the conduct of the Title IX Grievance procedure set forth above.

1. **Equitable treatment of the parties:** At all times, both complainants and respondents shall be equitably treated by providing remedies to a complainant until a determination of responsibility for sexual harassment has been made against the respondent. No sanction or discipline may be imposed against the respondent unless and until the process required by this procedure has been completed. Until a final determination of responsibility has been issued only "supportive measures" may be initiated that are non-disciplinary or non-punitive and avoid burdening the respondent. Any and all final remedies, however, must be designed to restore or preserve equal access to The Network Schools' education program or activity. Such remedies may include the same individualized services described as "supportive measures;" however, following the decision, such remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent
2. **Objective evaluation of the evidence:** The formal grievance process involves an objective evaluation of all relevant evidence obtained, including evidence that supports the conclusion the respondent engaged in a violation of policy or procedure and evidence that supports the conclusion the respondent did not. Credibility determinations may not be based solely on an individual's status or participation as a complainant, respondent, or witness.
3. **Lack of bias:** Any individual materially involved in the administration of the formal grievance process including the Coordinator, investigator(s), decision-maker(s) and appeal decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific complainant or respondent.
4. **Title IX training of The Network Schools participating staff:** Any individual designated by The Network Schools as a Coordinator, investigator, decision-maker, or any person designated by The Network Schools to facilitate an informal resolution process, cannot have a conflict of interest or bias for or against complainants or respondents generally, or against any individual complainant or respondent. The Network Schools shall ensure that Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of "sexual harassment" set forth in this procedure, the scope of The Network Schools' education program or activity, how to conduct an investigation and grievance process



including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Network Schools shall ensure that Decision-Makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as required by this procedure. The Network Schools shall also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in this procedure. All materials used to train Coordinators, investigators, decision-makers, and any persons facilitating an informal resolution process, shall not rely on stereotypes based on gender, and must promote impartial investigations and adjudications of formal complaints of sexual harassment, and provide guidance therefor.

5. **Presumption of innocence:** The Network Schools presumes that the respondent is not responsible for the reported misconduct unless and until a final determination is made, in accordance with this procedure, that Policy 3085 or procedure 3085P prohibiting sex discrimination and sexual harassment has been violated.
6. **Promptness:** Investigations are completed promptly, normally within 30 business days, though some investigations may take longer, depending on the nature, extent, and complexity of the allegations; availability of witnesses; police involvement; and other factors.

The Network Schools shall make a good faith effort to complete the investigation as promptly as possible and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Notwithstanding the above, The Network Schools may undertake a delay in its investigation, lasting from several days to a few weeks, if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or a need for accommodations for disabilities or health conditions.

The Network Schools shall communicate in writing the anticipated duration of the delay and the reason for it to the parties and provide the parties with status updates if necessary. The Network Schools will promptly resume its investigation and formal grievance process as soon as feasible. During such a delay, The Network Schools will implement supportive measures as deemed appropriate.

The Network Schools action(s) or processes may be delayed, but are not stopped by, civil or criminal charges involving the underlying incident(s). Dismissal or reduction of those criminal charges may or may not impact on The Network Schools' action(s) or processes.

7. **Description of sanctions.** The following describes the range of sanctions that may be implemented following a finding of responsibility.



Student Discipline: The following are the usual sanctions that may be imposed upon students singly or in combination:

- A. A warning;
- B. Required counseling;
- C. A required substance abuse treatment program;
- D. Exclusion from participating in extracurricular activities or other Network Schools programs/activities;
- E. Alternative placement;
- F. Suspension, which may be in-school, out-of-school, long-term, short-term, extended, or other suspensions;
- G. Expulsion (in compliance with I.C. § 33-205); and
- H. Other actions: In addition to or in place of the above sanctions, The Network Schools may assign any other sanctions deemed appropriate.

Employee Sanctions: Sanctions for an employee may include:

- A. A verbal or written warning;
- B. A performance improvement plan or management process;
- C. Enhanced supervision, observation, or review;
- D. Required counseling;
- E. Required training or education;
- F. Probation;
- G. Denial of pay increase or pay grade;
- H. Loss of oversight or supervisory responsibility;
- I. Demotion;
- J. Transfer;
- K. Reassignment;
- L. Assignment to a new supervisor;
- M. Restriction of professional development resources;
- N. Suspension with pay;
- O. Suspension without pay;
- P. Termination (in compliance with I.C. § 33-513(5), in the case of certificated employees);
- Q. Other actions: In addition to or in place of the above sanctions, The Network Schools may assign any other sanctions as deemed appropriate.

8. **Burden of proof.** When determining whether the respondent is responsible for violating Policy 3085 or Procedure 3085P by discriminating based on sex and/or for sexual harassment as defined herein, the decision-maker shall apply the clear and convincing evidence standard; which requires that the evidence proves there is a high probability that the respondent violated the policy or procedure.
9. **Appeals.** Any party may file a request for appeal in writing to the Coordinator within seven business days of the delivery of the notice of a final outcome.
10. **Supportive measures:** Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties. Supportive measures are designed to restore or preserve access to The Network Schools' education program or activity, including measures

designed to protect the safety of all parties or The Network Schools' educational environment, and/or deter Title IX sexual harassment. Examples of supportive measures may include, but are not limited to:

- A. Referral to counseling, medical, and/or other healthcare services;
- B. Referral to the Employee Assistance Program
- C. Referral to community-based service providers;
- D. Visa and immigration assistance;
- E. Education of the school community or community subgroup(s);
- F. Altering work arrangements for employees;
- G. Safety planning;
- H. Providing school safety escorts;
- I. Providing transportation accommodations;
- J. Implementing contact limitations, such as no contact orders, between the parties (note: allegations of violations of a no contact order will be investigated as collateral misconduct under this process);
- K. Academic support, extensions of deadlines, or other course or program-related adjustments;
- L. Emergency warnings;
- M. Class schedule modifications, withdrawals, or leaves of absence;
- N. Increased security and monitoring of certain areas of the school; and
- O. Any other actions deemed appropriate by the Coordinator.

11. **Recognition of privileges:** At no time during this grievance procedure may any evidence (whether through testimony or documents) be required, admitted, relied upon, or otherwise obtained by asking questions or admitting evidence that constitutes, or seeks disclosure of, information protected by a legally recognized privilege, unless the person holding the privilege has knowingly and freely waived the privilege.

12. **Recordkeeping;**

A. The Network Schools shall maintain for a period of seven years records of:

- i. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required where a hearing is held, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to The Network Schools' education program or activity;
- ii. Any appeal and the result therefrom;
- iii. Any informal resolution and the result therefrom; and
- iv. All materials used to train Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Network Schools shall make these training materials publicly available on its website.

B. For each response to a report of harassment or discrimination based on sex, The Network Schools shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or

formal complaint of sexual harassment. In each instance, The Network Schools shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it took measures designed to restore or preserve equal access to The Network Schools' education program or activity. If The Network Schools does not provide a complainant with supportive measures, then the Coordinator must document the reasons why such a response was not clearly unreasonable in light of the known circumstances (i.e., was not a result of sex discrimination). The documentation of certain bases or measures does not limit The Network Schools in the future from providing additional explanations or detailing additional measures taken or to be taken.

### Title IX Grievance Procedure Definitions

The following definitions apply to the identified terms used in this procedure:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to:

1. The Network Schools' Title IX Coordinator; or
2. Any Network Schools official possessing the authority to institute corrective measures on behalf of The Network Schools; or
3. Any employee of The Network Schools.

Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of The Network Schools with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of The Network Schools. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Coordinator as set forth in this procedure.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Under circumstances where a sexual assault is alleged by a student against an adult, non-student employee, The Network Schools does not recognize the defense of "consent," however it is defined. Where the parties are both adults, however, the following definition of "consent" will apply: Consent occurs where there is a knowing, voluntary, and clear grant of permission, by word or action, to engage in sexual activity. Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. Consent may be withdrawn. A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. It is a violation of policy if a respondent engages in sexual activity with someone who is incapable of giving consent, or is otherwise incapacitated.

"Incapacitation" occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing, informed consent. For example, they cannot understand the "who, what, when, where, why, or how" of their sexual interaction.

“Formal Complaint” means a document filed by a complainant, or signed by the Coordinator, alleging sexual harassment against a respondent and requesting that The Network Schools investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the educational programs or activities of The Network Schools. A formal complaint may be filed with the Coordinator in person, by mail, or by electronic mail, or by using the contact information listed on The Network Schools’ website. As used in this paragraph, the phrase “document filed by a complainant” means a document or electronic submission, (such as by electronic mail or through an online portal provided for this purpose by The Network Schools,) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Coordinator signs a formal complaint, the Coordinator is not a complainant or otherwise a party to this grievance procedure, and must comply otherwise with the requirements of this procedure.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

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

1. “Quid pro quo” harassment, which occurs when a Network Schools employee conditions the provision of a Network Schools benefit, service, or assistance on an individual’s participation in unwelcome sexual conduct;
2. “Hostile Environment,” which is defined as 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 Network Schools education program or activity; or
3. Physical threats and attacks, including “sexual assault,” defined as forcible and non-forcible sex offenses as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

“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 in cases where either no formal complaint has been filed, or both before and/or after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to The Network Schools’ education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or The Network Schools’ educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Network Schools shall maintain as confidential any supportive measures provided to the complainant or respondent, provided that maintaining such confidentiality will not impair the ability of The Network Schools to provide the supportive measures. The Coordinator is responsible for coordinating the effective implementation of all supportive measures.

“Elementary school” and “secondary school” as used in this procedure refer to a local educational agency, as defined in the Elementary and Secondary Education Act of 1965, as

amended by the Every Student Succeeds Act, a preschool, or a private elementary or secondary school, and include this Network Schools.

**Revision of These Procedures**

The Network Schools reserves the right to make changes to these procedures as necessary, Once those changes are posted online, they shall be in effect. If laws or regulations change or court decisions alter the requirements in a way that impacts these procedures, this document shall be construed to comply with the most recent government regulations or holdings.

References: 34 CFR Part 106 Nondiscrimination on the Basis of Sex in Educational Programs or Activities Receiving Federal Financial Aid

**Procedure History:**

Promulgated on: 10/26/2020

Revised on:

Reviewed on:

## The Network Schools

### STUDENTS

#### 3090 Foreign Exchange Students

The following procedures govern the admission of non-immigrant exchange students to The Network Schools.

##### Policy Regulations

A foreign exchange student is defined as a student from a foreign country studying in the United States under the sponsorship of an exchange organization. Only students who are sponsored by exchange organizations which have programs listed with the Council on Standards for International Educational Travel will be approved to attend The Network Schools. The organization must have a local sponsor. The permanent host family must be living within the appropriate school boundary by the first day of semester.

The number of students allowed will be determined annually by the Administrative Staff, but will not exceed ten (10) per year, including the decision to have no exchange students in a given year. Exchange students will only be accepted in the high school and only for the 9th and 10th grade years.

The district will follow the regulations for exchange programs as defined by the Council on Standards for International Educational Travel.

##### Implementing Procedures

Each exchange organization will submit a letter of intent to place students to school designee. All requests for placement will be accepted starting January 1st and will be accepted until May 1st for the following school year. The designee will respond to all requests.

After approval and no later than May 1, each organization will submit to the school designee the: Names of candidates and host families, name and address of local representative for the organization, and a translated transcript for each candidate. Transcripts must indicate grade placement, previous course work and record of English proficiency.

Foreign exchange students will be entered only at the beginning of the first semester, and enrollment will be for no less than one (1) semester and no more than two (2) consecutive semesters.

These students should not expect to receive any free services from the district such as yearbooks, activity cards, lunches, ski passes, etc. Requests for short-term exchange programs must be approved by administration.

Foreign exchange students will be enrolled at the 9th or 10th grade level and will be enrolled in a full schedule of classes. Each semester will include:

- One (1) Language Arts One (1) Social Studies One (1) math
- One (1) science
- Three (3) Academic and/or elective areas

Foreign exchange students may not be enrolled in the school or district ELL, LEP, IDEA or 504 programs.

It will be the responsibility of the sponsoring organization to provide tutors and/or any necessary assistance required to help the foreign exchange student meet acceptable standards. If this cannot be accomplished, the student faces withdrawal from the school.

Foreign exchange students will participate in classes as regular school students. Foreign exchange students will not be enrolled on a non-credit or adult basis. They are required to take the examinations and do the work required by the teachers of the classes for which they are enrolled. This includes compliance with the school district's attendance and discipline policy.

After a six (6) week adjustment period, the building designee will notify the local sponsor if a foreign exchange student is not achieving or does not have an acceptable proficiency in English.

Sponsors and/or organizations who do not consistently screen and monitor foreign exchange students and host families, or who misrepresent information provided to the school may lose the privilege of placing students at The Network Schools.

Legal Reference: 20 U.S.C. 221, et seq. Foreign and Exchange Students

Policy History:

Adopted: 2/22/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3200 Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate The Network Schools policies or rules will be subject to disciplinary measures.

Cross References: Student Policy 3330 Student Discipline  
Student Policy 3370 Searches and Seizure

Legal References: I.C. § 33-205 Denial of school attendance  
Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3220 Student Use of Buildings: Equal Access

Non-curriculum related secondary school student organizations may conduct meetings on school premises without intervention on the basis of the religious, political, philosophical or other content of the meeting.

The following criteria must be met:

- a. The meeting is voluntary and student-initiated;
- b. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
- c. The meeting must occur during non-instructional time on regular school days;
- d. Employees or agents of the school or government are present only in a non-participatory capacity;
- e. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- f. Non-school persons may not direct, conduct, control, or regularly attend activities.

Although the school assumes no sponsorship of these kinds of meetings, all meetings held on school premises must be scheduled and approved by the Administrative Staff.

This policy pertains to student meetings. The school has the authority, through its agent or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.

Legal References: 20 U.S.C. 4071, et seq. Equal Access Act  
*Westside Community Board of Education v. Mergens*, 496 U.S. 226 (1990)

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

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Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3225 Student Clubs: Equal Access

The Network Schools Board regards student clubs and organizations as an important part of the education and development of students.

##### Definitions

As used in this policy:

- A. "School" shall mean The Network Schools.
- B. "Club" shall mean a sponsored club or a non-sponsored or non-curriculum club of students of the school who wish to organize and meet for common goals, objectives, or purposes, but does not include school activities.
- C. "Sponsored Club" shall mean a club which is directly under the sponsorship, direction, and control of the school.
- D. "Non-sponsored or non-curriculum Club" shall mean a student-initiated club which is not under the sponsorship, direction or control of the school or any student initiated club that does not directly relate to the body of courses offered by the school.
- E. "Non-participating capacity" shall mean a person may not promote, lead or participate in any meeting.

##### Equal Access Guidelines For All Student Clubs

The Network Schools shall provide equal access and a fair opportunity for student clubs to organize and to meet on school premises during the times established for such meetings.

The following general guidelines will be observed in approving, establishing, and operating student clubs at The Network Schools.

- A. Each proposed student club must complete and submit a *Student Club Form* to a Director or designee stating the name, specific purpose of the club, the membership requirements, the activities of the club and meeting dates and times. Each proposed club shall have the student group perform a risk management assessment of the proposed student club activities.
- B. Approval for a Sponsored Club must go before The Network Schools Board at a regular board meeting.
- C. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in The Network Schools. All student groups meeting on school premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises during the lunch hour and at the end of the school day on days when

school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Students shall be responsible for ensuring the presence of a faculty sponsor or monitor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by a Director or designee.

- D. All clubs must comply with provisions of the school's student constitution, if applicable.
- E. No hazing of students shall be permitted.
- F. A Head of School or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.
- G. A Head of School or designee may temporarily or permanently terminate the opportunity of any club to meet on school premises if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.

#### Guidelines for Sponsored Student Clubs

For sponsored clubs, the following guidelines will apply:

- A. Each sponsored student club will have a faculty, staff member or an authorized volunteer appointed by The Network Schools as sponsor. The sponsorship shall be approved by a Head of School or designee.
- B. All activities of the club must have prior approval of the sponsor.
- C. The Enrichment Director will forward the completed sponsored *Student Club Form* request to The Network Schools board for approval or denial.
- D. Club funds shall be subject to deposit, audit and disbursement in accordance with the board policies of The Network Schools.
- E. The content and placement of club posters or advertisements shall be approved by the club sponsor.
- F. Student Clubs will establish a membership fee at a level designed to cover anticipated annual costs of running the club. Clubs shall not undertake fundraising activities.

#### Guidelines for Non-Sponsored or Non-Curriculum Student Clubs

The Network Schools shall not sponsor student clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-sponsored or non-curriculum, and must engage a school employee to monitor their activities while on the premises. The Network Schools shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored or non-curriculum clubs or its members. Any club whose activities are deemed by a Director to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

For non-sponsored or non-curriculum clubs, the following guidelines will apply:

- A. The formation of non-sponsored or non-curriculum clubs shall be student initiated.
- B. Recognition by The Network Schools of a non-sponsored or non-curriculum club is not an endorsement of the aims, policies, or opinions of the student organization or its members.
- C. The Network Schools' name will not be identified with the aims, policies, or opinions of the student organization or its members.
- D. A Director or designee will approve or deny the completed non-sponsored or non-curriculum *Student Club Form* request.
- E. Notices of meetings of non-curricular student organizations may be posted on a designated bulletin board used by all non-school-sponsored organizations.
- F. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place. Student Clubs will establish a membership fee at a level designed to cover anticipated annual costs of running the club. Clubs shall not undertake fundraising activities.
- G. Every student club must have a The Network Schools employee volunteer as a monitor to the club or a non-employee as approved by the Head of School. The monitor shall be responsible for monitoring the meetings to ensure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained. Monitors shall attend the meetings of non-sponsored or non-curriculum clubs that are political or religious in nature in a non-participatory capacity.
- H. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club.
- I. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by a Director or designee.
- J. The Network Schools shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-sponsored or non-curriculum clubs to raise money.
- K. All non-school persons must follow The Network Schools volunteer policy.

Legal Reference: 20 U.S.C. §§ 4071, et seq. Equal Access Act Policy

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 4/23/2018	Revised: 4/23/2018
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 1/24/2022	Revised: 1/24/2022

## The Network Schools

### STUDENTS

#### 3225F Student Club Risk Management Plan

Each School Sponsored Student Club must develop and implement a plan that identifies hazards and / or potential exposures to club members, faculty staff members, and school property. This plan should also outline the policies and procedures needed to control the identified hazards.

Due to the variety of club activities that can occur within a school, it is critical that hazards and exposures created by the club activities be carefully evaluated. Some clubs, for example a Chess Club, may not have significant hazards; however, other clubs such as a Drag Racing Club, or a Rodeo Club could have the potential for severe injuries. Each Risk Management Plan should be customized to the hazards of the individual club. To assist you in developing your plan, you can answer the following questions:

- What are the purposes and goals of the club?
- What are the responsibilities of the club members?
- What training is to be required of club members? Are there minimal knowledge requirements? How will these be tested? How are training and test results documented and maintained?
- What are the responsibilities of the faculty or school appointed sponsor?
- What special training or education is required of the faculty or school staff sponsor? Are they certified through a recognized organization?
- What safety rules are necessary to conduct club activities minimizing hazards and exposures to club members, school staff members, and school property?
- What safety equipment is needed? who is to provide this equipment? How is the equipment to be inspected and tested?
- What emergency response procedures are necessary based upon the inherent risks of the club activities? As an example; first-aid, and emergency communication?
- Are parent consent forms required? If so, where are the records maintained?

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3230 Student Government

The Board encourages the function of student councils in The Network Schools' elementary and secondary schools. Student councils shall assist in improving the general welfare of all students and give students the opportunity to participate in the orderly workings of the democratic process

Student councils shall not have authority to make policies or procedures for The Network Schools or the school. However, they may make recommendations to the administration on any topic of student concern.

Eligibility rules for candidates and rules for conducting campaigns and elections should be published, widely announced and uniformly enforced.

Legal Reference: I.C. § 33-506 District Trustees – Organization and Government of Board of Trustees

#### Policy History:

Adopted: 8/2013

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Reviewed: 2/25/2019

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## **The Network Schools**

### **STUDENTS**

#### **3240 Student Publications**

Journalistic experience in a school setting should be calculated to develop the background of skills and understanding which will equip a student for the responsibilities of the free press in our society. Students must recognize, however, that a school-sponsored newspaper is unique and different from other newspapers in at least four ways.

1. It is an instructive tool in addition to a means of student self-expression;
2. It is read not just by the intended audience of fellow students, but also by parents and many citizens outside The Network Schools;
3. It is partially supported by tax funds; and
4. It is an influence on the public relations of the entire Network Schools since its content is read by many not simply as expressions of individual students, but as expressions representative of the entire student body and approved by the administration.

The concept of “freedom of the press” under the First Amendment has application with regard to school-sponsored publications. However, the United States Supreme Court has established that school officials may exercise editorial control over the style and content of school-sponsored newspapers without violating the First Amendment. All school-sponsored publications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of The Network Schools, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The Network Schools recognizes that there are valid and necessary reasons to exercise such prepublication editorial control and to impose reasonable restrictions on student speech in school-sponsored publications. Thus, the following guidelines apply to all school-sponsored student publications.

1. The Network Schools publications are those publications, including, but not limited to, school newspapers, yearbooks, and athletic programs, which may fairly be characterized as part of The Network Schools’ curriculum, whether or not they occur in a traditional classroom setting. Generally they include student publications which are supervised by a faculty member and are designed to impart particular knowledge or skills to student participants and audiences. However, they also may include publications which students, parents, and members of the public reasonably perceive to be sponsored or approved by The Network Schools. The author’s name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.
2. The Network Schools will not restrict student freedom of expression when such expression is within the rules of responsible journalism and is consistent with the four limitations outlined below. An Administrative Staff member of The Network Schools shall meet with the publication advisor, student editors, and student writers to establish guidelines for

achieving a maximum of student freedom of expression subject to the limitations set forth in this policy.

3. All publications must be reviewed and approved by Administrative Staff prior to distribution. Administrative Staff shall have the authority to determine the appropriateness of any particular item for publication. In exercising such authority, material will not be considered suitable for publication if it is:
  - A. Ungrammatical;
  - B. Inadequately researched;
  - C. Obscene;
  - D. Defamatory;
  - E. Advocates prejudice based on race, religion, sexual orientation, or gender identity or expression;
  - F. Invades the privacy rights of others;
  - G. Is unsuitable for the audiences for which the publication is intended;
  - H. Contributes to the disruption or interruption of the educational process or the operation of the school; or
  - I. Otherwise is contrary to The Network Schools policy or applicable federal or State law.

Administrative Staff may also exclude material that may serve to associate The Network Schools with any position other than neutrality on matters of political controversy.

4. Administrative Staff shall have the authority to determine whether advertising will be accepted for inclusion in school-sponsored student publications. The Network Schools has an important interest in avoiding the impression that it has endorsed a viewpoint at variance with its educational mission. Consequently, if advertising is accepted, the Administrative Staff shall have authority to exclude certain categories of advertising. For example, drug, drug paraphernalia, alcoholic beverage advertisements, or any other advertisements that may be viewed as encouraging action that might endanger the health and welfare of students may be excluded. Similarly, advertisements may be excluded if they are:
  - A. Factually inaccurate;
  - B. Defamatory;
  - C. Obscene;
  - D. Advocate prejudice based on race, religion, sexual orientation, or gender identity or expression;
  - E. Contain either explicit or implicit sexual content or overtones; or
  - F. Are of poor production quality.

