



Xavier Charter School Policy Manual

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Xavier Charter School

STUDENTS

Policy: 3000 Entrance, Placement and Transfer

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 (subject to provisions of McKinney Homeless Assistance Act) are required for admission to Xavier Charter School.

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, Xavier Charter School 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 the information within the requested thirty (days), Xavier Charter School shall immediately notify the local law enforcement agency of such failure and again 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, Xavier Charter School shall immediately report the same to the local law enforcement agency. *Local law enforcement will investigate these reports. Failure of a parent, or 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 ... shall constitute a misdemeanor.*

Placement

The goal of Xavier Charter School 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 Head of Schools.

Transfer

Xavier Charter School 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 in Xavier Charter School.

Elementary Grades (K-8): Any student transferring into Xavier Charter School will be admitted and placed on a probationary basis for a period of two (2) weeks, or until 5 school days after receipt of transcripts.

Should any doubt exist with teacher and/or Head of Schools as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement.

During the probationary period, the student will be subject to observation by the teacher and Head of Schools.

Secondary Grades (9-12), Credit Transfer: Requests for transfer of credits from any secondary school shall be subject to a satisfactory examination of the following:

1. Appropriate certificates of accreditation.
2. Length of course, school day and school year.
3. Content of applicable courses.
4. The school facility as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction).
5. An appropriate evaluation of student performance leading toward credit issuance.
6. Final approval of transfer credits will be determined by the Head of Schools, subject to review upon approval by the Board of Trustees.

Cross Reference: 3125

Education of Homeless Children

Legal Reference: 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

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014

Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3010 Open Enrollment

The School Board of Directors recognizes that some patrons may want to enroll their children in a school that is located within a district other than where their primary residence is located, therefore, this policy is adopted to allow all in-district and out-of-district patrons to choose among this District's schools under specified conditions. In making a decision on a student's open enrollment application, the head of schools shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer. A student currently under suspension or expulsion in this district or another district is not eligible for Open Enrollment under this policy.

Transportation

Parents or guardians of a student accepted under this open enrollment policy will be responsible for transporting their child. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within the District's boundaries.

Varsity Sports

It is recommended that a student who is considering submitting an open enrollment application to this district, and who anticipates participating in a sport governed by the Idaho High School Activities Association (IHSAA) should review IHSAA rules prior to submitting their open enrollment application. Certain school transfers could lead to a student being ineligible to play at the varsity level for one year.

Application/Approval Process

An open enrollment application must be submitted annually for admission. Applications will be accepted to coincide with the annual lottery process each year for enrollment in the subsequent school year. The application acceptance period may be waived with the mutual agreement of the Xavier Charter School and the district in which the student's parent or guardian resides. It is the School Board's intent to allow waiver of the application acceptance period for continuous acceptance of open enrollment applications when classroom space is available.

The Head of Schools shall establish a procedure for:

- the method of determining which students are chosen when classroom space is limited;
- notifying parents of the action taken on the open enrollment application;
- the factors which may possibly cause an open enrollment application to be denied;
- the process for removing a student from a transfer school, including the grounds for removal, parent notification and the appeal process.

Re-enrollment

As long as a transfer student continues to reapply for enrollment, the Head of Schools shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below. To the extent possible, the Head of Schools shall expedite the enrollment process.

In situations where class size is limited, the Head of Schools may give priority to certain students. Priorities may include, but are not limited to situations where a student:

- resides in the District and seeks enrollment in another district school under the provisions of the No Child Left Behind Act;
- was previously enrolled at the requested school during the prior year;
- has a brother or sister enrolled at the requested school;
- resides in the attendance area of another District school;
- has parents employed by the District; or
- has unique situation or extraordinary circumstances.

The Head of Schools may deny an open enrollment request when such enrollment would negatively impact the efficient use of the District resources. The Head of Schools may set numerical limits defining hardship for schools, grade levels, or programs to provide for appropriate and efficient use of facilities and staff. Class sizes shall not exceed those stipulated in the charter, and a ratio of 16:1 shall be used for Special Education programs.

Revocation of a Transfer

Transfer students are required to comply with all District policies. Unacceptable behaviors by a transfer student or false or misleading information on their open enrollment application are grounds for the District to remove a transfer student at any time. If a student's open enrollment transfer is revoked, the parent/guardian may request an administrative review by the school administration of the district. The Board of Directors may review the school administration's decision.

Student Rights and Responsibilities

All student's rights and responsibilities remain the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another, applies to this district and is accepted under the terms of this policy, and fails to attend shall be ineligible to apply again for open enrollment in this district until the following January.

Preventing or Recruiting Potential Open Enrollment Students

The District or its' employees will not take any action to prohibit or prevent application by a students to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

Evaluation of Policy

Annually, the Head of Schools shall report to the Board of Directors the effect of this policy. Their report should include the number of open enrollment requests accepted or denied by each school, the reasons for denial, and any unanticipated results of this policy.

Legal Reference: I.C. §33-512
I.C. §33-1401
I.C. §33-2001
I.C. §33-1402

Policy History:

Adopted on: September 2012
Reviewed on: March 18, 2014
Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3020 Enrollment and Attendance Records

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

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 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 Xavier Charter School.

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, who attend school in another state that abuts the student's resident school, shall be counted for purposes of ADA. 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 Reference: 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 (1-12)
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 on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 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),

Any non-public school student will be allowed to enroll in Xavier Charter School 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 Xavier Charter School and subject to the requirements set forth below in this Policy.

Non-public school students admitted to Xavier Charter School shall only be on school property during the hours of enrollment or as otherwise indicated by the Head of Schools. Xavier Charter School 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 Xavier Charter School for any academic or nonacademic program must register the student and provide the following prior to acceptance of any such student:

1. Birth certificate;
2. Evidence of residency within Xavier Charter School district;
3. Immunization records (or an appropriate waiver); and
4. Student records from the previously attended public school, if any, and any other records providing academic background information.

Extracurricular Activities

The following rules apply for a non-public school student to be eligible to participate in nonacademic school activities (i.e., extracurricular activities):

1. Documentation must be provided that demonstrates, to the satisfaction of the administration, that grade level competency, ability level, and/or satisfactory prerequisite course completion.
2. 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 Xavier Charter School on activity days, the non-public school student’s primary education provider shall provide assurance to Xavier Charter School that such student has met the attendance requirements in the non-public school academic setting.

Priority

Priority for enrollment, when school programs reach maximum capacities, will be given to students enrolled on a regular full-time basis. 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 student during the course of the year, the full-time student will have priority for the position beginning with the semester after the need is identified. Students with disabilities residing in Xavier Charter School district 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) shall be used in calculating Xavier Charter School's state fund, but only to the extent of the student's participation in Xavier Charter School programs.

Transportation

All non-public school students will not be eligible for Xavier Charter School transportation services.

Graduation

In order to graduate from this Xavier Charter School, all non-public school students must meet the grade and other graduation requirements the same as regular full-time students.

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

Policy History:

Adopted on: July 2012
Revised on: April 15, 2014
Reviewed on: March 9, 2016

Xavier Charter School

STUDENTS

Policy: 3035 Dual Enrollment - Out of District

A Classical Education is a complete and specific continuum which is best undertaken in its entirety. However, the Board of Directors has adopted the following procedures governing regularly enrolled Xavier Charter School Students who wish to be dual-enrolled in an academic program off campus/out of district.

Guidelines:

1. The Student is a Junior or Senior, in good academic standing and with an excellent record of attendance as determined by the Head of Schools.
2. The off-site course is an extension to, not an evasion of, a rigorous Classical Education.
3. The scheduling of the course in no way impedes his/her progress toward timely graduation.
4. The course(s) must be a course(s) not offered at Xavier Charter School and must be offered by an accredited secondary or post-secondary institution.
5. The course(s) is age appropriate and students have met any and all prerequisites for the course.

The Head of Schools shall determine exceptions on a case by case basis.

Xavier Charter School will not accept any financial responsibility for costs associated with participating in academic or non-academic programs at other institutions. The student and his/her parents assume all responsibility for registration in such courses or activities and transportation to and from an off campus district/institution.