Administrative Staff may also exclude advertising that may serve to associate The Network Schools with any position other than neutrality on matters of political controversy.

5. In the event that the Administrative Staff determines that material is not suitable for publication, students may appeal such decision to the Executive Director or his or her designee. The decision of the Executive Director or his or her designee will be final.
6. Copies of each issue of the student publication shall be sent to the Executive Director and each member of the Board of Directors.



Legal Reference: *Hazelwood School District et al. v. Kuhlmeier et al.*, 484 U.S. 260 (1988).

Policy History:

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Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3250 Distribution and Posting of Materials

The distribution of materials from outside the school system uses a considerable amount of valuable educational time. This time is taken away from students, teachers, and the clerical staff. It is The Network Schools' policy to limit the distribution of materials to parent and student organizations sponsored by The Network Schools or other governmental agencies. Materials that provide information valued or needed by The Network Schools may also be distributed.

Students should not be used to distribute partisan materials or information pertaining to a school or general election, budget or bond issue, or negotiations. Students should not be exploited for the benefit of any individual, group or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the chief school administrator. All materials distributed will clearly indicate their source. Non-school-related materials will be plainly labeled, including a disclaimer that the activity is "not a school-sponsored activity."

All organizations must have the approval of the Administrative Staff before materials may be distributed. The Administrative Staff will use the guidelines listed above in the approval of the distribution of the materials.

In order to facilitate the distribution of materials with information about student activities offered in the community, The Network Schools will do the following:

- A. Maintain a centrally located bulletin board for the posting of bulletins.
- B. Maintain a table where flyers and other information can be made available to students.
- C. Include announcements for student related activities in newsletters, or in emails to student and/or parent and/or guardian that is on file with the school. The announcements must be submitted one (1) week prior to the newsletter in which the announcement is to go home, must advertise a youth-oriented activity, and must be of non-religious or non-political nature.

It is the intent to post all notices and place flyers on the distribution table except those that are viewed by the Administrative Staff as likely to be disruptive, libelous or obscene.

Cross References:    Student Policy 3430 Distribution of Fund Drive Literature Through Students  
                              Community Relations Policy 4280 Use of School Property for Posting Notices  
                              Community Relations Policy 4290 Distribution of Fund Drive Literature Through Students

Policy History:

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## The Network Schools

### STUDENTS

#### 3255 Student Dress

One of the fundamental purposes of school is to provide the foundation for the creation and development of a proper attitude toward education. In order to further this purpose, it is essential to create and maintain an effective teaching and learning environment. Student attire impacts the teaching and learning environment. It can either promote a more effective educational environment, or it can disrupt the educational climate and process. Student attire that is acceptable for some social settings may not be acceptable for the educational environment of school.

Students are reminded that their appearance (clothing and grooming) significantly affects the way others respond to them. Matters of dress remain the primary responsibility of students, in consultation with their parents or legal guardians. Nevertheless, since it is the duty of the Board of Trustees to provide an educational atmosphere conducive to learning, minimizing disruptions or distractions, and to protect the health, safety, and morals of students all students will adhere to the following certain minimum standards of dress when the student is on any school premises or at any school sponsored activity, regardless of location.

#### Prohibited Dress

In general, students are not to wear or carry items of apparel (clothing, accessories, cosmetics, tattoos, jewelry—including body piercing) which depict or allude to, by picture, symbol or word, drugs, including alcohol and tobacco, e-cigarettes, controlled substances, drug paraphernalia, gangs, violence, sexually explicit, lewd, indecent or offensive material, or illegal acts. The wearing, using, or displaying of any gang clothing or attire (based upon the Administrative Staff /designee's reasonable belief that gangs may be present in a school) jewelry, emblem, badge, symbol, sign, codes or other things which evidence membership or affiliation in any gang is prohibited on any school premises or at any school sponsored activity, regardless of location.

#### Head Coverings Prohibited

Head coverings are inappropriate in the school building during regular school hours, unless the Administrative Staff or designee specifically makes an exception to the policy.

#### Footwear Required

Unless the Administrative Staff or designee indicates otherwise, students will wear footwear at all times.

#### Additional Regulations Authorized

The Board of Trustees urges parents and students to exercise sound judgment, based upon the standard of appropriateness for the school setting. For example, clothing exposing bare midriffs, cleavage, short-shorts, and short skirts will not be allowed. The Administrative Staff or designee is hereby authorized to promulgate regulations consistent with the provisions of this policy.

Interpretation and Implementation of Policy

The Administrative Staff/designee shall use reasonable discretion in interpreting and implementing the provisions of this policy. If a conflict arises in the interpretation of this policy, the interpretation of the Administrative Staff/designee shall be final. The Administrative Staff, and teachers shall use reasonable discretion in enforcing this policy.

Enforcement

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. All time missed from classes for failure to adhere to this policy will be deemed unexcused absences. Parents or guardians will be notified each time a student is asked to leave school because of inappropriate attire. Students who are insubordinate or refuse to change the improper attire, or who repeat dress code violations shall be subject to disciplinary action up to and including suspension or expulsion, depending on all the facts and circumstances, for violating the standards of student conduct.

Temporary Exceptions

In order to allow appropriate attire for a particular educational or school activity, the Administrative Staff/designee has the authority to grant temporary exceptions to specific provisions of this policy and related regulations. An example of such an exception might be where a specially scheduled school event required a group of students to dress unusually on a particular day.

Legal References:	I.C. 33-506	District Trustees - Organization and Government of the Board of Trustees
	I.C. 33-512(6)	District Trustees - Governance of Schools (Authorizing Disciplinary Rulemaking)

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

## **The Network Schools**

### **STUDENTS**

#### **3260 Bring Your Own Technology Program**

The Network Schools recognizes the importance and potential educational benefits of technology. The use of portable electronic devices in the classroom can add educational value when such devices deliver content and extend, enhance, or reinforce the student learning process. Classroom teachers shall determine the appropriateness of in-class use of electronic devices, consistent with The Network Schools instructional objectives, The Network Schools policies, and with the approval of the administration.

The Board directs the Executive Director to work with appropriate stakeholders to ensure that Board-approved Bring Your Own Technology (BYOT) programs are implemented in a way that is mindful of available and required infrastructure, digital equity issues, student and system safety issues, and the need for all students to be able to access a device. The Executive Director may convene a taskforce including such members as teachers, administrators, parents, technology staff, and/or students to set guidelines about the use of BYOT devices.

The Network Schools respects each family's right to decide whether or not to provide the student with a device for this program.

Students are permitted to use approved personal electronic devices for educational purposes under the direction of a classroom teacher.

The Network Schools is not liable for any device stolen, lost, or damaged on School property or proceeding to or from The Network Schools property, whether due to the action/inaction of the student or that of any third party. The student and his or her parent/guardian shall be solely responsible for any such loss, theft, or damage. If a device is stolen or damaged, it will be handled through the administrative office as other personal items that are stolen or damaged. It is recommended that skins, decals, and other school appropriate custom touches be used to identify physically a student's device from others. Additionally, protective cases for technology are encouraged.

#### **Rules Regarding Use of BYOT Devices**

Personal electronic devices may only be used in a responsible and legal manner, and may not be used in a manner that disrupts the educational process and/or is contrary to any The Network Schools policy, procedure, or rule. Students using their own devices are subject to The Network Schools acceptable use guidelines, BYOT guidelines, student conduct and discipline rules, and all other Board policies and procedures and The Network Schools rules. Failure to adhere to these guidelines may result in the revocation of the privilege of using personal electronic devices in the classroom and in disciplinary action as appropriate.

Students may only use a personally-owned device as part of the BYOT program once a Form 3260F Bring Your Own Technology Permission Form and Form 3270F Internet Access Conduct Agreement, signed by both the student and parent/guardian, are on file with The Network Schools. The following personal electronic devices may be used in BYOT programs:

1. Laptop computers;

2. Tablet PCs;
3. E-readers;

To ensure compliance with the Children’s Internet Protection Act, students using their own electronic devices may access only the wireless Internet provided by The Network Schools. Internet access from outside sources, such as using a data plan associated with a personally-owned device, is not permitted on The Network Schools grounds. Students are prohibited from attempting to bypass The Network Schools’ Internet gateway, and are directed to report any inappropriate content and conduct to their classroom teacher. If a student accesses the Internet from outside sources, at a minimum, the student will lose the privilege to participate in the BYOT program.

Students may only access files and sites that are relevant to the classroom curriculum and suggested or authorized by a teacher. Teachers shall closely supervise students to ensure appropriate use of technology in the classrooms.

BYOT activities are implemented at the discretion of classroom teachers and building administrators. BYOT devices shall be turned off unless students have been directed to use them. Students are to turn off and keep BYOT devices in the sight of the teacher during assessments unless otherwise directed by a teacher. Any teacher’s instruction to shut down BYOT devices or to close the screen is to be followed immediately. All BYOT devices must be kept in silent mode unless otherwise directed by the classroom teacher.

Students shall charge all BYOT devices prior to school every day. Because power cords stretched across classrooms can become a safety issue both for the students and devices, charging the device in any classroom, hallway, or any other location that may pose a safety concern is prohibited. Personal devices cannot be left on The Network Schools grounds before or after school hours.

The Network Schools will not service, repair, or maintain any non-Network Schools owned technology brought to and used at school by students.

When electronic devices are used to enhance learning in the classroom, students without an approved, charged personal device will be provided access to an appropriate School-owned digital device. Students may not share any BYOT device with another student unless their parent/guardian has approved this in writing and the teacher has directed it.

Violations of any Board policies, regulations or The Network Schools rules involving a student’s personal electronic device may result in the loss of use of the device in school and/or disciplinary action. The Network Schools reserves the right to inspect a student’s personal electronic device if there is reason to believe that the student has violated Board policies, regulations, The Network Schools rules or has engaged in other misconduct while using their personal electronic device. Any search will be conducted in compliance with Board policies.

The controls on electronic communication devices contained in this policy do not apply to special education or Section 504 students or students with an Individualized Education Plan when any of these or other such similar plans conflict with uses outlined herein.

Cross References:     Student Policy 3260F     Bring Your Own Technology Permission Form  
                                 Student Policy 3265     Student-owned Electronic Communications

Student Policy 3270	Devices
Student Policy 3270P	Charter School-provided Access to Electronic Information, Services, and Networks
Student Policy 3275	Acceptable Use of Electronic Networks
Student Policy 3295	Charter School-provided Mobile Computing Devices
Student Policy 3370 & 3370P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	Searches and Seizure

Legal Reference: Pub. L. 106-554 Children's Internet Protection Act (CIPA)

Policy History:

Adopted: 7/20/2015

Reviewed:

Revised:



## The Network Schools

### STUDENTS

#### 3260F Bring Your Own Technology Permission Form

Student: \_\_\_\_\_

School Year: \_\_\_\_\_

Dear Parents/Guardians:

The Network Schools allows students to participate in a curriculum-based Bring Your Own Technology (BYOT) Program. Signed agreement to the following terms and discussing them with your child are required before your child can participate in the school's BYOT Program.

Your child must also sign Form 3270F Internet Access Conduct Agreement to participate in the BYOT Program. If you have not read and signed this document or do not know whether one is already on file in the School, contact your building principal. You may also ask your building principal for any other policies, procedures, or forms referenced below.

The use of an approved personal electronic device is a privilege, and students may be denied access at any time. The violation of any laws or The Network Schools policies while participating in the program may result in the loss of your child's privilege to participate in the program.

Please sign below, indicating whether you agree to allow your child to participate in the BYOT Program, and return this form to the building principal at the school.

Parents/guardians and their children share the responsibility for technical support and providing a properly charged BYOT device. If a BYOT device has technical difficulties, a The Network Schools-owned device may be provided, if available, or the student may be asked to partner with another student who has a functioning BYOT device during a lesson. The School will also expect you and your child to keep the BYOT device free from viruses, malware, and/or any other harmful programs that could damage the School's electronic network. The School is not liable for any device that is stolen, lost, or damaged on School property or proceeding to or from The Network Schools property, whether due to the action/inaction of the student or that of any third person. Finally, the right to privacy in your child's BYOT device is limited while it is on any The Network Schools property.

**Participation Authorization and Responsible Use Agreement**

Please indicate agreement by initialing in the space available:

\_\_\_\_\_ I hereby request that my child be allowed to participate in The Network Schools' BYOT program.

\_\_\_\_\_ I have read this agreement. I understand the program is designed for educational purposes and that The Network Schools' Internet gateway must be accessed to minimize access to inappropriate material. I also understand that at no time shall there be any attempt to bypass the school's Internet gateway or the use of any private Internet access.

\_\_\_\_\_ I will hold harmless The Network Schools, its employees, agents, and Board Members for any harm caused by materials or software obtained via the school's network.

\_\_\_\_\_ I have previously signed Form 3270F Internet Access Conduct Agreement. I have also read and discussed with my child the following documents. My child and I agree to abide by these policies, procedures, and forms.

1. Policy 3260 Bring Your Own Technology (BYOT) Program
2. Form 3260F Bring Your Own Technology (BYOT) Permission Form
3. Policy 3270 Charter School-Provided Access to Electronic Information, Services, and Networks
4. Procedure 3270P Acceptable Use of Electronic Networks
5. Form 3270F Internet Access Conduct Agreement

\_\_\_\_\_ I understand that my child and I share responsibility for technical support, providing a properly charged BYOT device, and keeping the BYOT device free from viruses, malware, and any other harmful programs that could harm or infect the school's electronic network.

\_\_\_\_\_ I understand that The Network Schools does not provide liability protection for BYOT devices, and is not responsible for any damage, loss, or theft whether caused by my student or any third party.

\_\_\_\_\_ I understand that my child's privacy rights in his or her BYOT device while on any school property are limited as outlined in School policy.

\_\_\_\_\_ I consent that my child may share another student's BYOT device, or may be asked to share his or her BYOT device with another student, from time to time, as directed by the classroom teacher.

Parent/Guardian's Name (please print): \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_

Student's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**To be read and signed by any student and parent/guardian who elects NOT to participate in the BYOT Program:**

I have decided **not to participate** in the BYOT program sponsored by The Network Schools for the remainder of this school year. In order for me to participate in the BYOT program at a later date, I understand that I must contact the building principal and sign the above Bring Your Own Technology (BYOT) Permission Form.

Parent/Guardian's Name (please print): \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_

Student's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Form History:

Adopted: 7/20/2015

Reviewed:

Revised:

## The Network Schools

### STUDENTS

#### 3260A1 School Provided Mobile Computing Devices

The Network Schools is committed to providing a safe, rigorous, and engaging learning environment that prepares all students to be career and college ready. Accessing and using technological resources is one of the cornerstones of a 21<sup>st</sup> century education. This document describes the rules for acceptable use of School-issued mobile computing devices on and off school premises. Using these resources responsibly will promote educational excellence by facilitating resource sharing, fostering creativity, and promoting communication in a safe, secure environment for all users.

##### Distributing Mobile Computing Devices

Before they are issued a mobile computing device, each student must submit an executed Student Agreement for Mobile Computing Device Use and a copy of the Internet Access Conduct Agreement. Each form must be signed by the student and by their parent/guardian if they are less than 18 years of age.

The Network Schools may provide parent orientations on the mobile computing device program. A student's parents/guardians are encouraged to attend an orientation before the student takes a device home with them.

Parents/guardians of students may use The Network Schools-issued device, and their involvement in student learning through technology is strongly encouraged. However, use of School-issued technology outside of this purpose, such as for personal gain or activities unrelated to student learning, is prohibited. Both parent and student use of the school's device, network, and software may be subject to a public records request depending upon the content of the document or communication, including email.

Students may take the devices out of Idaho at the discretion of the building principal. The Network Schools directs the Executive Director to establish procedures for students to request permission to take the device with them.

At the end of the school year, The Network Schools will collect all devices from students. At the school's discretion, students may be issued devices to support summer school programs.

The Executive Director shall establish procedures for the maintenance of records regarding the devices, including tracking device inventory and which device is issued to which student.

##### Care and Safety

Students are responsible for the general care of the device they have been issued by The Network Schools and are expected to observe the following precautions:

1. No food or drink is allowed next to a device while it is in use;
2. Insert and remove cords, cables, and removable storage devices carefully;
3. Shut down the device when not in use to conserve battery life;

4. Stickers, drawings, or permanent markers may not be used on the device;
5. Do not vandalize the devices or any other School property;
6. Devices must never be left in any unsupervised area.
7. Students are responsible for keeping their device's battery charged for School each day;
8. Do not place anything near the device that could put pressure on the screen;
9. Clean the screen with an anti-static cloth or any other soft, dry cloth;
10. Devices should not be stored in a student's vehicle, or anyplace else subject to extreme temperatures;

The Executive Director will designate an individual or office where the devices must be taken if they break or fail to work properly.

### Use at School

Devices are intended for use at The Network Schools each day. Students are responsible for bringing their device to all classes, unless specifically advised not to do so by their teacher. Devices must be brought to school each day in a fully charged condition. Power cords must stay with the device at all times. Repeat failures to comply with these requirements will result in disciplinary action.

If students leave their device at home, they may phone their parent/guardian to bring it to The Network Schools. Students without a device will use a computer in the classroom or a device from the lending pool depending upon availability and at the administrator's discretion. This includes students whose devices are undergoing repair.

Sound must be muted or headsets must be used at all times unless the teacher directs otherwise.

Students may use printers in classrooms, the library, and computer labs with teachers' permission during class or breaks. All printing should be limited to educational purposes.

### Personalizing Mobile Computing Devices

While at no time does the device become the personal property of students or staff; students may place individualized items on the device, which are limited to music, pictures, and other items that do not hinder the network or device functionality.

Students may be permitted to select their own screen savers and backgrounds provided they are appropriate. Screensavers, backgrounds, or other pictures containing guns, weapons, pornographic materials, inappropriate language, alcohol, drugs, gang related symbols or pictures, the student's password or other items deemed inappropriate by the administration will result in disciplinary actions.

Students may not add options or upgrades to the device, change the operating system, or add unauthorized software or safety controls.

Should students or parents/guardians place personalized items on the device, such items may be accessed or viewed by The Network Schools staff at any time, for any reason, including randomly selected device reviews. No content placed on school provided devices is privileged or confidential.

### Managing Files

Once details are known about the availability of file space that is shared or is backed up

automatically, the Executive Director will set a procedure for where students and teachers should save important documents.

Students should also back up their work frequently using removable file storage or by emailing important documents to themselves. It is the student's responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Device malfunctions are not an acceptable excuse for not submitting work.

### Software

The software originally installed by The Network Schools must remain on the device in usable condition and be easily accessible at all times.

From time to time The Network Schools may add or update software applications. The licenses for this software sometimes require that the software be deleted from devices at the completion of a course. Periodic reviews of devices will be made to ensure that students have deleted software that is no longer required in class and that The Network Schools has not exceeded its licenses.

All devices will be equipped with anti-virus protection software which will be upgraded regularly.

It is the responsibility of individual students to be aware of additional software programs and files loaded onto their device which are required for classes or school activities.

Students wishing to load additional software onto a device must first obtain the permission of The Network Schools' technology department. Any additional software must be appropriate for the school environment and comply with the Internet Access Conduct Agreement. Violent games and device images containing obscene or pornographic material are banned. The technology department shall determine whether a game is violent, and the student may appeal this decision to the principal. Each student is responsible for ensuring that only licensed software is loaded onto his or her device.

### Inspection and Filtering

Filtering software will be used to prevent access to material considered inappropriate or harmful to minors.

### Remote Access of Devices

Devices may be equipped with the ability to be accessed remotely in the case of technical problems requiring remote assistance, missing or stolen devices, or other for any other appropriate The Network Schools purpose. A student does not need to be asked for permission prior to remote software maintenance.

### Acceptable Use

Access to the devices is a privilege and not a right. Each employee, student, and parent will be required to follow the Internet Access Conduct Agreement and the Acceptable Use of Electronic Networks Policy. Violation of these policies, whether by the student or another party, while the device is in student custody may result in disciplinary action for the student, possible revocation of device privileges, and/or contacting law enforcement authorities.

Protecting and Storing Devices

Students are expected to password protect their devices and shall keep their password confidential.

When students are not using their devices, the devices should be stored in their lockers. Students are encouraged to take their devices home every day after school.

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds, the cafeteria, computer lab, locker rooms, library, unlocked classrooms, dressing rooms, and hallways. Unsupervised devices will be confiscated by staff and taken to the building principal’s office. Disciplinary action may be taken for leaving a device in an unsupervised location.

Repair of Devices

Students are to report all device problems to their teacher.

The Executive Director will issue a document clarifying student or parent responsibility for lost and damaged devices when the details of The Network Schools’ insurance policy are known.

Cross References:     Student Policy 3270F     Internet Access Conduct Agreement  
                              Student Policy 3270P     Acceptable Use of Electronic Networks

Legal References:                     Pub. L. 106-554                     CIPA Public Law Number  
    47 U.S.C. § 254(h)                   Telecommunications Services for Certain  
    47 U.S.C. § 254(l)                   Providers  
    Internet Safety Policy Requirement for  
    Schools and Libraries

Other References:     Technology Task Force Final Task Force Recommendations

Policy History:

Adopted: 7/20/2015                     Reviewed:                                     Revised:

## **The Network Schools**

### **STUDENTS**

#### **3270 School-Provided Access to Electronic Information, Services, and Networks**

##### General

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

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

##### Curriculum

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

The use of The Network Schools' electronic networks shall be consistent with the curriculum adopted by The Network Schools, as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and shall comply with the selection criteria for instructional materials and library-media center materials. Staff members may, consistent with The Network Schools' educational goals, use the Internet throughout the curriculum.

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

##### Acceptable Uses of Network - Educational Purposes

All use of The Network Schools' electronic network must be in support of education and/or research, and in furtherance of The Network Schools' stated educational goals; or for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via The



Network Schools' electronic network or The Network Schools computers. The Network Schools reserves the right to monitor, inspect, copy, review and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage including email and instant messages.