Dually enrolled students are subject to compliance with the same rules and requirements which apply to full-time students in the hosting district/institution.

Non-Academic/Extra-Curricular Programs Out of District

Students should notify the Administration of their involvement in extra-curricular activities in another district. Xavier Charter School students who choose to participate in non-academic/extra-curricular programs out of district must do so outside of the regular school day, with occasional exceptions for competitions which require travel time or which are scheduled during the school day. These absences will be considered “school-excused” so long as the parent/student has provided the office with a copy of the practice and competition schedules in advance, and the Administration has approved the absences.

Students (and their parents) are advised to carefully consider involvement in any activity which prevents the student from regularly attending class.

Excessive absences due to such activity(ies) may necessitate a meeting with the student, parent, and administration if involvement in the activity negatively affects the student's academic performance.

It is the responsibility of the student to communicate directly and in advance with teachers regarding homework and assignments. Teachers may require that assignments be turned in immediately upon returning to school after an extra-curricular event.

Such students are subject to compliance with the same rules and requirements (i.e. academic eligibility) which apply to full-time students in the hosting district/institution.

Cross Reference: 2360 Released Time

Legal Reference: I.C. § 33-203

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Revised on: February 10, 2016

Xavier Charter School

STUDENTS

Policy: 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 Reference: 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 on: July 2012

Reviewed on: April 14, 2014

Xavier Charter School

STUDENTS

Policy: 3050 Attendance Policy

The general welfare of all students is best served by regular attendance.

Notification

A telephone call, or a note, written or electronic, from either parent, guardian or custodian is necessary when a student is absent or late for any reason. Notes must be given immediately to the registrar or assistant registrar. When a student arrives late the student is required check in at the office prior to reporting directly to class. All absences and tardies will be recorded on the report card.

Before the end of the school day, the school shall attempt to contact every parent, guardian, or custodian whose child is absent from school but who has not reported the child as absent for the school day, to determine whether the parent, guardian, or custodian is aware of the child's absence from school.

Student Check-Out

Students may NOT be taken from the school or playground unless the parent, guardian, or custodian has signed them out in the office. School-sponsored activities require a teacher or sponsor to be responsible for the students. Therefore, if a parent, guardian, or custodian desires to take their student at the completion of an activity, written notification must be given to the teacher or sponsor. Students may only leave the activity or event with their own parent, guardian, or custodian unless prior written authorization is given to the teacher or sponsor.

Tardies

Three tardies occurring within the same semester will be equal to one unexcused absence. A tardy in excess of 10 minutes in a period will be counted as an un-excused absence. Tardiness to school or class may result in additional disciplinary action. Parents, guardians, or custodians are expected to have their students at school a minimum of 5 minutes prior to the start of class.

Absences

Ten-Day Policy

Students can accumulate a maximum of ten (10) absences each semester (excessive tardies, as they are equated to absences as indicated in the section TARDIES, will be included in the count). This includes excused and unexcused, but does not include extracurricular absences.

The ONLY absences that WILL NOT be used in calculating the attendance record are:

1. Those that occur due to school-sponsored activities, since these are considered an equivalent educational experience. These exemptions will, for example, apply to students

participating in dance events, music related events, academic field trips, and others deemed co-curricular.

2. Those that are related to visiting a college, university, or another institution of higher learning prior to possibly attending the said institution. Rhetoric School Students may have up to three days of excused absences for trips of this nature per academic year.

3. Bereavement in the immediate family (grandmother, grandfather, father, mother, sister, brother). Any extended bereavement may be reviewed by the Attendance Board;

4. Subpoenas to appear in court or court-ordered, out-of-school placements for special services; and

5. Illness or hospitalization verified by a doctor's statement. Please note that all doctor's notes must be submitted to the front office no later than 2 school days after a student returns to school to qualify for an attendance policy exemption. (see EXTENUATING CIRCUMSTANCES).

Absences which WILL be counted in the ten-(10)-day limit will include such areas as: family trips, work days, vacations, visiting friends or relatives, suspension in and out of school, watching school activities/tournaments when not an actual participant, hair, or photography appointments, skiing, hunting, attending concerts, shopping, or any others not mentioned which are unacceptable to the administration.