#### Unacceptable Uses of Network

The following are considered examples of unacceptable uses and constitute a violation of this policy. Additional unacceptable uses can occur other than those specifically listed or enumerated herein:

- A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale, use or purchase of any substance the possession or use of which is prohibited by The Network Schools' student discipline policy, local, state or federal law; viewing, transmitting or downloading pornographic materials or materials that encourage others to violate local, state or federal law; information pertaining to the manufacture of weapons, intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials;
- B. Uses that cause harm to others or damage to their property, person or reputation, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating; reading another person's communications; sharing another person's pictures, private information or messages without their permission; or otherwise using his/her access to the network or the Internet;
- C. Uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information. Users will immediately notify the school's system administrator if they have identified a possible security problem. Users will not go looking for security problems, because this may be construed as an illegal attempt to gain access;
- D. Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying defined as using a computer, computer system, or computer network to convey a message in any format (audio, video, text, graphics, photographic, or any combination thereof) that is intended to harm another individual;
- E. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet; uses that waste The Network Schools resources including downloading very large files without permission from a teacher, unnecessary printing, and consuming excess file space on shared drives;
- F. Uses that are commercial transactions, including commercial or private advertising. Students and others may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers;
- G. The promotion of election or political campaigns, issues dealing with private or charitable

organizations or foundations, ballot issues, or proselytizing in a way that presents such opinions as the view of The Network Schools;

- H. Sending, receiving, viewing or downloading obscene materials, materials harmful to minors, or materials that depict the sexual exploitation of minors;
- I. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications; sharing one's password with others or allowing them to use one's account;
- J. Downloading, installing, or copying software or other files without authorization of the Administrative Staff or the Principal's designee;
- K. Posting or sending messages anonymously or using a name other than one's own;
- L. Attempting to bypass internal or external security systems or controls using The Network Schools equipment. Students and staff may only access the internet using The Network Schools network);
- M. Plagiarism of material accessed online. Teachers will instruct students in appropriate research and citation practices;
- N. Using the network while access privileges are revoked; and
- O. E-mail access may be given to students on a case-by-case basis, such as to foreign exchange students for keeping in contact with home. Students are prohibited from joining chat rooms, using school equipment or school systems for any such activity unless it is a teacher-sponsored activity.

#### Internet Safety

Each Network Schools computer with Internet access shall have a filtering device that blocks entry to visual depictions that are obscene, pornographic, or harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Administrative Staff or designee.

The Network Schools will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate and/or harmful to minors. The Administrative Staff or designee shall enforce the use of such filtering devices.

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

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

The term “harmful to minors” is also defined in Section 18-1514(6), Idaho Code as which provides:

1. The quality of any material or of any performance of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:
  - A. Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
  - B. Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
    - I. Intimate sexual acts, normal or perverted, actual or simulated; or
    - II. Masturbation, excretory functions, or lewd exhibits of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political, or scientific value for minors, according to prevailing standards in the adult community, with respect to what is suitable for minors.
2. The quality of any material or of any performance, or of any description or representation, in whatever form, which, as a whole, has the dominant effect of substantially arousing sexual desires in persons under the age of eighteen (18) years.

### Internet Filtering

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

1. **Nudity/pornography:** Prevailing U.S. standards for nudity, provocative semi-nudity, sites which contain pornography or links to pornographic sites;
2. **Sexuality:** Sites which contain material of a mature level, images or descriptions of sexual aids, descriptions of sexual acts or techniques and sites which contain inappropriate personal ads;
3. **Violence:** Sites which promote violence, images or description of graphically violent acts, or graphic autopsy or crime-scene images;
4. **Crime:** Information of performing criminal acts such as drug or bomb making, computer hacking, illegal file archives, and software piracy;
5. **Drug Use:** Sites which promote the use of illegal drugs and material advocating the use of illegal drugs, such as marijuana or LSD, or abuse of any drug. Exception: material with valid-educational use;
6. **Tastelessness:** Images or descriptions of excretory acts, such as vomiting or urinating, and graphic medical images outside of a medical context
7. **Language/Profanity:** Passages or words too coarse to be softened by a word

- filter; profanity within images, sounds, or multimedia files; and adult humor;
8. **Discrimination/Intolerance:** Material advocating discrimination, including racial and religious intolerance, and sites which promote intolerance, hate or discrimination;
  9. **Interactive Mail/Chat:** Sites which contain or allow inappropriate email correspondence, and sites which contain or allow inappropriate chat areas;
  10. **Inappropriate Banners:** Advertisements containing inappropriate images or words;
  11. **Gambling:** Sites which allow or promote online gambling;
  12. **Weapons:** Sites which promote illegal weapons and sites which promote the use of illegal weapons;
  13. **Self-Harm:** Sites containing content on self-harm, including cutting , and sites that encourage anorexia, bulimia, etc., and
  14. **Judgment Calls:** A page deemed likely to have more questionable material in the future, such as sites under construction whose names indicate questionable material.

Filtering should also be used in conjunction with:

1. Educating students to be “Net-smart”;
2. Using recognized Internet gateways as a searching tool and homepage for students in order to facilitate access to appropriate material;
3. Using “Acceptable Use Agreements”;
4. Using behavior management practices for which Internet access privileges can be earned or lost; and
5. Appropriate supervision, either in person or electronically.

The IT Director shall monitor student Internet access.

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

#### Confidentiality of Student Information

Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian and the student or, if the student is 18 or over, the permission of the student. Students should be aware that conduct on The Network Schools’ computers and/or using The Network Schools’ server may be subject to public disclosure depending upon the nature of the communication. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and social security numbers. Staff members may approve exceptions in the case of applications for college or employment. The Executive Director may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.

#### Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media websites and are responsible for complying with The Network Schools policy. Students may not disrupt the learning atmosphere, educational programs, school activities, and/or the rights of others.

All requirements of this policy apply to use of social media through The Network Schools network or equipment or as part of a class assignment.

### Internet Access Conduct Agreements

Each student and his or her parent/guardian will be required to sign and return to the school at the beginning of each school year the Internet Access Conduct Agreement prior to having access to The Network Schools' computer system and/or Internet Service.

### Warranties/Indemnification

The Network Schools makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The Network Schools is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. The Network Schools will not be responsible for any unauthorized charges or fees resulting from access to the Internet, and any user is fully responsible to The Network Schools and shall indemnify and hold The Network Schools, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with The Network Schools in the event of the school's initiating an investigation of a user's use of his/her access to its computer network and the Internet.

### Violations

If any user violates this policy, the student's access to the school's internet system and computers will be denied, if not already provided, or withdrawn and he/she may be subject to additional disciplinary action. The IT Director and/or the Administrative Staff will make the decision regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with his/her/their decision being final. Actions which violate local, state, or federal law may be referred to the local law enforcement agency.

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

### IT Director

The Executive Director shall appoint the IT Director with the responsibility and authority for ensuring compliance with the requirements of federal law, state law, and this policy. The IT Director shall develop and maintain administrative procedures to enforce the provisions of this policy and coordinate with the appropriate Network Schools personnel regarding the internet safety component of The Network Schools' curriculum. The IT Director shall handle any complaints about the enforcement of his policy or refer them to other appropriate personnel depending on the nature of the complaint.

The IT Director shall maintain documentation evidencing that instruction by school personnel on internet safety is occurring The Network Schools wide.

### Public Notification

The IT Director shall inform the public via the main The Network Schools webpage of the school's procedures regarding enforcement of this policy and make them available for review at The Network Schools' district office.

Cross References: Instruction Policy 2315 Digital Citizenship and Safety Education  
Student Policy 3330 Student Discipline

Legal References: 20 U.S.C. § 7131 Internet Safety  
20 U.S.C. § 9134(f) State Plans - Internet Safety  
I.C. § 33-132 Local School Boards - Internet Use Policy Required  
I.C. § 18-1514(6) Children and Vulnerable Adults - Obscene  
Materials – Definitions – “Harmful to Minors:  
Defined

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: January 2017

Revised: 3/20/2017

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3270F Internet Access Conduct Agreement

*Every student, regardless of age, must read and sign below:*

I have read, understand, and agree to abide by the terms of the < insert year > The Network Schools' policy regarding School-provided Access to Electronic Information, Services, and Networks (Policy 3270). Should I commit any violation or in any way misuse my access to The Network Schools' computer network and/or the Internet, I understand and agree that my access privilege may be revoked and school disciplinary action may be taken against me.

User's Name (Print) \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

User's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Status: Student \_\_\_\_\_ Staff \_\_\_\_\_ Patron \_\_\_\_\_ I am 18 or older \_\_\_\_\_ I am under 18 \_\_\_\_\_

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

**Parent or Legal Guardian.** (If applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.) As the parent or legal guardian of the above named-student, I have read, understand and agree that my child shall comply with the terms of The Network Schools' policy regarding School-Provided Access to Electronic Information, Services and Networks for the student's access to The Network Schools' computer network and/or the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless The Network Schools, the Trustees, Administrators, teachers and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child's use of his/ her access to such networks or his/her violation of The Network Schools' policy. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting. I hereby give my child permission to use the building-approved account to access The Network Schools' computer network and the Internet.

Parent / Legal Guardian (Print): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

This Agreement is valid for the \_\_\_\_\_ school year only.

Form History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3270P Acceptable Use of Electronic Networks

All use of electronic networks shall be consistent with The Network Schools' goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or prescribed behaviors by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

#### Terms and Conditions

- A. Acceptable Use – Access to The Network Schools' electronic networks must be: (a) for the purpose of education or research and consistent with the educational objectives of The Network Schools; or (b) for legitimate business use.
- B. Privileges – The use of The Network Schools' electronic networks is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrator (and/or the Administrative Staff) will make all decisions regarding whether or not a user has violated these procedures, and may deny, revoke, or suspend access at any time. His or her decision is final.
- C. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
  1. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or state law;
  2. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;
  3. Downloading copyrighted material for other than personal use; Using the network for private financial or commercial gain; Wastefully using resources, such as file space;
  4. Hacking or gaining unauthorized access to files, resources, or entities;
  5. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
  6. Using another user's account or password;
  7. Posting material authored or created by another, without his/her consent; Posting anonymous messages;
  8. Using the network for commercial or private advertising;
  9. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
  10. Using the network while access privileges are suspended or revoked.
- D. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
  1. Be polite. Do not become abusive in messages to others.

2. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
  3. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
  4. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
  5. Do not use the network in any way that would disrupt its use by other users.
  6. Consider all communications and information accessible via the network to be private property.
- E. No Warranties – The Network Schools makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Network Schools will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The Network Schools specifically denies any responsibility for the accuracy or quality of information obtained through its services.
- F. Indemnification – The user agrees to indemnify The Network Schools for any losses, costs, or damages, including reasonable attorney fees, incurred by The Network Schools, relating to or arising out of any violation of these procedures.
- G. Security – Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify the system administrator or Administrative Staff. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account without written permission from that individual. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
- H. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.
- I. Telephone Charges – The Network Schools assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
- J. Copyright Web Publishing Rules – Copyright law and The Network Schools policy prohibit the republishing of text or graphics found on the Web or on The Network Schools Websites or file servers, without explicit written permission.
1. For each republication (on a Website or file server) of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the Web address of the original source.
  2. Students and staff engaged in producing Web pages must provide library media specialists with e-mail or hard copy permissions before the Web pages are published. Printed evidence of the status of "public domain" documents must be provided.

3. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the Website displaying the material may not be considered a source of permission.
4. The "fair use" rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
5. Student work may only be published if there is written permission from both the parent/ guardian and the student.

K. Use of Electronic Mail:

1. The Network Schools' electronic mail system, and its constituent software, hardware, and data files, are owned and controlled by The Network Schools. The Network Schools provides e-mail to aid students and staff members in fulfilling their duties and responsibilities and as an education tool.
2. The Network Schools reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student or staff member to an electronic mail account is strictly prohibited.

Each person should use the same degree of care in drafting an electronic mail message as would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or memorandum.

- A. Electronic messages transmitted via The Network Schools' Internet gateway carry with them an identification of the user's Internet "domain." This domain name is a registered domain name and identifies the author as being with The Network Schools. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this The Network Schools. Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.
- B. Any message received from an unknown sender via the Internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited, unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- C. Use of The Network Schools' electronic mail system constitutes consent to these regulations.

Internet Safety

- A. Internet access is limited to only those "acceptable uses," as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in these procedures, and will otherwise follow these procedures.
- B. Staff members shall supervise students while students are using The Network Schools Internet access, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.
- C. Each Network Schools computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or

inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Administrative Staff or designee.

- D. The system administrator and the Administrative Staff shall monitor student Internet access.

Legal References: 47 U.S.C. § 254(h) and (l) Children's Internet Protection Act, P.L. 106-55420  
U.S.C. § 6801, et seq.

Procedure History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3280 Equal Education, Nondiscrimination and Sex Equity

Equal educational opportunities shall be available for all students without regard to race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical and mental handicap or disability, economic or social conditions, or actual or potential marital or parental status or status as a homeless child. Any student may file a discrimination grievance using the procedure that follows this policy.

The Network Schools shall deny no student, on the basis of sex, equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Inquiries regarding discrimination or intimidation should be directed to the Human Resources Representative, Administrative Staff or the designee. A grievant with a complaint alleging a violation of this policy shall follow the Civil Rights Grievance Procedure.

In compliance with federal regulations, The Network Schools will notify annually all students, parents, staff, and community members of this policy and the designated coordinator, as well as a statement that The Network Schools will provide equal access to the Boy Scouts and other designated youth groups. The notification will be included in all handbooks.

The Network Schools will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff or volunteers with disabilities. The Network Schools considers this behavior to constitute discrimination on the basis of disability in violation of state and federal law.

Legal References: 20 U.S.C. § 1681-82, et seq. Title IX of the Educational Amendments of 1972  
29 U.S.C. § 794 Section 504 of the Rehabilitation Act of 1973 - Non Discrimination Under Federal Grants and Programs  
42 U.S.C. § 610, et seq. Age Discrimination in Federally Assisted Programs  
42 U.S.C. § 12134 Americans with Disabilities Act  
I.C. § 67-5909 Commission on Human Rights – Acts Prohibited

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Revised: 2/22/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3281 Gender Identity and Sexual Orientation

The Board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of sexual orientation, gender identity, or gender expression. This policy is designed to create a safe learning environment for all students and to ensure that every student has equal access to all The Network Schools programs and activities. Failure of any school student or school employee to abide by the terms and provisions of this policy will subject such individual to disciplinary action.

#### Definitions

“Sexual orientation” shall mean an individual's physical or emotional attraction to the same and/or the opposite gender. "Gay," "lesbian," "bisexual" and "straight" are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.

“Gender identity” shall refer to a person's deeply felt internal sense of their own gender.

“Gender expression” shall refer to how a person expresses their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerism.

“Transgender”, an adjective, shall refer to a person whose gender identity or expression is different from that traditionally associated with the person's sex assigned at birth.

#### School Facilities

In the case of middle/junior high school students and high school students, the Administrative Staff is encouraged to request a meeting with a transgender student and, if the student grants permission, with their parent/guardian upon the student's enrollment in The Network Schools or in response to a currently enrolled student's change of gender expression or identity. The goal of the meeting is to develop understanding of that student's needs with respect to their gender identity.

In the case of elementary school students, it will generally be the parent/guardian that informs the school of the impending transition. However, if the school's staff believe that a gender identity or expression issue is presenting itself and creating difficulty for the child at school, the school's administrative staff and/or counselor approaching the student's parent/guardian about the issue is appropriate. An individual teacher shall not approach a student' parent/legal guardian to address such a student situation without first conferring with The Network Schools' administration about the subject matter and obtaining permission to enter into such a discussion. A meeting may be held at the request of the student's parent/guardian or at the request of the Administrative Staff. Together, the family and school can identify appropriate steps, if any, to support the student.

Students will be allowed to use the restroom and locker room that corresponds to the gender identity they consistently assert at school. No student will be required to use facilities that conflict with his or her gender identity consistently asserted at The Network Schools. A

transgender student or any other student who has a need or desire for increased privacy may be given the option of using a separate or private restroom or changing area, such as a single stall restroom, if such is available. No student shall, on account of their transgender status, be required to use such separate facilities.

### School Activities

The Network Schools will provide all students the opportunity to participate in any activities segregated by gender in a manner that is consistent with their gender identity consistently asserted at school. However, activities under the direction of the Idaho High School Activities Association (IHSAA) shall be subject to IHSAA rules and regulations.

### School Trips

In the case of overnight trips sponsored by The Network Schools, students will be assigned sleeping rooms that correspond to the gender identity they consistently assert at school or to a private sleeping room. No student shall be required to sleep in a private room or in an assigned room conflicting with his or her consistently asserted school gender identity.

In no case will a transgender student be denied the right to participate in an overnight trip because of that student's transgender status.

In no case will a student be denied the right to participate in an overnight trip because of that student's sexual orientation. Likewise, a student will not be required to use a private sleeping room or denied participation on the basis of that student's sexual orientation.

### Student Records and Privacy

The Network Schools' official records required by law shall utilize a student's legal name. In situations where State or Federal law or administrative rules require school employees to use or report a student's legal name or gender, such legal name or gender shall be utilized. However, school staff shall utilize practices to avoid the inadvertent disclosure of the student's transgender status.

Information regarding a student's sexual orientation, gender identity, gender expression, legal name, or gender assigned at birth may constitute confidential information. Disclosure of such information shall be in accordance with The Network Schools policies pertaining to student privacy. The student's educational record shall not include mention of the student's sexual orientation.

However, in the course of ordinary school interactions and communication, The Network Schools staff shall use the name and pronouns consistently asserted by the student at school, regardless of the student's legal name and sex. A student is not required to legally change their name/gender or their official school records as a prerequisite to the use of a name and the pronouns consistent with the student's identity. Intentional and persistent refusal to use the name and gender by which the student identifies is a violation of this policy and may subject an employee to discipline, up to and including possible termination.

### Change of Official School Records

The Network Schools records required by law to include the student's legal name and/or gender will be changed by The Network Schools upon the student's/former student's presentation of appropriate documentation to The Network Schools Office. Any current or former student may

present to the Executive Director or designee responsible for student records a copy of a court order or birth certificate identifying a change the student's legal name and/or gender. The student's records will be changed accordingly.

### Confidentiality

The Network Schools employees should not disclose a student's transgender status or sexual orientation to other individuals, regardless of setting, including the other school personnel or (in the case of middle school, junior high school, and high school students) the student's parents/guardians, unless they have a legitimate need to know or unless the student has authorized such disclosure. Action in violation of such student confidentiality may subject an employee to discipline, up to and including possible termination and for certificated personnel, a report to the Professional Standards Commission.

When contacting the parent/guardian of a transgender student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student or parent/guardian has specified otherwise.

### Training

The Network Schools may conduct staff development or awareness activities for students or parents on transgender issues or gender diversity. However, in regard to such activities The Network Schools and its personnel shall not disclose the transgender status of any student without permission of that student and their parents/guardians.

### Dress Codes

The Network Schools dress codes shall be gender neutral in all situations including attire during the traditional school day, school activities including dances/prom, and graduation. The Network Schools will allow students to dress in a manner that is consistent with their gender identity within the constraints of the dress codes and any other rules regarding student attire.

Students may wear clothing or accessories that voice their views on lesbian, gay, bisexual, and transgender (LGBT) issues, regardless of viewpoint, provided these conform to the dress code; are not a disruption to the educational environment; and are not obscene, threatening, lewd, or vulgar.

### School Dances

The Network Schools shall not impose different or unique practices or rules for same sex couples who attend and/or participate in school activities, including dances. This includes such matters as prohibition of attendance of same sex student couples, limitations of public displays of affection only applicable to same sex couples, discounted couples tickets, gender identity for dance court titles that correspond to birth sex and other such distinctions.

### Safe Environment

It is the responsibility of The Network Schools to ensure all students, including LGBT students, have a safe school environment. Discrimination, harassment, bullying, or sexual harassment complaints involving LGBT students shall be handled in the same manner as other discrimination, harassment, bullying, and sexual harassment complaints.

Cross References: Instruction Policy 2140 Student and Family Privacy Rights



Student Policy 3255 Student Dress  
Student Policy 3280 Equal Education, Nondiscrimination, and Sex Equity  
Student Policy 3290 Sexual Harassment/Intimidation of Students  
Student Policy 3295 Hazing, Harassment, Intimidation, Bullying, Cyber  
Bullying  
Student Policy 3575 Student Data Privacy and Security

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments  
I.C. § 33-133(1)(j)(ii) Definitions—Student Data—Use and Limitations—  
Penalties

Other Reference: Idaho High school Activities Association Rules & Regulations, Rule 11-3  
Transgender Student Participation

Policy History:

Adopted: 2/22/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

## **The Network Schools**

### **STUDENTS**

#### **3285 Relationship Abuse and Sexual Assault Prevention and Response**

The Board endeavors to take steps to prevent and respond to known instances of relationship abuse and sexual assault. Such conduct by students or third parties is strictly prohibited and shall not be tolerated on any The Network Schools premises, or at any The Network Schools sponsored activity, regardless of location including, but not be limited to buildings, facilities, and grounds on The Network Schools campuses, school buses (if applicable), The Network Schools parking areas, and the location of any Network Schools sponsored activity. This includes instances in which the conduct occurs off any of The Network Schools premises but impacts a Network Schools related activity.

Relationship abuse includes the intentional use of physical, sexual, verbal, or emotional abuse or violence by a person to harm, threaten, intimidate, or control another person in a current or past dating relationship. Sexual assault includes sexual violence, sexual abuse, sexual stalking, and rape.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Executive Director or Board.

Students or third parties may also be referred to law enforcement officials. Should The Network Schools or any of its' employees have reason to believe that a child under 18 years of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, the School shall follow appropriate reporting requirements pursuant to the Child Protective Act. Employees shall also report the incident to the Network Schools' Title IX coordinator or deputies, as described in Policy 3085.

The Executive Director is hereby directed to develop administrative procedures to implement this policy in the cases of actions which violate this policy but are not within the scope of sexual harassment as defined in Procedure 3085P. Procedures shall include descriptions of prohibited conduct, the definition of abuse pursuant to the Child Protective Act, reporting and investigative procedures, prevention and response procedures, and provisions to ensure notice of this policy is provided to students.

The Board shall review this policy annually.

#### Addressing Sexual Assault Outside the Scope of Policy 3085 and Procedure 3085P

Any person wishing to report an instance of sexual assault may do so in accordance with Policy 3085.

If the Title XI Coordinator determines the instance of sexual assault does not fall within the scope of Procedure 3085P to address, it may be addressed through this policy. The Network Schools shall maintain the confidentiality of the student, as far as possible, and may notify the student of

what information may need to be disclosed in the course of the investigation, to whom, and why. The Network Schools shall take steps to prevent retaliation against a student who files a complaint regarding sexual assault. The Network Schools shall immediately act to remediate the situation, without waiting for the completion of the investigation, and shall notify the student of any services available to assist him or her.

Such remediation during or following an investigation may include:

1. Providing an effective escort to ensure the complainant can move safely between classes and activities;
2. Ensuring that the complainant and the perpetrator or alleged perpetrator do not share classes or extracurricular activities;
3. Provision of victim services such as medical, counseling, and academic support services;
4. Arranging for the complainant to have extra time to complete or retake a class without academic penalty;
5. Disciplinary action against the perpetrator;
6. Counseling for the perpetrator;
7. Conducting training with a group of students if, for example, the sexual violence created a hostile environment within a particular grade level or on a sports team;
8. Ensuring The Network Schools has access to a counselor trained to assist victims of sexual violence;
9. Training employees on how to handle reports of sexual violence;
10. Informing students about the problem of sexual violence and how to seek assistance;
11. Conducting bystander intervention and sexual assault prevention programs with students;
12. Issuing official statements that The Network Schools will not tolerate and will respond to any incidents of sexual violence; and
13. Assessing The Network Schools' climate to determine whether the campus is free of sexual violence and determining what steps should be taken to address any problems.

Following the investigation, to the extent possible and not in violation of any applicable law, the complainant shall be notified of the outcome of the complaint, including whether the investigation determined that the alleged conduct occurred, remedies being offered to the complainant, any sanctions imposed on the perpetrator that directly relate to the complainant, and any other steps taken to eliminate the hostile environment or prevent recurrence.

Cross Reference: 3085 Sexual Harassment, Discrimination and Retaliation Policy  
3085P Title IX Sexual Harassment Grievance Procedure,  
Requirements and Definitions

Legal References: I.C. § 16-1601, *et seq.* Child Protective Act  
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted: 11/18/2019 Reviewed: 4/27/2020 Revised: 4/27/2020  
10/26/2020 10/26/2020

## The Network Schools

### STUDENTS

#### 3290 Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited by The Network Schools.

An employee, The Network Schools agent, or student engages in “sexual harassment” whenever he/she makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, or as otherwise defined by law, that:

- A. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student’s academic status; or
- B. Has the purpose or effect of:
  - 1. substantially interfering with the student’s educational environment;
  - 2. creating an intimidating, hostile, or offensive educational environment;
  - 3. depriving a student of educational aid, benefits, services, opportunities or treatment; or
  - 4. making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms “intimidating”, “hostile” and “offensive” include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are 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.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Administrative Staff person, or the Title IX Coordinator who will assist them in the complaint process per Policy 3085 and Procedure 3085P. Supervisors or teachers who knowingly condones or fails to report or assist a student to take action to remediate such behavior of sexual harassment or intimidation, may themselves be subject to discipline.

Any Network Schools employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of The Network Schools who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

Any individual seeking further information should contact the Administrative Staff for the name of the current Title IX Coordinator for The Network Schools. The Administrative Staff shall insure

that the student and employee handbooks identify the name, address, and telephone number of the individual responsible for coordinating The Network Schools' compliance efforts.

An individual with a complaint alleging a violation of this policy which does not fall within the scope of allegations addressed by Procedure 3085P shall follow the Uniform Grievance Procedure in Policy 4120.

Cross Reference: Community Relations Policy 4120 Uniform Grievance Policy  
§3085 Sexual Harassment, Discrimination and Retaliation Policy  
§3085P Title IX Sexual Harassment Grievance Procedure,  
Requirements and Definitions

Legal References: 20 U.S.C. § 1681, -82 Title IX of the Educational Amendments of 1972  
34 CFR Part 106 Nondiscrimination of the Basis of Sex in Education  
Programs or Activities Receiving Federal Financial  
Assistance (Implementing Title IX)

I.C. § 67-5909 Commission on Human Rights - Acts Prohibited  
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 11/18/2019	Revised: 11/18/2019
	Reviewed 10/26/2020	Revised: 10/26/2020

# The Network Schools

## STUDENTS

### 3290F Harassment Reporting Form for Students

Student's Name \_\_\_\_\_

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? \_\_\_\_\_

Describe the incident(s). \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date(s), time(s), and place(s) the incident(s) occurred. \_\_\_\_\_

\_\_\_\_\_

Were other individuals involved in the incident(s)?                      yes                      no  
If so, name the individual(s) and explain their roles.

\_\_\_\_\_  
\_\_\_\_\_

Did anyone witness the incident(s)?                      yes                      no  
If so, name the witnesses.

\_\_\_\_\_

Did you take any action in response to the incident?                      yes                      no  
If yes, what action did you take?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Were there any prior incidents?                      yes                      no  
If so, describe any prior incidents

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Signature of complainant \_\_\_\_\_

Signatures of parents/legal guardian \_\_\_\_\_

Date \_\_\_\_\_

Form History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 10/26/2020

Revised: 10/26/2020

## The Network Schools

### STUDENTS

#### **3295 Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying**

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyber bullying, or bullying by students, staff or third parties is strictly prohibited and shall not be tolerated at The Network Schools. This includes actions on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists and actions at locations outside of those listed above that can be reasonably expected to materially and substantially interfere with or disrupt the educational environment of the school or impinge on the rights of other students at school.

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is harmful to another student or the property of another student. The Board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, and for the educational purpose underlying all school activities.

#### Discipline

Students whose behavior is found to be in violation of this policy will be subject to discipline and graduated consequences up to and including expulsion consistent with the Board's policy on student discipline. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Administrative Staff, Executive Director or Board.

Students or third parties may also be referred to law enforcement officials.

#### Procedures

The Administrative Staff is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, rules for disciplining students who violate this policy, and provisions to ensure notice of this policy is provided to students, teachers, and third parties.

#### Reporting

The Network Schools shall annually report bullying incidents to, and in the manner and on the form provided by, the State Department of Education.

The Board shall review this policy annually.

Cross References: Student Policy 3330 Student Discipline  
Personnel Policy 5265 Employee Responsibilities Regarding Student  
Harassment, Intimidation and Bullying



Legal References: I.C. § 18-917 Hazing  
I.C. § 18-917A Student Harassment – Intimidation – Bullying  
I.C. § 33-205 Denial of School Attendance  
I.C. § 33-512 Governance of Schools  
I.C. § 33-1630 Requirements for Harassment, Intimidation, and  
Bullying Information and Professional Development  
I.C. § 67-5909 Acts Prohibited  
20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments  
34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education  
Programs or Activities Receiving Federal Financial  
Assistance  
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/22/2016	Revised: 2/22/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

**The Network Schools**

**STUDENTS**

**3295F Harassment Complaint Form**

Date \_\_\_\_\_

Student's Name/Complainant's Name \_\_\_\_\_

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)

\_\_\_\_\_

Describe the incident(s).

\_\_\_\_\_

\_\_\_\_\_

Date(s), time(s), and place(s) the incident(s) occurred.

\_\_\_\_\_

\_\_\_\_\_

Were other individuals involved in the incident(s)?                      Yes                      No  
If so, name the individual(s) and explain their roles.

\_\_\_\_\_

\_\_\_\_\_

Did anyone witness the incident(s)?                      Yes                      No  
If so, name the witness:

\_\_\_\_\_

\_\_\_\_\_

Is there any evidence of the harassment (i.e. letters, photos)                      Yes                      No  
If so, please describe.

\_\_\_\_\_

\_\_\_\_\_

Did you take any action in response to the incident?                  Yes                  No  
 If yes, what action did you take?

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Were there any prior incidents?                  Yes                  No  
 If so, describe any prior incidents

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I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of complainant: \_\_\_\_\_

Signatures of parents/legal guardian: \_\_\_\_\_

Cross Reference:          Community Relations Policy 4120    Uniform Grievance Policy

Legal References:          20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments 34  
    CFR Part 106  
    I.C. § 67-5909                  Acts Prohibited

Policy History:

Adopted:    8/2013	Reviewed:    7/20/2015	Revised:    7/20/2015
	Reviewed:    2/25/2019	Revised:    2/25/2019

## The Network Schools

### STUDENTS

#### 3295P Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation, bullying, and cyber bullying.

##### Definitions

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in The Network Schools business, such as employees of businesses or organizations participating in cooperative work programs with The Network Schools and others not directly subject to The Network Schools control at The Network Schools athletic competitions or other school events.

“The Network Schools” or “School” includes School facilities, School property, buses, electronic technology or electronic communication equipment on The Network Schools computers, networks and/or forums and non-school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the control of the school or where the employee is engaged in school business.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any school-sponsored activity or grade level attainment, i.e., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.

“Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, [sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location].

“Harassment, intimidation or bullying” means any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at school, a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, school property, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

- a. Harming a student or damaging a student’s property;
- b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;

- c. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or a hostile educational environment.

“Cyber bullying” includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs through The Network Schools’ computer network and the Internet, whether accessed on campus or off campus, during or after school hours. In the situation that cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonable expected to materially and substantially interfere with or disrupt educational environment of the school or impinge on the rights of other students at school and/or in violation of Charter School policy or state law. In addition, such conduct must also be in violation of a school policy or state law. Administration shall in their discretion contact local law enforcement.

“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 on the basis of race, color, religion, national origin, gender identity and expression or sexual orientation.

#### Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

#### Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyber bullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and/or complaints are dealt with in confidence.

#### Policy Distribution

Information about this policy must be distributed to the school community. Information about the policy will be included in student orientation material and in the student handbook. All new faculty and staff members will be given a copy of the policy as part of their orientation program.

#### Complaint Procedures

The Administrative Staff or designee has the responsibility for investigations concerning hazing, harassment, intimidation, bullying or cyber bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying, or cyber bullying, in violation of this policy shall immediately report his/her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

**Step I:** Any hazing, harassment, intimidation, bullying, or cyber-bullying information (complaints, rumors, etc.) shall be presented to the Administrative Staff. Complaints against a school's lead Administrative Staff person, shall be filed with the Board of Directors. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

**Step II:** The school official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The school official will arrange such meetings as may be necessary with all concerned parties within three (3) working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The school official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Administrative Staff.

**Step III:** If the complainant is not satisfied with the decision at Step II, he or she may submit a written appeal to the Executive Director or designee. Such appeal must be filed within ten (10) working days after receipt of the Step II decision. The Executive Director or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Executive Director or designee shall provide a written decision to the complainant's appeal within ten (10) working days.

**Step IV:** If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board of Directors. Such appeal must be filed within ten (10) working days after receipt of the Step III decision. The Board shall, within ten (10) working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and The Network Schools' administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within ten (10) working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

#### Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying or cyber bullying complaints and documentation will be maintained as a confidential file in the school office and reported as required by the State Department of Education.

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015  
Reviewed: 2/22/2016  
Reviewed: 2/25/2019

Revised: 7/20/2015  
Revised: 2/22/2016  
Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3296 Bullying Awareness Week

The Network Schools is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing or bullying by students, staff or third parties is strictly prohibited and will not be tolerated in The Network Schools. It is important that the students and parents have an awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause, which may include the increased risk of teenage suicide.

Therefore, The Network Schools hereby designates the second week in September as "Bullying Awareness Week."

The Administrative Staff or designee shall designate certain activities for Bullying Awareness Week. The objectives for the activities for Bullying Awareness Week should include, but are not limited to:

- A. Recognize that bullying is a serious issue that has damaging effects for our society such as the tragic school shootings which occurred on April 20, 1999 in Littleton, Colorado at Columbine High School;
- B. Recognize that bullying is not an acceptable part of how we should treat each other;
- C. Teach students and staff the School's policy on bullying and the consequences;
- D. Help students and staff recognize that bullying behaviors have different forms;
- E. Recognize the tremendous leadership potential of our youth;
- F. Celebrate/recognize those who are making a difference in addressing bullying; and,
- G. Prepare for further work that needs to be done in the future.

Cross References: Student Policy 3295 Hazing, Harassment, Intimidation, Bullying and Cyberbullying  
Community Relations Policy 4120 Uniform Grievance Policy

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments 34 CFR Part 106  
I.C. § 67-5909 Acts Prohibited

#### Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: June-July 2017	Revised: 7/12/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3300 Drug Free School Zone

The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the entire school community. As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive means.

For purposes of this policy, "Drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Idaho law;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. "look-alikes";
- F. anabolic steroids; or
- G. any other illegal substances so designated and prohibited by law.

#### Drug Free School Zone Established

In accordance with Federal law, the Board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on School property, within the Drug-Free School Zone, or at any district-related event. Furthermore, the Administrative Staff shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Idaho law within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

The Administrative Staff shall prepare guidelines for the identification and regulation of drug use at The Network Schools. Such guidelines shall emphasize the prevention of drug use and include a statement to students that use of illicit drugs and the unlawful possession of alcohol is harmful. The student handbook shall provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity.

#### Disciplinary Action

Sanctions for violation of this or any other policy which addresses illegal drug and alcohol possession, use or distribution may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment.

Cross Reference: Student Policy 3330 Student Discipline.

Legal Reference: 20 U.S.C. 3170 et. seq. Drug-Free Schools and Communities Act of

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015  
Reviewed: 2/25/2019

Revised: 7/20/2015  
Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3305 Prohibition of Tobacco Possession and Use

The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the school environment.

The Board prohibits any use of tobacco, and possession of tobacco by students at any time in a school building or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by The Network Schools. Tobacco use and possession by students is also prohibited at school- sponsored activities that are held off school property.

The Network Schools may initiate discipline according to The Network Schools' Student Discipline policy and/or prosecution of a student who possesses or uses tobacco in violation of this policy.

Additionally, The Network Schools shall provide education designed to foster an understanding of the hazards of smoking and use of tobacco products. Such programs will be in place grades K-12, with special emphasis on students in grades 4-8.

#### Definition

For the purposes of this policy, tobacco use shall be defined as the use and/or possession of a lighted or unlighted cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.

Cross References: Student Policy 3300 Drug Free School Zone  
Student Policy 3330 Student Discipline

Legal Reference: I.C. § 39-5703 Possession, Distribution, or Use by a Minor Policy History:

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3310 Gangs and Gang Activity

The Board is committed to ensuring a safe and orderly environment, where learning and teaching may occur void of physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs, defined below, shall be restricted from school grounds or school activities.

##### Definition

A “gang” is as any group of two (2) or more persons, whether formal or informal, who associate together to advocate, conspire, or commit:

- A. One or more criminal acts; or
- B. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.

##### Prohibited Actions

Students on school property or at any school-sponsored activity shall not:

- A. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
- B. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
- C. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
  1. Soliciting membership in or affiliation with any gang;
  2. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
  3. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
  4. Engaging in violence, extortion, or any other illegal act or other violation of school property.

##### Disciplinary Action

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: Student Policy 3255 Student Dress

Legal References: *Stephenson v. Davenport Community Sch. Dist.*, 110 F.3d 1303  
(8<sup>th</sup> Cir. 1977)  
I.C. § 33-506 District Trustee – Organization and Government of  
Board of Trustees  
I.C. § 33-512 District Trustee – Governance of Schools  
I.C. § 18-8501, et seq. Idaho Criminal Gang Enforcement Act  
I.C. § 18-8501 Idaho Criminal Gang Enforcement Act – Definitions  
IDAPA 08.02.03.106 Safe Environment and Discipline

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3320 Substance and Alcohol Abuse

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. It is the desire of The Network Schools to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of The Network Schools relating to use, possession or being under the influence of alcohol or controlled substances, as that term is defined in Idaho Code.

The Network Schools' desire is to create an environment where students feel safe from the many harmful influences that are prevalent in our society. For those students that come forward and voluntarily disclose using or being under the influence of alcohol or drugs while on school property or at a school function, or who are referred for non-disciplinary procedures by parents, peers, staff, or others prior to The Network Schools having reasonable suspicion, The Network Schools will provide counseling to any such student and make recommendations for referral to appropriate agencies for screening and assessment. It is not the intention of this policy on confidentiality to protect students who are deliberately breaking the law by using, selling drugs on school premises, but to protect the student who is actively involved or seeking to be involved in some kind of counseling relationship and working toward becoming free of chemical dependency.

Cross References: Student Policy 3330 Student Discipline  
Student Policy 3340 Corrective Actions and Punishment  
Student Policy 3360 Discipline of Students with Disabilities  
Student Policy 3370 Searches and Seizures

Legal References: Pub. L. 101-226 The Anti-Drug Abuse Act of 1986, Title IV, Subtitle  
B: The Drug-Free Schools and Communities Act of  
1986 (as amended)  
I.C. § 33-210 Students Using or Under the Influence of Controlled  
Substances  
IDAPA 08.02.03.160 Safe Environment and Discipline

#### Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3320P Substance and Alcohol Abuse

##### Self-Referral

Upon disclosure by a student of using or being under the influence of alcohol or drugs while on school property or at a school function, the parent or legal guardian of the student will be immediately notified and The Network Schools will cooperate with and work with the parent in the establishment of a plan to assist the student in whatever means are deemed necessary and appropriate. Only persons on a “need to know” basis may receive information regarding such a disclosure, except when deemed reasonably necessary to protect the health and safety of others. Any school-level counseling available will be offered to the student.

If a student voluntarily requests assistance from school officials with regard to an alcohol or substance abuse problem, there shall be no discipline of the student provided that, in the opinion of the Administrative Staff or other professional staff member, the student is not under the influence of or in possession of alcohol or controlled or dangerous substances at the time the request was made. The student shall meet with a counselor and/or intervention prevention specialist to plan a meeting with their parents/guardians. The student, counselor and/or intervention prevention specialist will meet with the parents/guardian to discuss the substance abuse problems that have been identified. A substance abuse assessment may be recommended. The student and parents/guardians will meet with the school counselor and/or intervention prevention specialist and other appropriate professional persons and develop an appropriate program for student involvement that may include:

1. In-school intervention such as peer support groups, contractual agreements, counseling, or support teachers;
2. Out-of-school intervention or treatment such as assessment by a community agency, private counseling, outpatient treatment, or inpatient treatment. Any costs will be the responsibility of the parent/guardian;
3. Community-based information and support such as Alcoholics Anonymous, Narcotics Anonymous, or education programs through community agencies; and
4. Family-based information and support: Al-Anon, Ala-Teen, community agency programs, or contractual agreements.

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

If the student or parents/guardian refuses counseling and/or assessment, they will be reminded that use, possession, distribution, and being under the influence of alcohol or controlled or dangerous substances at school, in a drug-free school zone, or at a school function, shall be subject to school disciplinary measures and/or citations issued by law enforcement officials.

The Network Schools may decline to contact a student’s parent/guardian if the student is at least eighteen (18) years of age and totally self-supporting. Students under the age of eighteen (18) will be required to have written permission from their parent/guardian to attend school based

support groups. A student under eighteen (18) years of age may not be referred to a treatment center for assessment or treatment without parent/guardian permission.

#### Staff, Peer, and Parent Referrals

If a staff member witnesses a student exhibiting signs of possible substance abuse, the staff member shall advise the Human Resources Representative of their concerns by filling out a Student Referral form and documenting the observed behaviors. Any parent, peer, or other individual may also refer a student in this fashion. The teachers of the student in question may be given a teacher response form for the purpose of recording possible substance abuse behavior. Such procedures will not be an accusation of student drug use. The Human Resources Representative will discuss all staff reports and decide whether a formal intervention should take place. If so, the Human Resources Representative shall meet with the student's parents/guardian. Options will be discussed, with an assessment recommended to eliminate drugs and alcohol as a source of the problem.

If the student and/or parents or legal guardians refuse counseling and/or assessment, they will be reminded that use, possession, distribution or being under the influence of alcohol or controlled or dangerous substances at school, in a drug-free school zone, or at a school function, shall be subject to school disciplinary measures and/or citations issued by law enforcement officials.

#### Reasonable Suspicion

If The Network Schools has reasonable suspicion (based upon reliable information received or the personal observations of staff) to believe that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, The Network Schools may take whatever action is deemed appropriate, including but not limited to, notifying the parent or legal guardian, notifying local law enforcement, suspension, or expulsion. The Administrative Staff may seek a law enforcement evaluation of the student. The evaluation shall include the transfer of school custodial responsibility to the State Department of Juvenile Corrections.

Every effort shall be made to maintain cooperation between The Network Schools, resource agencies of the community, law enforcement, and parents. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be immediately escorted by a Network Schools employee to an administrative office for interview and observation. If a student is suspected of such involvement at a school sponsored activity, the student will be taken to the supervising school administrator or official of that function. Except in the case of an emergency, the student will not be left unattended and will not be allowed to leave the school premises. The student will be asked if he or she has used or is under the influence of alcohol or drugs;
2. If the student admits to the use, the student's parent/legal guardian will be immediately called;
3. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;



4. A student's person and personal effects, such as purses, book bags, and wallets, may be searched whenever a school official has reasonable suspicion to believe that the student is in possession of drug paraphernalia or drugs, including alcohol, tobacco or controlled substances. Any evidence of a violation of the law and this policy and any contraband may be seized by the Administrative Staff or designee.
5. Law enforcement will be called when deemed appropriate. If the incident involves alcohol or controlled substances, the student will be referred to a law enforcement agency. In all other situations, referral to law enforcement will be at the discretion of the Administrative Staff or designee. When law enforcement becomes involved in an investigation, law enforcement authorities shall decide if and when parents are to be contacted. A citation may be issued by a law enforcement official. It will be the judgment of the law enforcement representative whether to simply release the student to the parent/guardian after recording the report or to take the student into custody;
6. The student will be immediately suspended from school. Suspension for the first offense of this policy will be for three to five (3-5) days unless extraordinary circumstances exist. The time period for suspension for the second or third offense will be determined at the discretion of the Administrative Staff and/or Executive Director. The Administrative Staff and/or Executive Director will determine whether or not the suspension will be served in school or out of school. The Executive Director may request that the Board expel a student who has violated this policy. Any student violating this policy must sign a conduct contract before returning to school. Copies of the student's conduct contract will be made available to the parent/guardian, counselor and/or intervention prevention specialist. Violation of the conduct contract may result in additional disciplinary measures. If the student refuses to sign the student conduct contract, the student may be suspended from school or assigned to other alternative procedures;
7. The terms of the suspension and/or conduct contract may be modified, at the discretion of the Administrative Staff or Executive Director, if a student who has violated this policy voluntarily completes a drug, alcohol, and tobacco education course or undergoes assessment and treatment for drug, alcohol, and tobacco abuse;
8. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's person, personal effects, locker, car, desk or any other school property used by the student may be subject to search. In addition, law enforcement will be called immediately as will be the parent/guardian. The Network Schools employees will cooperate fully with any law enforcement investigation of a violation of this policy, including but not limited to providing access to lockers, desks, and other school property, and providing oral and/or written statements regarding the relevant events. Any employee who observed the student's behavior will document his or her observations of the student. The documentation will be provided to the law enforcement agent, and a copy will be placed in the student's discipline record. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion will be made to the Board. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

## Confidentiality

All student and/or intervention prevention specialist records shall be kept in accordance with the regulations listed below:

1. The Family Educational Rights and Privacy Act (FERPA);
2. Student Rights in Research, Experimental Activities and Testing, per the Hatch Amendment to the General Education Provisions Act; and
3. Confidentiality of Alcohol and Drug Abuse Patient Records regulations issued by the U.S. Department of Health and Human Services.

The Network Schools employees and independent contractors of the district who implement this policy in good faith and with appropriate foundation are immune from civil liability.

## Definitions

“Alcohol” shall mean any beverage that contains alcohol, including but not limited to beer, wine, wine coolers, and liquor.

“Controlled Substances” shall include, but are not limited to, opiates; opium derivatives; hallucinogenic 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; and stimulants.

“Distribution” shall mean to share or sell drugs, alcohol, or any controlled or dangerous substance to other students or persons on school property or within a drug free school zone during school hours or at a school sponsored activity.

“Drug” shall include any alcohol or malt beverage, any tobacco product, any controlled substance, any illegal substance or mood-altering substance, any abused substance, any medication not approved and registered by the school authorities, and any substance which is intended to alter mood.

“Drugs or Controlled Substances” shall mean any controlled substance as defined by Idaho Code, Title 37, Chapter 27, as now in effect or hereafter amended. For the purpose of this policy and the administrative regulations, the definition shall also include simulated controlled substances as defined in the aforementioned code.

“Intervention” shall mean the process by which designated members of the school staff share information and concerns about a student with the student's parent/guardian and may make a recommendation to them for dealing with the concern. A drug/alcohol assessment may be recommended to rule out drug/alcohol involvement.