Excessive Absences

When students are habitually absent, the following actions will be taken:

1. After five (5) absences from school/class, a letter will be sent to the student's home, referencing the school policy and indicating the number of days missed.
 - a. The Grammar School and Logic School Lead Teachers (K-6) will advise classroom teachers of students that have 6 or more absences during each semester. These absences will include excused/unexcused. Three tardies are equal to one unexcused absence. At 6 or more absences for the semester, an attendance review letter will be mailed to the parent, guardian or custodian of the child. After 10 absences the Lead Teacher will call the child's parent, guardian or custodian to discuss the importance of attendance in the learning environment. If a student has 15 or more absences, the Lead Teacher will schedule an attendance review meeting at which time an attendance contract may be required. An attendance review letter will be mailed to parents, guardians or custodians at 6, 11, and 15 absences.

b. Logic and Rhetoric School students (7-12), who have accumulated 10 excused or unexcused absences and/or 10 tardies within a single semester will be assigned to the next regularly scheduled Academic Make-up Day (Saturday School). Parents, guardians or custodians will be notified when their students have been assigned to Saturday School. The dates of Saturday Schools will be determined by the Administration. Saturday School will be held once a month from 8:00am to 12:00pm. If a student does not attend an assigned Saturday school the student may be suspended for two days following the no-show. Any additional absences may result in a student being assigned a Saturday School for each additional absence.

2. If the student continues to accumulate absences and/or tardies, the Leadership Team may assign additional consequences per school policy, including but not limited to referral to the Attendance Review Committee, referral to Truancy Court, withholding credit for the semester, or assigning semester grades of “incomplete/FA”.

Attendance Review Committee

After exceeding the tenth (10th) absence (and attending Academic Make-up Days/Saturday Schools, if applicable), if a student continues to miss school the student may have credit withheld or may be dropped from enrollment. A parent, guardian or custodian /student may, in writing, request an Attendance Review Committee hearing to appeal the “FA” (Failure due to absences) grade and lack of credit for the class. It is the student’s responsibility to contact the Head of Schools to schedule this hearing. The Attendance Committee will be created at the appointment of the Head of Schools, and may include the Head of Schools, Lead Teachers, the guidance counselor, and classroom teachers.

1. This Attendance Committee will review the absence report to determine if the student will have credit withheld, which will occur unless extenuating circumstances surface.
2. The Attendance Committee can, after hearing a student’s/parent’s, guardian’s or custodian’s appeal for retaining credit, deny credit or put certain stipulations on a student whose credit will be dependent upon an agreement reached with the student and parents concerning attendance for the rest of the semester.
3. Any decision to withhold credit can be appealed to the Head of Schools and/or to the Board.
4. If the appeal is not granted, the student will remain in that particular class period for the remainder of the semester. If disciplinary problems occur in that subject, the student will be suspended from school.
5. If the appeal is granted, the student will return to class with the Attendance Committee’s stipulations. If the stipulations are violated, a loss of credit will result.
6. The Attendance Committee may also decide to make decisions limiting the student’s participation in extracurricular activities.

Preplanned Absences

Regardless of whether or not an absence is counted toward a student's 10-day limit, it is the student's responsibility to notify teachers prior to being absent. Teachers may require the work to be completed and turned in prior to departure. Otherwise, students will have one (1) day to make up work for each day missed.

Absences for school-sponsored activities are excused, but students are held responsible for the work missed. In order to participate in an extracurricular activity, including practice, students must be in school during the date of the event or in school on the last school day prior to the activity, if the activity falls on a non-school day. Exceptions may be made by the administration.

Absence resulting from disciplinary actions or short-term suspension

Students who are removed from a class or classes as a disciplinary measure, or students who have been placed on short-term suspension, shall have the right to make up assignments or exams missed during time they were denied entry to the classroom.

Truancies

Unexcused Absences

Unexcused absences are considered Truancies. Each building administrator shall have the authority to determine the appropriate penalty for any student whose absence is considered unexcused.

Students with absences in excess of 10-days may be referred to the local Truancy Court Officer.