“Paraphernalia” shall mean all equipment, products, and materials of any kind which are used, intended for use, or designed for use in storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. It includes but is not limited to those items listed in Idaho Code 37-2701 (n), as now in effect or hereafter amended.

“Possession” shall mean to have on one's person or within an area of his or her control including but not limited to car, locker, books, and clothes on school property or within a drug free school zone anytime during school hours or at a school sponsored activity.

“School premises” includes all buildings, facilities and property owned or leased by the district, school buses and other school vehicles, and the location of any school-sponsored activity or function.

Policy History:

Promulgated: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3330 Student Discipline

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

- Habitual truancy.
- Incurability.
- Academic dishonesty.
- Conduct continuously disruptive of school discipline or of the instructional effectiveness of The Network Schools.
- Conduct or presence of a student when the same is detrimental to the health and safety of other pupils.
- Using, possessing, distributing, purchasing, or selling tobacco products.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession.
- Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy.
- Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons on School Property" section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
- Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or disruptive to the educational environment.
- Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing – For purposes of this policy, the term "hazing" shall have the meaning set forth in Idaho Code.
- Initiations.
- The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school.
- Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and Charter School policy.

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

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

#### Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

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

No person who is employed or engaged by The Network Schools may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and The Network Schools personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

#### Alternative Disciplinary Measure

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

Alternative discipline includes, but is not limited to:

- Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
- Counseling;
- Anger management;
- Health counseling or intervention;
- Mental health counseling;
- Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
- Diversion or use of juvenile specialty courts;

- Behavioral management plan;
- Corrective instruction or other relevant learning or service experience;
- Community service; and
- In- school detention or suspension, which may take place during lunchtime, after school or on weekends.

#### Consequences for Harassment, Intimidation, and Bullying

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

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

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

#### Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, shall be expelled for a definite period of time of at least one (1) calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The Administrative Staff shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

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

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

#### Possession of a Weapon, Explosive or Destructive Device On School Property

No person shall possess a weapon, explosive or any destructive device, while on school property other structure on school grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this state or while riding school provided transportation. This also applies to students of The Network Schools while attending or participating in any school sponsored activity, program or event regardless of location. No person shall bring a weapon, explosive or destructive device, or to cause it to be brought, onto any school premises or at any school sponsored activity, regardless of location, or to exercise dominion and control over an object located anywhere on such premises and personal vehicles on The Network Schools campus. This includes, but is not limited to:

## Definitions

- **Weapon:**  
Anything that is commonly designed or may be used to cause injury or to put someone in fear. Examples of “weapons” include pocket knives with a blade of 2 ½ inches or greater in length, pellet guns, clubs, razor blades, chemical irritants, antique firearms, or rifles, regardless of whether the owner intends to use the items solely for sporting, recreational or cultural purposes. Such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- **Firearm:**
  - Any weapon (including a starter gun) which will or is designed to be readily converted to expel a projectile by the action of an explosive.
  - The frame or receiver of any such weapon.
  - Any firearm muffler or firearm silencer.
- **Destructive Device:**
  - Any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, device similar to any of the devices described in the preceding clauses.
  - Any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant and which has any barrel with a bore of more than one-half inch in diameter.
  - Any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled.
- **Look-Alike Weapon:**
  - Objects which closely resemble a weapon or explosive that could put persons in fear for their safety. Examples include toy guns, smoke bombs, etc.
- **Explosive:**  
Any substance or item other than a destructive device (as defined above) that can potentially generate a release of mechanical or chemical energy. Examples include firecrackers, cherry bombs, gun shells, bottle bombs, etc.
- **Dangerous Instrument:**  
Anything that, although not specifically designed to hurt someone, is used to cause injury or to threaten to cause injury. Examples include belts, 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.

Any person who possesses, carries or stores a weapon, explosive or any destructive device in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by The Network Schools.

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

building.

This section of this policy does not apply to:

1. Law enforcement personnel;
2. Any adult over eighteen (18) years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his vehicle in an unobtrusive, nonthreatening manner;
3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students or school employees to and from school or a school activity;
4. A person or an employee of The Network Schools who is authorized to carry a firearm with the permission of the Board.

#### Delegation of Authority

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

#### Nondiscrimination

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

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

#### Notification

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

The Board shall review this policy annually.



Cross References: Student Policy 3295 Hazing, Harassment, Intimidation, Bullying, Cyber Bullying  
Student Policy 3340 Corrective Actions and Punishment  
Community Relations Policy 4320 Disruption of School Operations

Legal References: I.C. § 33-205 Attendance at Schools - Denial of School Attendance  
I.C. § 18-917 Assault and Battery - Hazing  
I.C. § 18-917A Student Harassment – Intimidation- Bullying  
I.C. § 18-3302D Possession Weapons or Firearms on School Property  
I.C. § 18-3302I Threatening Violence on School Grounds  
I.C. § 33-1224 Powers and Duties of Teachers  
I.C. § 33-1631 Requirements for Harassment, Intimidation, and Bullying Information and Professional Development  
18 U.S.C. § 921 Firearms - Definitions  
18 U.S.C. § 922(q)(2) Unlawful Acts – Possession of Certain Firearms in School Zones  
18 U.S.C. § 930 Possession of Firearms and Dangerous Weapons in Federal Facilities  
20 U.S.C. § 7151 Gun-free requirements  
29 U.S.C. § 701, et seq. Section 504 of the Rehabilitation Act of 1973  
IDAPA 08.02.03.109.05 Special Education  
IDAPA 08.02.03.160 Safe Environment and Discipline

Other Reference: Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline

Policy History:

Adopted: 2/22/2016	Reviewed: 2/26/2018	Revised: 2/26/2018
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 8/16/2021	Revised: 8/16/2021

## The Network Schools

### STUDENTS

#### 3335 Academic Honesty/Plagiarism

The Network Schools places a “high priority on the development of responsible citizenship”. Plagiarism, in any form, is unethical and unacceptable.

Academic dishonesty includes, but is not limited to:

1. Plagiarism, cheating, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, unauthorized use of hard copy or software to develop one's own software. Faculty and building administrators will be responsible for monitoring the above actions.
2. Where appropriate, parents shall be contacted as soon as practicable to report any alleged academic dishonesty on the part of students. Elementary teachers are granted authority, with the direction and advice of the Administrative Staff, to exercise their good judgment in applying a range of academic consequences for violations of this policy. Student and parent appeals of any consequences resulting from violations of this policy should be addressed to building administrator(s).
3. All teachers, beginning especially at the elementary grades, will educate students as to what constitutes academic dishonesty, the ethics of responsibly documenting the ideas of others, and what is acceptable and unacceptable behavior in our schools. To do so, teachers may teach the ethics and mechanics of documentation and also hold students accountable for the ethical use of the ideas and words of others.

Teachers are encouraged to teach the ethics of responsibly documenting the ideas of others in all formats. To do so, we teach the ethics and mechanics of documentation and also hold students accountable for the ethical use of the ideas and words of others.

#### Definitions:

**Plagiarism** is presenting other's ideas or words as your own. As defined by Merriam-Webster's Collegiate Dictionary plagiarism is “to steal and pass off the ideas or words of another as one's own; use another's production without crediting the source; present as new and original an idea or product derived from an existing source”. The Network Schools distinguishes between two different degrees of plagiarism: Intentional Plagiarism and Technical Plagiarism.

**Technical Plagiarism** is defined as and limited to the following:

- Improper paraphrasing - when the individual copies much of the information rather than writing it in his/her own words.
- Improper citation or documentation that misrepresents a source
- Insufficient citation of factual information not held to be common knowledge (common

knowledge is defined as facts readily available from a variety of sources)

- Improper use of direct quotations (e.g. quotation marks, parenthetical citations)

**Intentional Plagiarism** is defined as but not limited to the following:

- Substantial, verbatim reproduction of information
- Fabrication of sources, falsification of page numbers, or other deliberate misdocumentation
- Submission of others' work as the students' own; this applies to uncited paraphrasing of another's ideas as well as verbatim use of others' words. (Others may refer to either scholarly sources, online "cribbed" essays, or the work of other students.)
- Cheating includes, but is not limited to, the following:
  - Copying or attempting to copy another student's homework, quiz, test, essay, or lab report;
  - Cheating on tests through such means as cheat sheets, use of unauthorized electronic devices, and discussion of test information with other students;
  - Obtaining test questions and/or copies of tests outside the classroom test setting;
  - Lending and/or copying from another student's work (homework, tests, projects, assignments);
  - Altering or interfering with grading (forging signatures, changing or inserting answers on work after grading);
  - Allowing another student to copy answers during a test situation;
  - Collaborating with other students on an assignment in direct violation of a teacher's instructions;
  - Using books and electronic information in generating an assignment in direct violation of teacher's instructions;
  - 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
  - Submitting work previously presented in this course or in another course.

Policy History:

Adopted: 8/2013

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Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3340 Corrective Actions and Punishment

All students shall submit to the reasonable rules of The Network Schools. Refusal to comply with written rules, regulations and/or policies established for the governing of the school shall constitute a sufficient cause for discipline, suspension, or expulsion.

##### Definitions

For the purposes of The Network Schools' policies relating to corrective action or punishment:

1. "Temporary Suspension" is the exclusion from The Network Schools or individual classes for a specific period of up to five (5) school days.

The Administrative Staff may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the Administrative Staff shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Administrative Staff who suspended him or her on reasonable conditions prescribed by the Administrative Staff. The Board of Directors shall be notified of any temporary suspensions, the reasons for them, and the response to them.

2. "Extended Temporary Suspension" is the exclusion from The Network Schools or individual classes for an additional ten (10) school days. The Executive Director can extend an initial temporary suspension.
3. "Prolonged Temporary Suspension" is the exclusion from The Network Schools or individual classes for an additional five (5) school days. Only the Board can extend a temporary suspension for an additional five (5) days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare or safety.
4. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is a habitual truant, who is corrigible, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school in the State of Idaho or any other state. The Network Schools will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five (5) days of the Board's actions.

No pupil shall be expelled nor denied enrollment without the Board having first given written notice to the parent or guardian of the pupil stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent or guardian may appear to contest the action of the Board. The notice shall also state the rights of the pupil to be represented by counsel, to produce witnesses and submit evidence on

his own behalf, and to cross-examine any adult witnesses who may appear against him. Within a reasonable period of time following such notification, the Board shall grant the pupil and his or her parents or guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board shall allow a reasonable period of time between notification and the hearing to allow the pupil and his or her parents or guardian to prepare their response to the charge.

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

#### Expulsion in Extreme Cases Only

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

#### Disabled Students – Suspension

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

#### Disabled Students - Expulsion

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

#### Disabled Student – Emergency Suspension

When a disabled student is acting in such a way that he/she poses a danger to himself/herself or to another student or property, or substantially disrupts his/her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The Administrative Staff shall review the student's record before the student is readmitted to school and no later than the tenth (10th) day of suspension.

#### Expulsion

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

No student shall be expelled, suspended, or disciplined in any manner for any act not related

to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Cross References: Student Policy 3330 Student Discipline  
Student Policy 3360 Discipline of Students with Disabilities

Legal References: 20 U.S.C. 1400-82, et seq. Individuals with Disabilities Education Act (IDEA)  
I.C. § 33-205 Attendance at Schools - Denial of School Attendance  
I.C. § 33-512 District Trustees - Governance of Schools  
I.C. § 33-1631 Requirements for Harassment, Intimidation and Bullying Information and Professional Development

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## The Network Schools

### STUDENTS

#### 3340P Corrective Actions and Punishment

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

##### Suspension

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

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

##### Expulsion

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

1. The student and parent or legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five (5) school days before the date scheduled for the hearing. The notice

shall include the grounds for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.

2. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent or legal guardian by submitting a request showing good cause to the Administrative Staff at least two (2) school days prior to the date of the hearing as originally scheduled. The Administrative Staff shall determine if the request shows good cause.
3. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.
4. To afford the pupil privacy, the Board must take action on expulsion in executive session. The student shall not be named in the minutes of the meeting, but a record of the decision will be placed in the student's educational record and in the official records of the Board.

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

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

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

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

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 8/16/2021

Revised: 8/16/2021



## The Network Schools

### STUDENTS

#### 3360 Discipline of Students with Disabilities

This policy addresses the disciplining of students with disabilities, as defined by Section 504 of the 1973 Rehabilitation Act. For those students with disabilities under the Individuals with Disabilities Education Act (IDEA), the disciplinary procedures required by the IDEA will be followed.

##### Suspension

A student with a disability, as defined by Section 504 of the 1973 Rehabilitation Act, may be suspended for ten (10) school days.

Whenever a school considers suspending a student with a disability for more than ten (10) school days under this section, a 504 team will be convened to determine if the cumulative suspension constitutes a significant change in placement by reviewing the following factors:

1. Whether the misconduct for which the student was suspended on the last occasion was substantially similar to the previous occasions;
2. The length of each suspension;
3. The proximity of the suspensions to one another; and
4. The total amount of time the student is excluded from school.

The 504 team will consist of individuals who are knowledgeable about the student, the evaluation data, and the placement options.

If the 504 team determines that the exclusion constitutes a significant change in placement, the school will conduct a manifestation determination as set forth below.

##### Expulsion

Prior to submitting an expulsion recommendation to the Board for any student with a disability as defined by Section 504 of the 1973 Rehabilitation Act, a 504 Team will make a manifestation determination. A manifestation determination involves a review of the student's misconduct, the student's disability, and the services provided to determine:

1. Whether the conduct in question was caused by or had a direct and substantial relationship to the student's disability; and
2. Whether the conduct in question was the direct result of The Network Schools' failure to implement the 504 plan.

In reviewing the questions set forth above, the 504 team will review information regarding the student's disability that is recent enough to afford an understanding of the student's current behavior. In the absence of reasonably current information about the student's disability, The Network Schools will conduct or cause to be conducted additional evaluation(s) regarding the student's disability before making the manifestation determination. If either manifestation determination question answer is "yes," the student will not be expelled. However, the 504 team may determine that a placement change is necessary for that student.

If the answers to both the questions set forth above are “no,” the school may proceed with the recommendation of expulsion to the Board in the same manner as for similarly-situated students who do not have disabilities.

The student’s parent/legal guardian may ask for a hearing under The Network Schools’ Section 504 hearing procedure. However, although the parent/legal guardian may disagree with the manifestation determination findings, the student may nevertheless be expelled after following the proper procedures. Educational services may cease after expulsion, to the same extent education services cease for non-disabled peers.

Cross References: Community Relations Policy 4120 Uniform Grievance Policy  
Community Relations Policy 4160 Parents Right-to-Know Notices

Legal References: 20 U.S.C. § 1400-82 Individuals with Disabilities Education Improvement Act (IDEA)  
20 U.S.C. § 6311, et seq. Improving Basic Programs Operated by Local Education Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act  
42 U.S.C. § 1758 School Lunch Programs-Program Requirements  
Pub. L. 110-134 Improving Head Start for School Readiness Act of 2007  
42 U.S.C. § 11301, et seq. McKinney-Vento Homeless Assistance Act of 1987

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/2018	Revised: 2/26/2018
	Reviewed: 2/25/2019	Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3360P Discipline of Students with Disabilities

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

The Network Schools shall comply with the provisions of the IDEA and Section 504 of the Rehabilitation Act when disciplining students. No student with a disability shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Any student with a disability whose gross disobedience or misconduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures, except that the disabled student with an IEP shall continue to receive education services as provided in the IDEA during such period of expulsion.

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

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

##### Policy History:

Promulgated: 2/26/2018      Reviewed: 2/25/2019      Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3365 Student Sex Offenders

##### Definition

“Student Sex Offender” is a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

##### Notification to The Network Schools

The Superintendent of Public Instruction is required by state law to notify a school district, The Network Schools, or private school regarding the enrollment of a registered juvenile sex offender. The Superintendent of public instruction is also required to notify The Network Schools of the offender's probationary status or treatment status, if known. The Executive Director of The Network Schools or his/her designee shall make contact with the State Department of Education in order to receive regular updates of this information.

##### Educational Placement

The Executive Director or his/her designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Executive Director or his/her designee shall consider such factors as the safety and health of the student population. The Executive Director or designee shall develop guidelines for managing each student sexual offender in The Network Schools.

Convicted juvenile sex offenders shall not attend a school attended by their victims or a victim's sibling. The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends The Network Schools.

##### Staff

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community.

Legal References: I.C. §18-8402  
I.C. §18-8408  
I.C. §33-205

Findings  
Providing List to Superintendent of Public Instruction  
Denial of School Attendance

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015  
Reviewed: 2/25/2019

Revised: 7/20/2015  
Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3370 Searches and Seizure

To maintain order and security in the schools, school staff are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

##### School Property and Equipment and Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by the student, without notice or consent of the student. This applies to student vehicles parked on school property. The Network Schools may require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle and personal effects therein, when reasonable suspicion of wrongdoing exists.

The Administrative Staff may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons or other illegal or dangerous substances or material, including searches conducted through the use of specially trained dogs.

##### Students

Staff may search the student and/or the student's personal effects in the student's possession when there is reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating the law or The Network Schools' policies or rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Whenever practical, searches of a student shall be conducted by a staff member of that student's gender. Any time a search of a student must be conducted, a second adult shall be present. Whenever practical, this second adult shall also be of the student's gender. In no case shall a search of a student be conducted without at least one adult of the student's gender present.

##### Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or The Network Schools' policies or rules, such evidence may be seized and impounded by school staff, and disciplinary action may be taken. Such evidence may be transferred to law enforcement authorities.

##### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 3/21/2022

Revised: 3/21/2022

## The Network Schools

### STUDENTS

#### 3370P Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

- A. The Administrative Staff and/or any designee authorized staff-person of the Administrative Staff shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
- B. If the Administrative Staff or designee has reasonable suspicion to believe that any locker, car or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or The Network Schools, the Administrative Staff or designee is authorized to conduct a search of any car or container and to seize any such item or substance.
- C. The Administrative Staff or designee may perform random searches of any locker, car or container of any kind on school premises without notice or consent.
- D. If the Administrative Staff or designee has any reasonable suspicion to believe that any student has any item or substance in his/her possession, which constitutes an imminent danger to the property of any person or The Network Schools, the staff-person is authorized to conduct a search of any car or container and to seize any such item or substance.
- E. No student shall hinder, obstruct or prevent any search authorized by this procedure.
- F. When feasible and when a student is under 18 years of age, the authorized administrator shall contact a student's parent/guardian prior to conducting a search of their person. When it is not feasible to contact the parent/guardian prior to a search of a student's person, the authorized administrator shall attempt to contact the parent/guardian as soon as possible following the search.
- G. Any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness as described in Policy 3370. A written record of the time, date and results shall be made by the Administrative Staff or designee. A copy shall be forwarded to the Administrative Staff as soon as possible.
- H. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.
- I. In any situation where the staff-person is in doubt as to the propriety of proceeding with any search or seizure, the staff-person is authorized to report the situation to the



appropriate law enforcement agent. The administrator is not to become the agent of any public law enforcement agent.

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 3/21/2022	Revised: 3/21/2022
	Reviewed: 8/15/2022	Revised: 8/15/2022

## The Network Schools

### STUDENTS

#### 3380 Extracurricular and Co-Curricular Participation Policy

Extracurricular or co-curricular activities are supplements to the regular instructional programs and afford students opportunities for enrichment. **However, participation in extracurricular and co-curricular activities is a privilege, not a right.** I.C. § 33-512(12). As representatives of their school, students participating in such activities are expected to meet high standards of behavior.

#### Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

“Extracurricular Activities” means a school authorized activities which take place outside of the regular school day and do not involve class credit, including, but not limited to athletics, student groups or organizations, and community activities for which high school letters are awarded.

“Co-Curricular Activities” are school authorized activities held in conjunction with an accredited class, but taking place outside of the regular school day including, but not limited to, debate, drama, drill team, band or choir.

“Activity Suspension or Suspension from Extracurricular or Co-Curricular Activities” means that suspended students shall not travel, dress in uniform, associate or participate with the team or group at its scheduled event(s). Suspended students may be allowed to participate in practices/meetings; however, the Administrative Staff or designee may deem it necessary for students to be withheld from practices/meetings for the duration of the suspension.

“Controlled Substances” include, but are not limited to opiates, opium derivatives, hallucinogenic substances, including cocaine, and cannabis and synthetic equivalents or the substances contained in the plant, any material, compound mixture or preparation with substances having a depressant effect on the central nervous system, and stimulants.

“Drugs” include any alcohol or malt beverage, any inhalant, any tobacco product, any e-cigarette products, any controlled substances, any illegal substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance which is tended to alter mood, and/or any substance which is misrepresented and sold or distributed as a restricted or illegal drug.

“Drug Paraphernalia” is defined as any or all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in this policy.

“Emergency Activity Suspension” is defined as imposition of an activity suspension by Administrative Staff or his designee prior to an informal hearing when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

“Event” is defined as a match, game, meet, or other competitive event, including regional and/or state tournaments, competitions. “Event” is also defined as any band or choir performance(s).

“Knowingly Present” shall mean that a student attended a gathering of two (2) or more individuals at which one or more of the attendees (other than the student at issue) were using or are in possession of drug paraphernalia, controlled substances, drugs, pornography, or alcohol, tobacco or e-cigarettes, and the student knew or reasonably should have known that such use or possession was occurring.

“Minor Infraction” shall mean a minor deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity and which is not material or substantial. Students will be given notification of the first minor infraction. Students and parents will be given notification of the second minor infraction through a conference and will be informed that a third minor infraction may result in activity suspension.

“Major Infraction” shall mean a material or substantial deviation for acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity, including but not limited to insubordination toward or non-compliance with the person in charge of the activity, verbal or physical abuse (hazing, fighting), refusal of a student to identify him/herself to school personnel upon request.

“On any school premises or at any school sponsored activity, regardless of location” includes, 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. “On any school premises or at any school sponsored activity, regardless of location” also includes instances in which the conduct occurs off the school premises but impacts a school related activity.

“Scholastic Year” is defined as the period of time beginning with the first day of the fall extracurricular and co-curricular activities season and ending with the last day of school.

“School Days” include only those days when school is in session.

#### Extracurricular or Co-Curricular Activity Suspension

The Board believes that the safety and welfare of other students may be adversely affected when students who are involved in extracurricular or co-curricular activities commit major infractions or repeated minor infractions at school or during school activities, and/or are involved in criminal conduct or drug use in any location.

At the beginning of each semester, teachers or coaches of co-curricular courses will identify for students how participation in the co-curricular activity impacts their course grade. Co-curricular students who are suspended as a result of this policy will have the co-curricular course grade affected only if the reason for the suspension was related to course work or course expectations. Students who miss a co-curricular activity because of a suspension may ask to do, or be required to do, alternative assignments or special projects to make up the

missed activity.

I. Activity Suspension as a Result of a School Suspension

A student will be immediately suspended from all extracurricular and co-curricular activities when he/she receives a suspension (not including an in-school detention) from school for any reason.

Consequences:

- A. The activity suspension is automatic, is for the duration of the school suspension, and runs concurrent with the school suspension; and
- B. This type of activity suspension cannot be appealed.

II. Activity Suspension for Repeated Minor Infractions or a Major Infraction During an Activity

A student may be suspended from an extracurricular or co-curricular activity when he/she commits a third minor infraction, or a major infraction, while engaged in an extracurricular or co-curricular activity on any school premises or at any school-sponsored activity, regardless of location. The coach or advisor will recommend suspension to the Administrative Staff.

Consequences:

- A. The incident will be reviewed pursuant to the Informal Hearing Process at Section V of this policy;
- B. If the evidence supports the recommendation, the student may be given an activity suspension for a period of time up to and including the remainder of the season or duration of the activity in that scholastic year for that activity only; and
- C. If the activity suspension exceeds nine (9) school days, the parent/guardian may request an appeal as outlined in the Appeal Process at Section VI of this policy.

III. Activity Suspension for Criminal Conduct or Drug Use in Any Location During the Scholastic Year

A student may be suspended from extracurricular and co-curricular activities when he/she has been arrested or it reasonably appears to The Network Schools that he/she has violated criminal law, other than infractions or minor traffic violations; or has been involved with drug paraphernalia, controlled substances, or drugs, including alcohol, tobacco, or e-cigarettes, **in any location, either on or off campus**, during the scholastic year, in any of the following ways: attempting to secure or purchase; using or having reasonable suspicion of having used; possession; intending or attempting to sell or distribute; selling or giving away; or being knowingly present when any of the above are used, possessed, or consumed.

Consequences:

Knowingly Present

- A. First Violation: When a student violates the “knowingly present” prohibition of this policy for the first time during a scholastic year, the Administrative Staff or Designee:
  - 1. will hold a conference with the student;
  - 2. will notify the student’s parent/guardian and the student of the violation;
  - 3. may arrange a conference with the parent/guardian and the student; and
  - 4. will inform the student and parent/guardian of consequences for future violations of the policy.

- B. Second Violation: When a student violates this “knowingly present” prohibition of this policy for the second time during a scholastic year, he/she is subject to the consequences outlined below in Other Violations.

Other Violations:

- A. The incident will be reviewed pursuant to the Informal Hearing Process in Section V of this policy. If the evidence supports the accusation, the student may be suspended from all extracurricular and co-curricular events for a period of twenty-one (21) calendar days.
- B. The suspension will be reduced to a fourteen (14) calendar day period if:
  - 1. In the case of criminal conduct, the student receives counseling which has been approved by a school counselor.
  - 2. In the case of drug, alcohol, tobacco use, or e-cigarettes, the student agrees to and completes:
    - a. A drug/alcohol/tobacco assessment provided by the school (no cost) or the community (the family incurs the cost); and/or
    - b. Drug/alcohol/tobacco education group, provided or facilitated by the school, and/or the community.
- C. If no event is scheduled during the period of the suspension, the student will be withheld from the next scheduled event.
- D. If the student notifies school personnel (self-reports) concerning his/her criminal conduct or drug use prior to the personnel’s knowledge of the incident(s), the Administrative Staff may reduce the length of the activity suspension.
- E. On the occasion of a subsequent infraction during a scholastic year, and if the evidence supports the accusation, the Administrative Staff will bar the student from any form of extracurricular or co-curricular activity for the balance of the scholastic year.
  - 1. All students who receive an activity suspension for criminal conduct or drug use shall be reported to the Administrative Staff or Designee and, if applicable, to the appropriate law enforcement agency.
  - 2. The parent/guardian may request an appeal as outlined in the Appeal Process at Section VII of this policy, with either a first or second offense.

IV. Infractions Which Occur in Out-of-School Trips

During an out-of-school trip, if the authorized person in charge of the activity determines that a student should be sent home early because of criminal conduct, drug use or a major infraction, the authorized person will notify the parent/guardian, and ask him/her to take charge of the return of the student. The parent/guardian will assume any expenses incurred for the return of the student.

V. Informal Hearing Process

Prior to giving an activity suspension to a student, the Administrative Staff or Designee shall grant the student an informal hearing on the reasons for the activity suspension and the opportunity to challenge those reasons unless an emergency activity suspension is necessary. If an emergency activity suspension is necessary, an informal hearing will be held as soon as possible after the emergency ceases to exist.

## VI. Student travel to or from an extracurricular or co-curricular activity

Unless other travel arrangements are authorized, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is the release of students to parents in a face-to-face situation at the close of the activity before buses begin the return trip. Such release will require a signed, dated note from the parent.

The activity must provide at least one instructor\coach\ or adult sponsor for each bus on a special trip. The bus driver will be responsible for the safe operation of the bus. The sponsor will be responsible for supervision of students and enforcement of bus rules. Any adult designated by the Administrative Staff as a sponsor will have such authority.

Students must follow all school bus rules with this exception: Food and drink not in glass containers will be allowed on the bus with permission of the Administrative Staff. However, any debris must be cleaned up at the end of the trip and before students leave the bus.

If a student causes a disruption or hazard on the bus, a hearing will be held with the Administrative Staff, driver, instructor\coach or adult sponsor, parent/guardian and student. The driver, instructor\coach or adult sponsor, parent/guardian and the student will have the opportunity to share with the Administrative Staff their perceptions of the problem. If the Administrative Staff finds that there has been an infraction of bus rules, he will take the following action:

- A. On the first infraction, the student will be warned that following any further infraction he/she will be declared ineligible for transportation to the extracurricular or co-curricular activities for one event.
- B. On the second infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activity for two events.
- C. On the third infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activities for the remainder of the semester. Based on the severity of the problem as it relates to respect and safety for others, the Administrative Staff may bypass step #1 and/or step #2 above and immediately declare the student ineligible for transportation for two weeks or for the remainder of the semester.

## VII. Appeal Process

- A. This appeal process may be used by students and their parent/guardian only in those instances where an activity suspension or transportation to an extracurricular or co-curricular activity exceeds nine (9) school days.
- B. The parent/guardian must request an appeal in writing within two (2) school days from the notification of the activity suspension decision.
- C. The Administrative Staff will appoint a three-member panel composed of certificated staff members who have not been involved in the disciplinary action in question. The hearing panel will notify the student and the parent/guardian of the date, location, and time of the hearing; the student will have an opportunity to present additional evidence regarding the circumstances of the suspension or reasons to reduce the length thereof. The appeal must be scheduled within five (5) school days of the request.
- D. If the panel determines that the evidence reviewed at the appeal supports the suspension, the suspension of the student from extracurricular and/or co-curricular

activities shall be continued.

- E. The student and the parent/guardian will be notified in writing of the panel's findings and determination with respect to the student suspension from extracurricular and/or co-curricular activities within two (2) school days of the panel's decision.
- F. The panel's determination is final, and is not appealable to the Executive Director or the Board.

### VIII .Elementary Students

Students in kindergarten through sixth (K-6) grade who are in violation of this policy may have the length of the activity suspension reduced by the Administrative Staff or Designee.

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3390 Extra- and Co-Curricular Chemical Use Policy

Extracurricular and Co-curricular activities are subject to the supervision and regulation of The Network Schools. Participation in extracurricular or co-curricular activities is considered a privilege, not a right.

Students participating in extra- and co-curricular activities, whether sponsored by the IHSAA or not, shall not use, have in possession, sell, or distribute alcohol, tobacco, e-cigarettes, illegal drugs, abuse prescription or non-prescription drugs during their extracurricular seasons. These rules are in effect twenty-four (24) hours a day. If a student is charged with possession, or is seen using tobacco, alcohol, or illicit drugs, the student will forfeit the privilege of participating in accordance with the activities and student handbooks.

#### Policy Coverage

This policy applies to middle and high school students who are involved in the extra- and co-curricular activities program.

#### Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Violations are cumulative, through the student's period of attendance in grades 7-8 and in grades 9-10. The Administration shall publish the participation rules annually in the activities and student handbooks.

#### Student and Parent/Legal Guardian Due Process

If Administrative Staff makes a determination is made that a student has violated this policy, the student and parent or guardian shall be notified of the violation by telephone where possible, and also in writing. Also at this time, the student and parent or guardian shall be notified of the type of discipline that will be administered.

**APPEAL PROCESS:** Any parent or legal guardian and student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the Administrative Staff, for the purpose of resolving the grievance. At such a conference, the student and the parent shall be subject to questioning by the Administrative Staff, and shall be entitled to question staff involved in the matter.

Legal Reference: I.C. § 33-512 Governance of schools

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3410 School Sponsored Student Activities

- A. Student Organizations:
  - 1. All student organizations must be approved by the Administrative Staff designee(s). Secret or clandestine organizations or groups will not be permitted.
  - 2. Bylaws and rules of student organizations must not be contrary to board policy or to administrative rules and regulations.
  - 3. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.
  
- B. Social Events
  - 1. Social events must have prior approval of the administration.
  - 2. Social events must be held in school facilities unless approved by the Board.
  - 3. Social events must be chaperoned at all times.
  - 4. Attendance at high school social events and dances shall be limited to high school students, and middle school social events shall be limited to middle school students, unless prior permission is received from the Administrative Staff.
  
- C. Extracurricular Activities
  - 1. Academic and behavior eligibility rules are established by Idaho High School Activities Association (IHSAA) rules and The Network Schools policy
  - 2. Any student convicted of a criminal offense may, at the discretion of school officials, become ineligible for such a period of time as the school officials may decide.
  - 3. In establishing an interscholastic program, the Board directs the administration to:
    - a. Open all sports to all students enrolled in The Network Schools with an equal opportunity for participation.
    - b. Recommend sports activities based on interest inventories completed by the students.

#### Policy History:

Adopted: 8/2013

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Reviewed: 2/25/2019

Revised: 2/25/2019

**The Network Schools**

**STUDENTS**

**3420 Student Fund Raising Activities**

The Board acknowledges that student solicitation of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the school. Solicitation and collection of money by students for any purpose, including the collection of money by students in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may only take place with the written permission of the Executive Director.

Policy History:

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Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### **3430 Distribution of Fund-Drive Through Students**

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of The Network Schools to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Recognized student or school-affiliated organizations of The Network Schools may submit a written request to the Executive Director seeking an exception to this policy if the organization would like permission to participate in such activity. The organization must receive written permission from the Executive Director to participate.

Cross Reference: Community Relations Policy 4310 Contact with Students

#### Policy History:

Adopted: 8/2013

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Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3440 Student Fees, Fines and Charges / Return of Property

The Network Schools shall charge no fee for any course offered by The Network Schools for which academic credit is awarded.

A student may be charged a reasonable fee for any non-credit course or non-curricular activity such as an extra-curricular activity, student-activity, or membership in a voluntary club or association. The Board may waive the fee in cases of financial hardship.

The Board delegates authority to the Executive Director to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the Board regarding fee schedules.

Additional fees may be charged for “enhanced programming and materials” which are voluntary enrichments to the curriculum beyond what is necessary to meet the learning expectations for a particular grade or course (i.e. students may wish to use a superior product or consumable than that provided by the school, in which case they may be asked to pay the additional cost for the upgrade).

A student shall be responsible for the cost of replacing materials or property that is lost or damaged due to negligence. If school property in a student’s possession is lost, broken, or otherwise damaged, the student may be charged the lesser of the fair market value of the item at the time or the cost of repair.

The Network Schools, may require, as a condition of graduation, issuance of a diploma or certificate, issuance of a transcript, that all indebtedness incurred by a student be satisfied, or that all books or other instructional material, uniforms, athletic equipment, advances on loans or other personal property of The Network Schools be returned.

Legal Reference: I.C. § 33-603 Payment of fees or returning of property

#### Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 5/16/2016	Revised: 5/16/2016
	Reviewed: 10/16/2017	Revised: 11/27/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3460 School-Related Foreign Travel By Students

School-related foreign trips are allowed by The Network Schools when the experiences are an integral part of the school curriculum and contribute to The Network Schools' desired educational goals. Field trips are intended to allow students experiences that provide them with insight, information or knowledge that cannot be adequately developed through regular classroom experience.

When contemplating approval of a trip, the Administrative Staff shall take into account any foreign travel warnings or cautions of the U.S. Department of State. The Administrative Staff shall seek advice concerning foreign travel from The Network Schools' legal counsel and insurance carrier.

School-related foreign travel supplements regular instructional programs and affords students opportunities for enrichment. However, participation in school-related foreign travel is a privilege, not a right. As representatives of their school, students participating in such activities are expected to meet high standards of behavior.

#### Trip Plan Submission/Proposal – General

All student activities involving travel shall be authorized by the Administrative Staff or his/her designee. Each trip's authorization shall be based on the written rationale of the travel's educational value as well as the safety and welfare of the students involved.

Requests for trips must be submitted to the Administrative Staff no later than eight (8) weeks in advance of the trip.

Trips should be scheduled as much as possible during non-school hours/days such as spring or summer break so that absences from other instructional programs is kept to a minimum.

The teacher(s) responsible for the trip shall submit a list of participants to the school nurse so that provisions for any special medical problems and/or precautions can be provided.

Advertising, including the distribution of materials, will be allowed during the school day.

Private groups and organizations may not use The Network Schools in any way to promote their activities.

The Administrative Staff will develop procedures for trips, including the approval process and procedures to be used in case of accident or illness and student conduct violations.

#### Trip Proposal – Written Contents

The trip proposal must be in writing and contain the following elements:

- A. Identify the purpose of the trip and an outline of anticipated educational experiences

- and/or course of study to be followed.
- B. Identify the names of students and chaperones attending the trip.
  - C. Identify and plan for any special medical needs of student and chaperones attending the trip.
  - D. Identify adequate liability insurance to protect The Network Schools, board members, chaperones, teachers and students.
  - E. Submit an itemized statement of costs, including transportation, meals and accommodations.
  - F. Submit an itemized statement of costs as appropriate to the school-sponsored trip, such as passport and visa expenses, costs of a personal nature and optional trip insurance.

The Executive Director may enforce restrictions regarding the date, length of time and the chaperone/student ratio as a condition of approval.

Students participating in the trip during school hours are permitted and expected to make up any school work missed. The student's absence shall be recorded as "excused." The total number of school days missed due to the trip must be included in the written proposal.

A plan must be developed for the administration of medication for any student requiring such assistance.

The proposal must include the names and numbers of chaperones, including both male and female chaperones if the proposal is for a mixed group of students.

#### Trip Organizer Duties

In developing the proposal for the extended trip, the trip organizer will perform the following duties:

- A. Hold at least one (1) pre-trip meeting with students and parent/guardian.
- B. Provide to the Administrative Staff, students, parent/guardian and chaperones detailed written information about the trip and all activities.
- C. Provide detailed information on the responsibilities and rules for the students and chaperones.
- D. Discuss The Network Schools policy regarding student conduct while on a school-sponsored activity.
- E. Establish a curfew and enforce strict compliance to this curfew. Chaperones will be required to perform periodic checks to insure that students are following the curfew requirements.
- F. Perform periodic checks to insure strict compliance with all school rules and policies.
- G. Refrain from using tobacco, or e-cigarettes, and consuming alcoholic beverages or drugs while on the extended trip.

#### Pre-Trip Meetings

Pre-trip meetings involving students and their parents, as appropriate, shall be scheduled to assure that all plans are clearly understood. Pre-trip meetings shall not occur until approval from the Executive Director has been received.

#### Chaperones

Trip chaperones must include at least one certified staff member from the school sponsoring

the trip, and depending on the number of students involved, additional certified staff and/or parents/guardians of students going on the trip. Chaperones shall be selected by the trip teacher/advisor. Chaperones are under the supervision of the trip teacher/advisor.

A student will be permitted to stay in the same motel/hotel room with a chaperone only if the chaperone is the student's parent or legal guardian. Students whose parents or legal guardians are not serving as chaperones will share rooms with same-sex students only.

Chaperones will agree to the following duties:

- A. Supervise and be responsible for students during the entirety of the trip.
- B. Ensure that students follow all legal and school requirements.
- C. Establish a procedure for room checks and monitor compliance.
- D. In all ways model the behaviors expected of The Network Schools students.

Any adult convicted of any sex or drug related offenses may not serve as a chaperone. The Network Schools reserves the right to request background checks on chaperones.

The safety, protection and supervision of The Network Schools students are the sole purposes for adult chaperones accompanying The Network Schools students on foreign trips. Agreeing to serve as a chaperone is accompanied by an understanding that the established rules and policies will be followed.

The certified staff member serving as the trip organizer will carry a roster of students who are on the trip along with emergency information on each student.

Children who are not a part of the group participating in the trip may not accompany parents when the parents serve as chaperones.

All trips must be adequately supervised with a minimum of one (1) adult per ten (10) students. Groups with both male and female participants must have supervision of at least one (1) male and one (1) female adult.

### Student Conduct

Students participating in the trip will be subject to all codes of conduct in The Network Schools policy. Violations will result in appropriate disciplinary action.

Students and their parent/guardian are expected to be knowledgeable about The Network Schools' policy on student conduct. Trips are considered an extension of the classroom and all rules and policy pertaining to a school-sponsored activity must be followed:

- A. Students and their parent/guardian will read and sign a code of conduct. The code of conduct will be prepared by the Administrative Staff and will be reviewed during the pre-trip meetings.
- B. Students who violate any school policy during an extended trip may be disciplined, including, but not limited to, being sent home at the parent/guardian's expense.

### Permission

All students must return a permission slip for the trip, signed by a parent/guardian, before they will be allowed to participate in the trip.

### Fundraising

Fundraising drives may be allowed to defray costs, however, all fundraisers must be pre-approved by the Executive Director.

### Responsibilities

#### Responsibilities of Administrative Staff:

- A. Obtain and retain on file written parental permission for students who are under the age of 18.
- B. Sign any contractual agreement with a public carrier and/or any other service provider.
- C. Assure that all plans and arrangements are provided to and understood by the students and their parents.
- D. Set student and chaperone conduct rules.

#### Responsibilities of Trip Organizer:

- A. Communicate conduct rules of students and chaperones to parents/guardians, students and chaperones. Set behavior expectations for students and chaperones.
- B. Carry a list of the names of students and chaperones participating, their emergency information and submit a copy of the list to the Administrative Staff prior to the trip.
- C. Notify the building Executive Director of any emergency situation, i.e. an accident involving student(s), student missing from the group, etc.
- D. Identify and provide to parents an emergency plan.

### Cancellation of Trips

Cancellation of trips may occur due to weather, safety, world events or local school need. Trips will be cancelled only under circumstances under which appropriate school authorities believe it is reasonably cautious and prudent to do so in order to ensure the safety of students and staff or to ensure the effective operation of the local school. In such cases, every effort will be made to provide as much advance notice as possible.

The Network Schools is not responsible for financial losses to students and parents due to cancellation of trips. The authority to cancel trips rests with the Executive Director or his/her designee.

### Report of Trip Conclusion

Following the trip, the trip organizer shall prepare and present a summary and evaluation of the trip to the Executive Director. The Board may request a summary and evaluation be presented to the Board.

### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3500 Student Health/Physical Screenings/Examinations

The Board may arrange each year for health services to be provided to all students. Such services may include, but not be limited to:

- A. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day.
- B. Consulting services of a qualified specialist for staff, students, and parents.
- C. Vision and hearing screening.
- D. Scoliosis screening.
- E. Immunization as provided by the Department of Health and Human Services.

Parents/guardians will receive a written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress.

In general, The Network Schools will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. Further, parents will be notified of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening administered by The Network Schools is conducted which is:

- A. Required as a condition of attendance.
- B. Administered by the school and scheduled by the school in advance.
- C. Not necessary to protect the immediate health and safety of the student or other students.

Parents or eligible students will be given the opportunity to opt out of the above- described non-emergency, invasive physical examination or screening.

As used in this policy, the term "invasive physical examination" means any medical examination involving the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but this does not include a hearing, vision, or scoliosis screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Idaho High School Activities Association will be required to follow the rules of that organization, as well as other applicable The Network Schools policies, rules, and regulations.

#### Abortion-Related Counseling and Referrals Prohibited

All staff are prohibited from providing the following services to any person during working hours or in the course of their work:

1. Providing or performing an abortion;
2. Counseling in favor of abortion;
3. Referring for abortion; or
4. Dispensing emergency contraception, except in the case of rape.

Legal References: 20 U.S.C. § 1232h(b) Protection of Pupil Rights- Limits on Survey, Analysis, or Evaluations  
I.C. § 18-8701, *et seq.* No Public Funds for Abortion Act  
IDAPA 08.02.03.160 Safe Environment and Discipline

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	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 8/16/2021	Revised: 8/16/2021

## The Network Schools

### STUDENTS

#### 3510 Student Medicines

##### Assistance in Self-Administration of Medicines to Students

Any school employee authorized in writing by the Administrative Staff:

- A. May assist in the self-administration of any drug that may lawfully be sold over the counter without a prescription to a pupil in compliance with the written instructions, if the pupil's parent or guardian consents in writing.
- B. May assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a licensed health care practitioner, if the pupil's parent or guardian consents in writing.

##### Medicines to Students

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation.

The Board will permit the administration of medication to students at The Network Schools. Pursuant to the written authorization of the student's licensed health care practitioner, as well as the written authorization of a parent/guardian, the school nurse (who has received direction as to the administration of medication by the student's licensed health care practitioner) may administer medication to any student in the school.

Where administration of medication is a routine activity for a particular student, the subject shall be addressed in a student's health care plan, Section 504 Plan or IEP, as applicable.

Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a The Network Schools employee and should not be practiced by any school personnel.

The absence of a school nurse for the administration of medication shall be addressed on a case-by-case basis considering proper compliance with Idaho law and the medical needs of the student.

##### Emergency Administration of Medication

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or delegate may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function, according to the standing order of the chief medical advisor or the student's licensed health care practitioner.

In the absence of a school nurse or designated staff member exempt from the nurse licensure requirements (I.C. § 54-1401 et seq.) who has completed training in administration of medication, may give emergency medication to students orally or by injection. There must be on record a medically diagnosed allergic condition which would require prompt treatment to protect the student from serious harm or death.

Record of the medication administered in an emergency will be entered on an Individual Student Medication Record and filed in the student's cumulative health folder.

#### Self-Administration and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent/guardian and written authorization from the student's treating physician, shall be permitted by the Board to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes in the classroom and in any area of the school or school grounds, and to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

#### Self-Administration of Asthma Medication, Insulin/Diabetic Treatment, or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication, or the following shall apply to epinephrine auto-injectors, insulin, or blood glucose monitoring supplies if a parent/legal guardian chooses to have his or her child self-medicate:

1. The parents/guardians of the pupil shall provide to the Board or designee written authorization for the self-administration of medication.
2. The parents/guardians of the pupil shall provide to the Board or designee written certification from the physician of the pupil that the pupil has a severe allergic reaction (anaphylaxis), asthma, or another potentially life-threatening respiratory illness, or diabetes and is capable of, and has been instructed in, the proper method of self-administration of medication. In cases where the pupil has severe or life-threatening allergies, Policy 3515 Food Allergy Management, and any related procedures shall be followed. For students with a severe allergic reaction, asthma, another potentially life-threatening respiratory illness, or diabetes the student's physician or health care provider-supplied information shall contain:
  - A. The name and purpose of the medicine;
  - B. The prescribed dosage;
  - C. The time(s) at which or the special circumstances under which medication should be administered;
  - D. The length of time for which medication is prescribed;
  - E. The possible side-effects of the medicine;
  - F. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing or allergic reaction;
  - G. Contact information for the physician and parent/guardian; and
  - H. If applicable, a list of the child's asthma triggers or allergies.
3. The school's administration and appropriate teachers and school personnel are informed that the student is self-administering prescribed medication. Such notification shall be done in a manner so as to best preserve the privacy of the student and the student's medical condition to the extent appropriate.