Truancy – Defined

A student is considered to be truant whenever he/she is absent from school or class without the consent of the student's parent, guardian or custodian or school officials, or who is absent from school with consent but for an invalid reason. Absences from school or class after arrival at school, and departures from school during the school day without permission of school officials, shall be considered a truancy. A truancy is a major disciplinary violation and parents/guardians will be notified. After the fourth truancy, in any school year, the Board authorizes the Head of Schools to declare a student habitually truant.

1. Prohibited Acts: Any person between the ages of seven (7) and sixteen (16) years of age, living in the city/county of Twin Falls who is deemed truant from school or class, under the attendance regulations of the school, without the consent of the student's parent, guardian or custodian or school officials is guilty of a status offense.

2. Attendance Required: The parent or guardian of any child resident in this State who has attained the age of (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually

taught in the public schools for the State of Idaho. Unless the child is otherwise comparably instructed, the parent, guardian or custodian 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; there to conform to the attendance policies and regulations established by the Board of Directors, or other governing body, operating the school attended.

Extenuating Circumstances

Extended illness or health condition

If a doctor's note confirms that a student is confined by illness to home or hospital for an extended period, the school shall arrange for the accomplishment of assignments at the place of confinement whenever practicable. If the student is unable to do his/her schoolwork, or if there are major requirements of a particular course that cannot be accomplished outside of class, the student may be required to take an incomplete or withdraw from the class without penalty.

Excused absence for chronic health condition

Students with a chronic health condition which interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and his/her parent, guardian or custodian shall apply to the Head of Schools or counselor, and a limited program shall be written following the advice and recommendations of the student's medical advisor. The recommended limited program shall be approved by Head of Schools. Staff shall be informed of the student's needs, though the confidentiality of medical information shall be respected at the parent's request. Absence verified by a medical practitioner may be sufficient justification for home instruction.

Policy History:

Adopted: September 2012

Revised on: July 2012; March 2015; May 11, 2016; April 12, 2017

Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3060 Education of Homeless Children

The McKinney-Vento Homeless Assistance Act ensures that all children and youth who are homeless receive a free appropriate public education and are given meaningful opportunities to succeed in our schools.

Xavier Charter School will ensure that children and youth who are homeless are free from discrimination, segregation, and harassment.

Information regarding this policy, including the educational rights of children and youth identified as homeless will be distributed to all students upon enrollment and once during the school year, provided to students who seek to withdraw from school, and posted at the school, as well as other places where children, youth, and families who are homeless receive services, including family and youth shelters, motels, campgrounds, welfare departments, health departments, and other social service agencies.

Definitions

Children and youth experiencing homelessness means 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, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to a lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered to be homeless for as long as he or she is in a living situation described above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who meets the definition of homeless as defined above. The more general term youth also includes unaccompanied youth.

Enroll and *enrollment* means attending school and participating fully in all school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Local liaison is the staff person designated by our district and each district in state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

Identification

Children and youth identified as homeless in the district, both in and out of school will be identified. Data will be collected on the number of children and youth experiencing homelessness in the district; where they are living; their academic achievement (including state and local assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth identified as homeless has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living.

Therefore, in selecting a school, children and youth who are homeless will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing during the summer.

Services that are required to be provided, including transportation to and from the school of origin and services under federal and other programs, will not be considered in determining feasibility.

Enrollment

Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local liaison to assist with obtaining immunizations and/or immunization and other medical records.)
- Proof of guardianship
- Birth certificate
- Unpaid school fees

- Lack of clothing that conforms to dress code
- Any factor related to the student's living situation

Unaccompanied youth must be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

Transportation

Parents and unaccompanied youth will be informed of this right to transportation before they select a school for attendance. At a parent's or unaccompanied youth's request, transportation will be provided to and from the school of origin for a child or youth experiencing homelessness. Transportation will be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes.