For students with severe or life-threatening allergies this information may be provided in the student's Emergency Care Plan.

### Additional Requirements for Self-Administration of Medicines

The Board or Board designee will inform the parents/guardians of the pupil in writing that The Network Schools and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil, absent any negligence by The Network Schools, its employees, or its agents, or as a result of providing all relevant information provided pursuant to subdivisions of this subsection with the school nurse, absent any negligence by The Network Schools, its employees, or its agents, or in the absence of such nurse, to the school administrator.

The parents/guardians of the pupil shall sign a statement acknowledging that The Network Schools shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless The Network Schools and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

Students who are authorized to carry their own epinephrine auto-injectors or supplies or equipment necessary for diabetes monitoring and/or treatment of diabetes may be retested periodically to ensure they are still capable of correctly self-administering the medication.

As used in this section:

1. "Medication" means an epinephrine auto-injector, a metered dose inhaler, or a dry powder inhaler or insulin, insulin delivery system and/or supplies or equipment necessary for diabetes monitoring and/or treatment prescribed by a physician and having an individual label;
2. "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician; and
3. A student who is permitted to self-administer medication pursuant to this section shall be permitted to possess and use the prescribed medication at all times.

Any school employee authorized in writing by the Administrative Staff may assist with self-administration of medications provided that only the following acts are used:

- A. verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
- B. handing a prefilled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
- C. opening the lid of the above container for the student;
- D. guiding the hand of the student to self-administer the medication;
- E. holding and assisting the student in drinking fluid to assist in the swallowing of oral medications;
- F. assisting with removal of a medication from a container for students with a physical disability which prevents independence in the act.

### Handling and Storage of Medications

All medications, including those approved for keeping by students for self-medication, must first be delivered by the parent/guardian to the nurse or employee assisting with the self-administration of medication. The school nurse or employee must:

- A. Examine any new medication to insure that it is properly labeled with dates, name of student, medication name, dosage and physician's name.
- B. If administration is necessary, the nurse must develop a medication administration plan for the student before any medication is given by school personnel.
- C. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received.
- D. Store medication requiring refrigeration at 36F - 46F.
- E. Store prescribed medicinal preparations in a securely locked storage compartment excluding those medications approved for self-administration. Controlled substances will be contained in a separate compartment, secured and locked at all times. Students shall be permitted to possess and use a prescribed inhaler or epinephrine auto-injector at all times.

No more than a forty-five (45) school day supply of a medication for a student will be stored at the school. All medications, prescription and nonprescription, will be stored in their original containers.

Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each school will maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

Disposal of Medication

School personnel must either return to the parent or destroy (with permission of the parent or guardian) any unused, discontinued or obsolete medication. Medicine which is not repossessed by the parent or guardian within a seven (7) day period of notification by school authorities will be destroyed by the school nurse in the presence of a witness.

Legal References:	I.C. § 33-520	Policy Governing Medical Inhalers, Epinephrine Auto Injectors, Insulin and Blood Glucose Monitoring Supplies
	I.C. § 54-1401	Purpose- License Required-Representation to the Public

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 10/17/2016	Revised: 10/17/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

## **The Network Schools**

### **STUDENTS**

#### **3515 Food Allergy Management**

Food-allergic reactions can develop into severe or life-threatening reactions and, even with proper treatment, can be fatal. A student's ability to learn may be drastically altered by their fears of a reaction. The Board will endeavor to provide a safe and healthy environment for students with severe and life-threatening food allergies and to address food allergy management in The Network Schools in order to:

1. Reduce the likelihood of severe or potentially life-threatening allergic reactions;
2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction; and
3. To provide students, through necessary accommodations, the opportunity to participate fully in all The Network Schools programs and activities, including classroom parties and field trips.

Food allergy management will focus on prevention, education, awareness, communication, and emergency response.

School administrators, will endeavor to be knowledgeable about and follow all applicable federal laws, including the Americans with Disabilities Act, Section 504, Individuals with Disabilities Education Act, and the Family Educational Rights and Privacy Act, as well as all State laws and School policies and guidelines that may apply to students with allergies. Administrators or their designees may make all of the appropriate allergy forms available to parents, explain the procedures for completing and returning them, and ensure that all forms and health records submitted by parents and physicians are reviewed by the appropriate personnel. Administrators and School nurses may also meet with parents and listen to their needs and concerns.

When a student has been identified as having food allergies verified by a physician, nurse practitioner, or physician assistant, individual written management plans may be used to determine accommodations to be made on a daily basis to prevent and prepare for an allergic reaction. An emergency care plan may be used to provide direction in the event of a life-threatening allergic reaction at The Network Schools or at a Network Schools event. Key staff members may be trained to use emergency medications and may be notified of the location of those medications at school and at any special function.

The Executive Director or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, may develop administrative regulations to implement this policy, including regulations pertaining to all classrooms and instructional areas, The Network Schools cafeterias, outdoor activity areas, school buses (if applicable), field trips, and school activities held before or after the school day.

Administrative regulations may address the following components:

1. Identification of students with food allergies and provision of The Network Schools health services;

2. Development and implementation of individual written management plans;
3. Medication protocols, including methods of storage, access, and administration;
4. Development of a comprehensive and coordinated approach to creating a healthy School environment;
5. Ensuring that the needs of children with documented allergies are taken into consideration in planning for The Network Schools programs;
6. Communication and confidentiality;
7. Emergency response;
8. Professional development and training for school personnel;
9. Awareness education for students and parents/guardians;
10. Training for The Network Schools staff and volunteers; and
11. Policy monitoring and evaluation.

Allergy-related policies, protocols, and plans may be updated annually or after any serious allergic reaction occurs at The Network Schools or at a Network Schools-sponsored activity.

The Executive Director or designee may annually notify students, parents/guardians, staff, and the public about The Network Schools' food allergy management policy by publishing such in handbooks and newsletters, on The Network Schools' website, through posted notices, or other efficient methods.

Students with allergies will be treated in a way that encourages the student to report possible exposure to allergens and any symptoms of an allergic reaction and to progress toward self-care with his or her food allergy management skills. Allergy-related bullying will not be tolerated.

The parent/guardian is expected to provide an adequate supply of the medication to be dispensed, and to retrieve any unused medication at the end of the school year or at the withdrawal of the student. Medication that is not retrieved by the parent/guardian by the student's last day of attendance during the school year will be disposed of by The Network Schools. This disposal will be verified by two people.

Cross References:	Instruction Policy 2400 Instruction Policy 2410 Student Policy 3510 Student Policy 3510F1 Student Policy 3510F2	Special Education Section 504 of the Rehabilitation Act of 1973 Administering Medicines to Students Authorization for Self-Administered Medication Indemnification/Hold Harmless Agreement for Self-Administration of Medication
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Legal Reference: 29 U.S.C. § 701, *et seq.* Section 504 of the Rehabilitation Act of 1973

Policy History:

Adopted: 7/20/2020 Reviewed: Revised:



## **The Network Schools**

### **STUDENTS**

#### **3520 Contagious or Infectious Diseases**

The Network Schools is required to provide educational services to all enrolled students. Attendance at The Network Schools may be denied to any child diagnosed as having a contagious or infectious disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The Network Schools shall rely on the advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

Management of common communicable diseases will be in accordance with Idaho Department of Health and Welfare guidelines and communicable diseases control rules. A student who exhibits symptoms of a communicable disease that is readily transmitted in the school setting may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the school nurse or other responsible person designated by the Administrative Staff and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

Before a student returns to after an illness, The Network Schools reserves the right to require a statement from the student's primary care provider authorizing the student's return to school. In all proceedings related to this policy, The Network Schools shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer shall promptly notify the school nurse or other responsible person designated by the Board to determine appropriate measures to protect student and staff health and safety. The school nurse or other responsible person designated by the Board, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of the student or for determining appropriate educational accommodation will be informed of the specific nature of the condition, if it is determined there is a need for such individuals to know this information.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

## The Network Schools

### STUDENTS

#### 3525 Immunization Requirements

Attendance at The Network Schools may be denied to any child who does not provide a statement to The Network Schools regarding the child's immunity to certain childhood diseases. Immunity requirements are met if the child has received or is in the process of receiving immunization as specified by the board of health and welfare or has previously contracted the disease. The parent or legal guardian of the child must comply with the immunization requirements at the time of admission and before attendance for the child.

<b>Summary of Immunization Requirements</b>			
<b>Immunization Requirement</b>	<b>Child born after September 1, 2005</b>	<b>Child born after September 1, 1999 through September 1, 2005</b>	<b>Child born on or before September 1, 1999</b>
Measles, Mumps, and Rubella (MMR)	2 doses	2 doses	1 dose
Diphtheria, Tetanus, Pertussis	5 doses	5 doses	4 doses
Polio	4 doses	3 doses	3 doses
Hepatitis B	3 doses	3 doses	3 doses
Hepatitis A	2 doses	0 doses	0 doses
Varicella	2 doses	0 doses	0 doses

<b>Summary of Seventh Grade Immunization Requirements</b>		
<b>Immunization Requirement</b>	<b>Child admitted to 7<sup>th</sup> grade prior to the 2011-2012 school year</b>	<b>Child admitted to the 7<sup>th</sup> grade during the 2011-2012 school year and each year thereafter</b>
Diphtheria, Tetanus, Pertussis	0 doses	1 dose
Meningococcal	0 doses	1 dose

<b>Summary of Twelfth Grade Immunization Requirements</b>		
<b>Immunization Requirement</b>	<b>Child admitted to 12<sup>th</sup> grade during 2020-2021 school year and each year thereafter, if student received their first dose of Meningococcal vaccine at 16 years of age or older, or if student has never received a dose.</b>	<b>Child admitted to the 12<sup>th</sup> grade during 2020-2021 school year and each year thereafter, if student received their first dose of Meningococcal vaccine before the age of 16</b>
Meningococcal	1 dose	2 doses

### Immunization Certification

The immunization certification statement must be verified by a physician, physician's representative, or another licensed health care professional, including an osteopath, nurse practitioner, physician's assistant, licensed professional nurse, registered nurse, and pharmacist, stating the type, number, and dates of the immunizations received.

### Intended Immunization Schedule

The schedule of intended immunizations statement must be provided by the parent or legal guardian of a child who is in the process of receiving or has been scheduled to receive the required immunizations. A form is provided by the department of Health and Welfare or similar one may be used provided it includes the following information:

- A. Name and age of child;
- B. School and grade child is enrolling in and attending;
- C. Type, number, and dates of immunizations to be administered;
- D. Signature of the parent or legal guardian; and
- E. Signature of a licensed health care professional providing care to the child.

Children admitted to school and failing to continue the schedule of intended immunizations may be excluded from school until documentation of administration of the required immunizations is provided by the child's parent or legal guardian.

### Exemptions

- A. Any child who submits a certificate signed by a physician licensed by the State Board of Medicine stating the physical condition of the child is such that all or any of the required immunization would endanger the life or health of the child is exempt from the immunization requirements.
- B. Any minor child whose parent or guardian submits a signed statement to school officials stating their objections on religious or other grounds is exempt from the immunization requirements.
- C. A child who has laboratory proof of immunity to any of the childhood diseases listed above will not be required to be immunized for that disease.
- D. A child who has had varicella (chicken pox) diagnosed by a licensed physician upon personal examination will not be required to be immunized for the disease provided they submit a signed statement from the diagnosing physician or the illness is noted on the verified immunization record.

### Communication of Immunization Requirements and Exemptions

In accordance with Idaho law, all communication to parents/guardians regarding immunization requirements shall also describe the exemptions and make reference to 39-4802, Idaho Code. For purposes of this section, 'communication' includes letters, phone calls, registration packets, etc.

### Reporting

The Network Schools shall submit a report of each school's immunization status to the State Department of Education on or before the first day of November of each year.

Legal References: I.C. § 39-4801                      Immunization Required  
                         I.C. § 39-4802                      Exemptions  
                         IDAPA 16.02.15                      Immunization Requirements for Idaho School  
                            Children

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 8/16/2021	Revised: 8/16/2021

## The Network Schools

### STUDENTS

#### 3530 Suicide

Neither The Network Schools nor a teacher has a duty to warn of the suicidal tendencies of a student without the teacher's or school's knowledge of direct evidence of such suicidal tendencies. The Board directs the Executive Director or his or her designee to draft and implement procedures relating to:

1. Suicide prevention;
2. Suicide intervention; and
3. Suicide postvention.

"Postvention" shall mean counseling or other social care given to students after another student's suicide or attempted suicide.

These procedures may include, but are not limited to, the following measures:

1. Prevention:
  - A. Offering and providing help and assistance, including early identification.
  - B. Support and/or counseling by school support personnel for low-risk students.
  - C. Referral to appropriate sources outside the school for high and moderate-risk students.
  - D. The designation of a school-level suicide prevention coordinator by the Executive Director to be responsible for planning and coordinating the implementation of procedures addressing suicide.
  - E. Encouraging staff to report to the coordinator students they believe may be at elevated risk of suicide.
  - F. Education of students on suicide prevention through age-appropriate curriculum.
  - G. Small group suicide prevention programming.
  - H. Offering resources to parents/guardians on suicide prevention.
2. Intervention:
  - A. Contacting the parents/guardians of students identified as at imminent risk of suicide.
  - B. Contacting emergency services to assist a student who is at imminent risk of suicide.
  - C. Providing first aid until emergency personnel arrive, as appropriate.
  - D. Moving other students away from the immediate area of any suicide attempt on The Network Schools property or at a Network Schools event.
3. Postvention:
  - A. After care support by the school for faculty, staff, and students after a sudden death has occurred
  - B. The development of a plan for responding to a death by suicide that has a significant impact on the school community.
  - C. Notification of the suicide prevention coordinator, if applicable.
  - D. The creation of a crisis team to respond to deaths by suicide that have a significant impact on the school community.

- E. Contacting the State Department of Education to report any student deaths by suicide and to seek postvention assistance and/or resources.
- F. Offering mental health services to students likely to be strongly affected by a recent death.
- G. Appointing a spokesperson to handle inquiries related to issues involving suicide in the school.

Following notification of School staff of a suicide attempt by a student or following the identification of a student as being at imminent risk of suicide, the Executive Director may require a note from the student’s doctor or counselor stating that it is the doctor or counselor’s opinion that the student is ready to return to school. The student and their parent/guardian may meet with the school counselor to create a plan for the student’s return to school, including any appropriate accommodations needed by the student.

The Network Schools personnel shall attend to the rights of the student and his or her family.

The Network Schools shall comply with all requirements of State law and administrative rules for training by personnel on suicide prevention and awareness. This includes providing annual professional development to staff involved in preventing, intervening, and responding to suicide on:

1. School philosophy regarding school climate and the promotion of protective factors;
2. Data on suicide for the region or state, or both;
3. Risk and protective factors for students;
4. Suicide myths and facts;
5. How to develop community partnerships related to suicide prevention;
6. How to utilize safe and appropriate language and messaging when addressing students;
7. Warning signs of suicide ideation for students;
8. Local and school-based protocols for aiding a suicidal individual;
9. Local protocols for seeking help for self and students;
10. Identification of appropriate mental health services and community resources for referring students and their families;
11. Information about state statutes on responsibility, liability, and duty to warn;
12. Confidentiality issues;
13. The need to ask others directly if they are suicidal; and
14. Evidence-based protocol for responding to a student or staff suicide.

Legal References:	I.C. § 33-136 I.C. § 33-512B I.D.A.P.A. 08.02.02.112 I.D.A.P.A. 08.02.03.160	Suicide Prevention in Schools Suicidal Tendencies – Duty to Warn Suicide Prevention in Schools Safe Environment and Discipline
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Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 3/21/2022	Revised: 3/21/2022

## The Network Schools

### STUDENTS

#### 3535 Concussion Protocol

The Board recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in athletic programs, practices, competitions, and physical education classes.

##### Staff Training

At least once during the school year, The Network Schools shall provide concussion training for physical education (PE) teachers and enrichment staff. The school nurse shall provide an in-service training for The Network Schools staff that includes guidelines and information regarding concussions.

##### Removal from Physical Activity Protocol

“Physical activity” includes, but is not limited to, recess, physical education (PE) class, and enrichment activities.

If at any time it is suspected a student has sustained a concussion, the student shall be immediately removed from physical activity and not be allowed to return to physical activity the same day. Once removed, the student shall not be allowed to return to physical activity until authorized to return by a written release by a qualified health care professional.

For the purposes of this section, “qualified health care professional” means and includes any one of the following who is trained in the evaluation and management of concussions:

- a) A physician or physician assistant licensed under Chapter 18, Title 54, Idaho Code;
- b) An advanced practice nurse licensed under section 54-1409, Idaho Code; or
- c) A licensed health care professional trained in the evaluation and management of concussions who is supervised by a directing physician who is licensed under Chapter 18, Title 54, Idaho Code.

Most students who experience concussion will exhibit any one or more of a variety of symptoms. A loss of consciousness is NOT always present. Headache is the most common symptom, but not all students experience concussion in the same way. Symptoms of a concussion may not be evident until several minutes, hours or days later. The severity of the symptoms will also vary along with their duration.

The following are a list of possible common symptoms by general category:

- More emotional
- Personality change
- Nervousness/Anxiety
- Irritability
- Sadness
- Lack of motivation



- Fatigue
- Drowsiness
- Excess sleep
- Sleeping less than usual
- Trouble falling asleep
- Feel in a “fog”
- Feel “slowed down”
- Feel “stunned”
- Feel “dazed”
- Memory problems
- Poor concentration
- Slurred speech
- Slowed speech
- Confusion
- Disorientation
- Easily distracted
- Amnesia
- Headache/Pressure
- Blurred vision
- Double vision
- Dizziness
- Loss of consciousness
- Nausea
- Vomiting
- Numbness/Tingling
- Sensitivity to light
- Sensitivity to noise
- Ringing in the ears
- Seeing “stars”
- Vacant stare
- Glassy eyes
- Neck pain
- Poor balance
- Poor coordination

### Monitor

If the student is experiencing any of the below signs, the parents or guardians of the student may want to transport the student to the nearest emergency room. In the absence of a parent or guardian, or when in doubt about what action to take, call 911 immediately.

1. Headache that gets worse or does not go away
2. Weakness, numbness or decreased coordination
3. Slurred speech
4. Looks very drowsy or cannot be awakened
5. Cannot recognize people or places
6. Is getting more and more confused, restless, or agitated.

If the condition of the student continues to deteriorate or if any student exhibits ANY of the below signs, call 911 immediately and launch your school's emergency action plan:

1. Repeated vomiting or nausea.
2. Has one pupil (the black part in the middle of the eye) larger than the other.
3. Experiences convulsions or seizures.
4. Prolonged loss of consciousness (a brief loss of consciousness should be taken seriously and the person should be carefully monitored).

### Communicate

Contact the student's parents or guardians as soon as possible to inform them of the potential injury. Communicate the injury to your school's school nurse, or other appropriate school personnel in a timely fashion if it has not already been communicated.

### Return to Learn Protocol

Under subsection (7) of section 33-1625, Idaho Code it reads "Students who have sustained a concussion and return to school may need informal or formal accommodations, modifications of curriculum, and monitoring by a medical or academic staff until the student is fully recovered. A student should be able to resume all normally scheduled academic activities without restrictions or the need for accommodation prior to receiving authorization to return to physical activity by a qualified health care professional.

If symptoms persist, accommodations for the student such as a 504 plan may be pertinent. Services and accommodations for students may include environmental adaptations, curriculum modifications, and behavioral strategies. The decision to implement a 504 plan should be arrived at through collaboration of all parties involved.

Students may need to limit activities while they are recovering from a concussion. Exercising or activities that involve a lot of concentration, such as studying, working on the computer, or playing video games, may cause concussion symptoms (such as headache or tiredness) to reappear or get worse. Students who return to school after a concussion may need to: a. Take rest breaks as needed b. Spend fewer hours at school c. Be given more time to take tests or complete assignments d. Receive help with schoolwork e. Reduce time spent on the computer, reading, or writing.

### Return to Physical Activity Protocol

An injured student should only be allowed to return to physical activity once the student is successfully tolerating their normal cognitive workload during school.

Legal References: I.C. § 33-1625 Youth athletes – Concussion and Head Injury Guidelines  
Title 54, Chapter 18 Idaho Code

Other References: <http://www.idhsaa.org/concussions/default.asp>  
<http://www.cdc.gov/concussion/sports/index.html>  
<http://www.cdc.gov/concussion/sports/recognize.html>

### Policy History:

Adopted: 2/22/2018 Reviewed: 2/25/2019 Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3540 Emergency Treatment

The Board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

Each parent or guardian must provide an emergency telephone number where the parent or designee of the parent can be reached.

When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse or a doctor. The Administrative Staff or designated staff member should immediately contact the parent so that the parent can arrange for care or treatment of the injured student.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

- A. Isolate the child immediately from other children in a room or area segregated for that purpose.
- B. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
- C. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the Administrative Staff or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he/she may elect to continue the treatment or make other arrangements.

#### Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3545 Student Interviews, Interrogations, or Arrests

The Board recognizes the need of law enforcement officers and officers of the Department of Health & Welfare to conduct investigations which may involve interrogating minor students (under 18 years of age) of this district. The Board also recognizes the duty of The Network Schools to protect the health, safety and welfare of students of The Network Schools, which includes protection of minor students during any such investigation.

It is the policy of the Board to cooperate fully with all law enforcement agencies. For the purposes of this policy and related administrative regulations, the terms “casual conversations” and “interrogation” are defined as follows:

- Casual conversations – a meeting face to face, between a law enforcement officer(s) of the court or Department of Health and Welfare officer, with a minor student to confer, without the intention to effect an arrest of the minor student. The student is free to leave at any time during a casual conversation. Whenever possible, the Administrative Staff should inform the student that this is not an interrogation and they are free to leave at any time.
- Interrogation (including custodial interrogation) – a meeting, face to face, between a law enforcement officer, Department of Health and Welfare officer, or officer of the court and a minor student. The purpose is to ask questions formally to obtain evidence of criminal acts or to effectuate an arrest, where the minor student is generally not free to leave or terminate the questioning.

Casual conversations or interviews with students by a School Resource Officers are encouraged, without the necessity of a more formal setting.

The policy of this district requires that the student be contacted through the office of the Administrative Staff or designee. The Network Schools will have procedures for interrogating minor students.

Cross References: Community Relations Policy 4400 Relations with Law Enforcement and Child Protective Agencies  
Community Relations Policy 4410 Investigations and Arrests by Police  
Personnel Policy 5260 Abused and Neglected Child Reporting

Legal References: I.C. § 6-904(1) Exceptions to Governmental Liability  
I.C. § 16-1605 Reporting of Abuse, Abandonment or Neglect  
I.C. § 16-1606 Immunity  
I.C. § 16-1607 Reporting in Bad Faith—Civil Penalties  
I.C. § 16-1631 Authorization for Department to Act  
I.C. § 20-516 Apprehension and Release of Juvenile—Detention

Idaho Attorney General Opinion 93-2 Watkins v. U.S., 354, U. S. 178, (1957)  
In re Gault, 87 S. Ct., 1428 (1967)  
Terry v. Ohio, 392, U. s. 1 (1968)  
Greene vs. Camreta, 2009 WL 4674129 (9th Cir, Dec 10, 2009)

Policy History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3545P Interviews and Interrogations by Law Enforcement Officials

##### School-Related Violations

No interrogation should be granted or information given without proper identification of the officer. If the officer is in plain clothes, the Administrative Staff or designee should only accept official identification. If the Administrative Staff does not know the officer, the identification should be verified by calling the appropriate agency and documenting such action.

Service of subpoenas upon students should be in private, but in the presence of the Administrative Staff or designee. Parents/guardians of a minor student must be notified immediately that a subpoena has been served to the student.

##### WHEN INTERROGATING MINOR STUDENTS:

1. Prior to the commencement of any interrogation by a police officer, a parent must be notified and/or present unless the police officer provides an exigent circumstance as to why the parents should not be contacted. The police officer should complete a written statement of the exigent circumstance(s). Whether or not the articulable circumstance is sufficient under the law is not for The Network Schools to determine but ultimately for a court to determine.
2. If an interrogation by a Department of Health and Welfare (DHW) or Child Protection Services (CPS) is desired without the parent(s) present that can be done, although The Network Schools shall want to inquire whether or not a staff member, in an administrative position, can be present during the course of that meeting. If the DHW/CPS workers say no, The Network Schools will provide a secure area for the meeting and stay out of the room.

##### WHEN AN ARREST IS MADE:

1. Whenever possible, the proceedings shall be kept private.
2. Except in cases of child endangerment or as otherwise legally required, the Administrative Staff or designee shall immediately notify the parent/guardian of a minor student.
3. The release of the student to the authorities generally shall take place in the administration office in the presence of the Administrative Staff or designee.
4. The name of the student released to the authorities shall be reported by phone to the Executive Director.

##### Release Without a Warrant

Students may not be released to authorities unless an arrest is to be made or the student is placed in protective custody and then only to a properly identified police or court officer. A record must be kept of the name and number of the officer. Parents/guardians must be notified of the release of a minor student.

##### Release With a Warrant

When a police officer or court officer has a warrant, the student must be released to that officer's

custody. A record must be kept of the name and number of the officer, the number of the warrant and the place to which the student is being taken. The parent/guardian must be notified of the custodial release of a minor student.

Policy History:

Adopted:	8/2013	Reviewed:	7/20/2015	Revised:	7/20/2015
		Reviewed:	2/25/2019	Revised:	2/25/2019

**The Network Schools**

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**3545F Student Arrest Form**

**NOTICE OF INTERROGATION/SEARCH/ARREST**

(To Be Completed by Administrative Staff or Designee in cases of exigent circumstance(s) which prevents parent/guardian notification)

School Name: \_\_\_\_\_

Person Reporting: \_\_\_\_\_ Date of Report: \_\_\_\_\_

Date of Interrogation/Search: \_\_\_\_\_ Time of Event: \_\_\_\_\_

Location: \_\_\_\_\_

Name of Student(s): \_\_\_\_\_ Grade: \_\_\_\_\_

Name of Legal Authority: \_\_\_\_\_

Identification of Authority/Officer (e.g., badge number): \_\_\_\_\_

If applicable, what exigent circumstance is Authority/Officer articulating: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Was the parent/guardian present during the interrogation/search?      Yes      No

Was an arrest made?      Yes      No      If yes, list warrant number: \_\_\_\_\_

Was student released to officer?      Yes      No

If yes, where was student taken: \_\_\_\_\_

\_\_\_\_\_  
Authority/Officer Signature and Date

\_\_\_\_\_  
Administrator/Designee Signature and Date

Form History:

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019



## The Network Schools

### STUDENTS

#### 3550 Removal of Student During School Hours

The Board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with The Network Schools procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the Administrative Staff or designee, evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the Administrative Staff. The Administrative Staff is directed to establish procedures for the removal of a student during school hours.

#### Policy History

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3550P Removal of Student During School Day

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

- A. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy 4410.
- B. Any other agencies must have a written administrative or court order directing The Network Schools to give custody to them. Proper identification is required before the student shall be released.
- C. A student shall be released to the custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.
- D. The school should always check with the custodial parent before releasing the student to a non-custodial parent.
- E. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody, unless an emergency situation justifies a waiver.
- F. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: Community Relations Policy 4400 Relations with the Law Enforcement and Child Protective Agencies

#### Procedure History

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 2/25/2019	Revised: 2/25/2019

## **The Network Schools**

### **STUDENTS**

#### **3560 Video Surveillance**

Having carefully weighted and balanced the rights of privacy of students, staff and visitors against The Network Schools' goal of ensuring the safety of every student, employee and visitor while they are on school property and also accomplish the goal of safeguarding The Network Schools facilities and equipment, the Board hereby authorizes the use of video cameras on The Network Schools property as follows:

1. Video surveillance shall be used to promote order, to maintain the security, health, welfare, and safety of all staff, students and visitors on The Network Schools property, and to safeguard The Network Schools facilities and equipment.
2. The Network Schools shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on The Network Schools property. Additionally, notices shall be posted on or about The Network Schools property alerting those on The Network Schools property that The Network Schools is utilizing the use of Video Surveillance.
3. Review of any video recordings is restricted to those who have a security, safety or a legitimate educational interest.
4. Video recordings may become a part of a student's educational record or a staff member's personnel record. The Network Schools shall comply with all applicable state and federal laws related to record maintenance and retention.
5. Video surveillance may be used for investigations of criminal activity by appropriate law enforcement agencies and may be used by The Network Schools to investigate violations of The Network Schools policy.
6. Students or staff in violation of Board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.
7. Video cameras may be installed in public locations as deemed appropriate by the Administrative Staff, and shall not be installed in areas with a reasonable expectation of privacy.
8. Audio shall not be part of the video recordings made, reviewed, or stored by The Network Schools.

Cross-Reference: Student Policy 3570 Student Records

Legal References: I.C. § 33-512 District Trustees – Governance of Schools  
I.C. § 18-6701 et. seq. Communications Security  
20 U.S.C. § 1232g, et seq. Family Education Right to Privacy Act (FERPA)  
34 C.F.R. Part 99 Implementing FERPA  
*Books v. Logan, 127 Idaho 484, 903 P.2d 73 (1995)*  
*Rife v. Long, 127 Idaho 841, 908 P.2d 143 (1995)*

Policy History

Adopted:	8/2013	Reviewed:	7/20/2015	Revised:	7/20/2015
		Reviewed:	2/25/2019	Revised:	2/25/2019
		Reviewed:	4/27/2020	Revised:	4/27/2020

## The Network Schools

### STUDENTS

#### 3563 Student-Tracking Safety Devices

Because of student privacy concerns, The Network Schools requires listen-in technology to be disabled while any student tracking device is at school, on School-provided transportation, and at school events. The Network Schools prohibits unauthorized audio or visual recordings or transmission of audio or images of other students.

A parent/guardian shall obtain approval from the Executive Director or his or her designee before operating a student-tracking safety device or other electronic device with recording or listen-in capability, such as AngelSense, at school or at a school-sponsored event. Any parent/guardian receiving permission to use an electronic device with listen-in capability may be requested to enter into a user agreement with the School to define the scope and limits of such use.

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g;  
34 CFR Part 99 (2000)

#### Policy History

Adopted: 8/19/2019

Reviewed:

Revised:

## The Network Schools

### STUDENTS

#### 3570 Student Records

School student records are confidential, and information from them shall not be released other than as provided by law. State and federal laws grant students and parents certain rights, including the right to inspect, copy, and challenge school records. The information contained in school student records shall be kept current, accurate, clear and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The Network Schools may release directory information as permitted by law, but parents shall have the right to object to the release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) notifies the school not to release this information.

The Administrative Staff shall implement this policy consistent with and state and federal law and may develop with administrative procedures to assure compliance with state and federal law. The Administrative Staff or a designee shall inform staff members of this policy, and shall inform students and their parents of it, as well as their rights regarding student school records.

Cross References: Student Policy 3575 Student Data Privacy and Security  
Community Relations Policy 4200 Records Available to Public  
8605 Retention of District Records

Legal References: 20 U.S.C. § 1232g Family Education Rights and Privacy Act  
Pub. L. 114-95 Every Student Succeeds Act (ESSA)  
34 C.F.R. Part 99 Implementing FERPA  
I.C. § 33-133 Idaho Student Data Accessibility, Transparency,  
and Accountability Act - Student Data – Use and  
Limitations - Penalties  
I.C. § 33-209 Attendance at Schools - Transfer of Student  
Records – Duties  
I.C. § 32-717A Divorce Actions - Parents' Access to Records and  
Information

#### Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 5/16/2016	Revised: 5/16/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 8/16/2021	Revised: 8/16/2021

## The Network Schools

### STUDENTS

#### 3570F Student Records

##### Notification to Parents and Students of Rights Concerning a Student's School Records

*This notification may be distributed by any means likely to reach the parent(s)/ guardian(s).*

The Network Schools will maintain a file for each student that shall contain information including but not limited to the following:

- basic identifying information
- academic transcripts
- attendance record
- immunization records
- intelligence and aptitude scores
- psychological reports
- achievement test results
- participation in extracurricular activities
- honors and awards
- teacher anecdotal records
- special education files
- verified reports or information from non-educational persons
- disciplinary information
- verified information of clear relevance to the student's education information pertaining to release of this record

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day The Network Schools receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the Administrative Staff or designee, a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask The Network Schools to amend their child's or their education record should write to the Registrar, clearly identify the part of the record they want changed, and specify why it should be changed. If The Network Schools decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by The Network Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:



- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

Policy History

Adopted: 8/2013

Reviewed: 7/20/2015  
Reviewed: 1/2017  
Reviewed: 2/25/2019

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Revised: 3/20/2017  
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## The Network Schools

### STUDENTS

#### 3570P Student Records

##### Maintenance of School Student Records

The Network Schools shall maintain a record for each student that shall contain information, including but not limited to the following items listed below, if the Network Schools has created or received such information. Items 1 through 7 must be included.:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of student's record; and
17. Disciplinary information.

The information described above shall be maintained in student records permanently. Other content of the student record shall be maintained for a period of seven years after a student graduates or permanently leaves the Network Schools, except for those records for which longer retention is required.

Special Education Records shall be maintained in accordance with then-applicable special education laws, such as may change from time to time.

The Administrative Staff or designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with The Network Schools' procedure established by the Administrative Staff.

The unique student identifier is a number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled. The unique student identifier shall follow the student from each school or Local Education Agency (LEA) or upon return to a school or LEA after an absence no matter the length of absence.

##### Access to Student Records

The Network Schools shall grant access to student records as follows:

1. The Network Schools or any Network Schools employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this policy and consistent with the provisions of state and federal law.
2. The parents of a student under eighteen (18) years of age shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within fifteen (15) days of The Network Schools' receipt of such a request.

Where the parents are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The Network Schools shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise:

- a. Academic progress reports or records;
- b. Health reports;
- c. Notices of parent-teacher conferences;
- d. School calendars distributed to parents/guardians; and
- e. Notices about open houses and other major school events, including pupil-parent interaction.

When the student reaches eighteen (18) years of age, graduates from high school, marries, enters military service, or becomes legally emancipated, all rights and privileges accorded to the parent become exclusively those of the student. The parents of dependent students, as defined by the IRS (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish, via either a copy of the applicable tax forms and/or a Parental Affidavit for Educational Records attesting to the student's dependent status.

Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has waived his or her right of access, after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The Network Schools may grant access to, or release information from, student records to employees or officials of The Network Schools or the Idaho State Board of Education, provided a current, demonstrable, educational or administrative need is shown, without parental consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. For purposes of an audit or evaluation by a federal or state-supported education program, and to comply with federal requirements related to such a program. The receiving entity must be a state or educational authority or another entity allowed by the Family Educational Rights and Privacy Act (FERPA), or must be an authorized representative of such an entity.

For each new audit, evaluation, or enforcement effort, The Network Schools shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The Network Schools shall be responsible for using

reasonable methods to ensure, to the greatest extent practicable, that the authorized representative

- i. Uses the personal information only for the authorized purpose;
  - ii. Protects the personal information from further unauthorized disclosures or other uses; and
  - iii. Destroys the personal information when it is no longer needed for the authorized purpose. Such destruction shall be effected by any specified time period set forth in the written agreement.
5. The Network Schools shall grant access to, or release information from, student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. Any such release in this regard shall be consistent with Idaho Code and Policy 3575 relating to the limitations on the release of student data.
6. The Network Schools shall grant access to, or release information from, a student's record pursuant to a court order or appropriate subpoena. In most instances, the parent or qualified student shall be given prompt written notice of such order or subpoena, a general statement of the documents which will be released, and the proposed date of release of the documentation requested. However, there are very limited circumstances under the USA Patriot Act where schools are required to disclose information without notice to the parent or student to the Attorney General of the United States upon an ex parte order in connection with the investigation or prosecution of terrorism crimes or other such specified situations when the court order prohibits disclosure (i.e. Federal Grand Jury Subpoena or Law Enforcement Subpoena wherein such order indicates disclosure is not permitted).
7. The Network Schools shall grant access to, or release information from, any student record as specifically required by federal or state statute
8. The Network Schools shall grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One (1) copy of the consent form will be kept in the records, and one (1) copy shall be mailed to the parent or eligible student by the Administrative Staff. Whenever The Network Schools requests the consent to release certain records, the records custodian shall inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.
9. The Network Schools may release student records to the Administrative Staff or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.
10. Prior to the release of any records or information under items 6, 7, 8 and 9 above, The Network Schools shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 6. This notification shall

include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.

11. The Network Schools may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The Network Schools shall notify the parents or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.
12. The Network Schools will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent/guardian
13. The Network Schools may charge a fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship.
14. A record of all releases of information from student records (including all instances of access granted, whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent or eligible student, records custodian, or other person. The record of release shall include:
  - a. Information released or made accessible.
  - b. The name and signature of the records custodian.
  - c. The name and position of the person obtaining the release or access.
  - d. The date of the release or grant of access.
  - e. A copy of any consent to such release.

#### Directory Information

The Network Schools may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

- name and address
- gender
- grade level
- birth date and place
- parents'/guardians' names and addresses
- academic awards, degrees, and honors
- information in relation to school-sponsored activities, organizations, and athletics
- major field of study
- period of attendance in school
- a student's photo solely for the purpose of publication or recognition of a student's honors, awards, or achievements of for any Network Schools informational or promotional use on its social media or other publications, or for any yearbook.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, The Network Schools is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

Parents/guardians may challenge the accuracy, relevancy or propriety of the records, except for grades and references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has the right to:

1. Present evidence and to call witnesses;
2. Cross-examine witnesses;
3. Counsel;
4. A written statement of any decision and the reasons therefore;
5. Appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The parents may insert a written statement of reasonable length describing their position on disputed information. The Network Schools will include a statement in any release of the information in dispute.

Policy History:

Adopted: 8/2013	Reviewed: 7/20/2015	Revised: 7/20/2015
	Reviewed: 5/16/2016	Revised: 5/16/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 8/16/2021	Revised: 8/16/2021
	Reviewed: 3/21/2022	Revised: 3/21/2022

## The Network Schools

### STUDENTS

#### 3575 Student Data Privacy and Security

The efficient collection, analysis, and storage of student information is essential to improve the education of our students. As the use of student data has increased and technology has advanced, the need to exercise care in the handling of confidential student information has intensified. The privacy of students and the use of confidential student information is protected by federal and state laws, including the Family Educational Rights and Privacy Act (FERPA) and the Idaho Student Data Accessibility, Transparency, and Accountability Act of 2014 (Idaho Data Accountability Act).

Student information is compiled and used to evaluate and improve Idaho's educational system and improve transitions from high school to postsecondary education or the workforce. The Data Management Council (DMC) was established by the Idaho State Board of Education to make recommendations on the proper collection, protection, storage and use of confidential student information stored within the Statewide Longitudinal Data System (SLDS). The DMC includes representatives from K-12, higher education institutions and the Department of Labor.

This model policy is required by the Idaho Data Accountability Act. In order to ensure the proper protection of confidential student information, The Network Schools shall adopt, implement and electronically post this policy to its website. It is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy. This policy is consistent with the DMC's policies regarding the access, security, and use of data maintained within the SLDS. Violation of the Idaho Data Accountability Act may result in civil penalties.

#### Definitions

**Administrative Security** consists of policies, procedures, and personnel controls including security policies, training, and audits, technical training, supervision, separation of duties, rotation of duties, recruiting and termination procedures, user access control, background checks, performance evaluations, and disaster recovery, contingency, and emergency plans. These measures ensure that authorized users know and understand how to properly use the system in order to maintain security of data.

**Aggregate Data** is collected or reported at a group, cohort or institutional level and does not contain PII.

**Data Breach** is the unauthorized acquisition of PII.

**Logical Security** consists of software safeguards for an organization's systems, including user identification and password access, authenticating, access rights and authority levels. These measures ensure that only authorized users are able to perform actions or access information in a network or a workstation.

**Personally Identifiable Information (PII)** includes: a student's name; the name of a student's family; the student's address; the students' social security number; a student education unique



identification number or biometric record; or other indirect identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances, to identify the student.

**Physical Security** describes security measures designed to deny unauthorized access to facilities or equipment.

**Student Data** means data collected at the student level and included in a student's educational records.

**Unauthorized Data Disclosure** is the intentional or unintentional release of PII to an unauthorized person or untrusted environment.

### Collection

The Network Schools shall follow applicable state and federal laws related to student privacy in the collection of student data.

### Access

Unless prohibited by law or court order, The Network Schools shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Executive Director or designee, is responsible for granting, removing, and reviewing user access to student data. An annual review of existing access shall be performed.

Access to PII maintained by The Network Schools shall be restricted to:

- (1) the authorized staff of The Network Schools who require access to perform their assigned duties; and
- (2) authorized employees of the State Board of Education and the State Department of Education who require access to perform their assigned duties; and
- (3) vendors who require access to perform their assigned duties.

### Security

The Network Schools shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. The Network Schools shall immediately notify the Executive Director of the Idaho State Board of Education and the State Superintendent of Public Instruction in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. The Network Schools shall also notify in a timely manner affected individuals, students, and families if there is a confirmed Data Breach or confirmed Unauthorized Data Disclosure.

### Use

Publicly released reports shall not include PII and shall use Aggregate Data in such a manner that re-identification of individual students is not possible.

The Network Schools contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall

include the following provisions which are intended to safeguard student privacy and the security of the data:

1. Requirement that the vendor agree to comply with all applicable state and federal law;
2. Requirement that the vendor have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure;
3. Requirement that the vendor restrict access to PII to the authorized staff of the vendor who require such access to perform their assigned duties;
4. Prohibition against the vendor's secondary use of PII including sales, marketing or advertising;
5. Requirement for data destruction and an associated timeframe; and
6. Penalties for non-compliance with the above provisions.

The Network Schools shall clearly define what data is determined to be directory information.

If The Network Schools chooses to publish directory information which includes PII, parents must be notified annually in writing and given an opportunity to opt out of the directory. If a parent does not opt out, the release of the information as part of the directory is not a Data Breach or Unauthorized Data Disclosure.

Cross Reference: Student Policy 3570 – 3570P Student Records

Legal References: 20 U.S.C. § 1232g Family Education Rights and Privacy Act  
34 C.F.R.99 Family Education Rights and Privacy Act  
I.C. § 33-133 Idaho Student Data Accessibility, Transparency & Accountability Act

Policy History:

Adopted: 2/22/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3580 Relations with Non-Custodial Parents

##### Access to Students

The parent with whom the student primarily resides shall be recognized by The Network Schools as the custodial parent unless a current legal document or signed parental agreement indicates otherwise. Unless there are specific court-imposed restrictions on custody or visitation, such as: 1.) a final divorce decree; 2.) interim orders (in the case that the parents are separated); or 3.) a restraining order, the non-custodial parent, upon written request may visit the child briefly at school. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of all relevant court orders, to the Administrative Staff, which curtails these specific rights.

While both parents, absent a court document described above can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel anticipate a possible student abduction, law enforcement personnel are to be notified immediately.

##### Access to Student Records

Unless informed otherwise, The Network Schools assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of all relevant court orders, to the Administrative Staff, which curtails these specific rights. Otherwise, the non-custodial parent, upon written request may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports and have an opportunity to conference with the student's teacher(s).

The custodial parent has the responsibility to keep the school office informed as to the address of the student's primary residence, in a manner determined by the school, and how he/she may be contacted at all times. The Network Schools reserves the right to request verification in the form of a certified court document from any party presenting legal documents.

Legal References: 20 U.S.C. § 1232g, *et seq.* Family Education Right to Privacy Act  
(FERPA)  
34 C.F.R. Part 99 Department of Education Regulations –  
Implementing FERPA

##### Policy History:

Adopted: 8/2013

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Reviewed: 2/25/2019

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Reviewed: 4/27/2020

Revised: 4/27/2020

## The Network Schools

### STUDENTS

#### 3610 Records of Missing Children

Upon notification by the Idaho state police of a missing or runaway child currently enrolled in The Network Schools, that student's records shall be flagged in such a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing or runaway child. If request is made for a flagged record, the record shall not be forwarded and the local law enforcement agency shall be notified of the request for the flagged record.

Any request concerning flagged records or knowledge as to the whereabouts of a missing or runaway child shall immediately be reported to the local law enforcement agency. Upon notification by the Idaho state police of the return of the missing or runaway child, the school shall remove the flag from the student's record.

Legal References: I.C. § 18-4511

School Duties— Records of Missing Child—  
Identification Upon Enrollment—Transfer of  
Student Records

#### Policy History

Adopted: 8/2013

Reviewed: 7/20/2015

Revised: 7/20/2015

Reviewed: 2/25/2019

Revised: 2/25/2019

## The Network Schools

### STUDENTS

#### 3620 Transfer of Student Records

##### Receiving School

Within fourteen (14) days after enrolling a transfer student, the elementary or secondary school shall request directly from the student's previous school a certified copy of his record and exercise due diligence in obtaining the copy of the record requested.

##### Forwarding School

A certified copy of the permanent, or cumulative, file of any student and the file containing special education records of any student shall be forwarded by mail, or electronically, to a local educational agency or accredited school in which the student seeks to or intends to enroll within ten (10) days after receipt of a written or electronic request, except as provided in 3605—Records of Missing Children. The files that are forwarded must include information concerning violent or disruptive behavior or disciplinary action, however, such information shall be contained in a sealed envelope, marked as “confidential” and addressed to the Principal or other administrator of the receiving school.

Cross References: Student Policy 3570-3570P Student Records  
Student Policy 3610 Records of Missing Children

Legal References: I.C. § 18-4511 School Duties—Records of Missing Child—  
Identification Upon Enrollment—Transfer of Student  
Records  
I.C. § 33-209 Transfer of School Records - Duties

##### Policy History:

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