It is this district's policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, the will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, children and youth who are homeless will also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth experiencing homelessness will be provided services comparable to services offered to other students in the selected school, including:

- Transportation
- Title I, Part A services - Children and youth identified as homeless are automatically eligible for Title I, Part A services, regardless of what school they attend
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- Vocational and technical education programs
- Gifted and talented programs
- Before- and after-school programs
- Free meals - On the day a child or youth identified as homeless enrolls in school, the enrolling school must submit the student's name to the Local Education Agency (LEA) Food Service office for immediate processing.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth experiencing homelessness will be admitted immediately to the school in which enrollment is sought pending final resolution of the dispute. The student will also have the rights of a student who is homeless to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are repeatedly delaying or denying the enrollment of children and youth identified as homeless. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

Training

The local liaison will conduct training regarding Title X requirements and sensitivity/awareness activities for all LEA staff.

Coordination

The local liaison will coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the LEA transportation department, local liaisons in neighboring districts, and other organizations and agencies. Coordination will include conducting outreach and training to those agencies. Both public and private agencies will be encouraged to support the local liaison and our schools in implementing this policy.

Legal References: Idaho Code 33-1404
The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436
Title I, Part A, of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315
The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et. seq.
Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. §§1751 et. seq.
June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3070 Students of Legal Age

Every student eighteen (18) years of age or older will be deemed to be an adult and will have legal capacity to act as such. Such students, like all other students, will comply with the rules established by Xavier Charter School, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and state law.

Admission to Xavier Charter School: The residence of an adult student who is not residing with a parent or guardian will be considered the residence for school purposes.

Field Trips/Athletic Programs: Approved forms for participation will be required of all students. The form should indicate that the signature is that of the parent or the adult student. Sponsors or coaches will be required to confirm the ages of those students signing their own forms.

Absence-Lateness-Truancy: Absence notes, normally signed by parents or guardians, may be signed by adult students. Excessive absences will result in consequences according to policy 3122P and will be reported on the report card.

Suspension/Expulsion: All suspension and/or expulsion proceedings will conform to the requirements of state statutes. Notification of all such proceedings will be sent to parents or guardians. Adult students, however, are permitted to represent themselves if they so choose.

Withdrawal from School: Adult students may withdraw from school under their own cognizance. Administration will guide and counsel potential dropouts and encourage their continued attendance. Parents will be notified of impending dropouts by the school.

Permission to Inspect Student Records: Adult students may request permission to inspect their school records if they are eligible students according to FERPA.

Report Cards: Progress reports will be sent to the parent or legal guardian.

Excuses from Xavier Charter School: The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, etc., with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility: Students of legal age can be held financially responsible for damage to school property.

Policy History:

Adopted on: July 2012

Reviewed: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3090 Foreign Exchange Students

Philosophy

Xavier Charter School believes that foreign exchange students add to the richness of the Rhetoric School setting for both Xavier Charter School and foreign students. Thus, Xavier Charter School is willing to enroll a manageable number of foreign exchange students.

To protect the interests of Xavier Charter School and students, Xavier Charter School has adopted the following policies. It should be realized that foreign exchange students are educated at the expense of the taxpayers of Xavier Charter School and the State of Idaho.

1. The foreign exchange student must be eighteen (18) years of age or younger at the time of enrollment.
2. The foreign exchange student must reside with a legal resident of Xavier Charter School attendance area. Exceptions may be granted.
3. The foreign exchange student must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.
 - a. An English proficiency test of Xavier Charter School's own choosing may be administered and will supersede all other tests;
 - b. If an organization places a student who, upon arrival, is deemed by Xavier Charter School to be deficient in English language proficiency, the organization will do one of the following:
 - 1) Terminate the student's placement
 - 2) Provide, and pay for, tutorial help until the student reaches proficiency, as determined by Xavier Charter School.

Academic Standards and Graduation

1. The foreign exchange student will be expected to meet all appropriate standards required of any student enrolled in Xavier Charter School.
2. Foreign exchange students may not graduate and receive a diploma from Xavier Charter School. (They may participate in the ceremonies and receive a certificate of attendance.)

Orientation by the Exchange Organization

1. Orientation, both pre-departure and upon arrival in the United States, must be provided to the exchange student.
2. Orientation must also be provided to the host family in advance of the exchange student's arrival. The family should be advised of potential problems in hosting an exchange student and provided with suggestions for coping with these problems.
3. The student's host family and Xavier Charter School must be provided written information which includes at least:
 - a. Name, address, and phone number of both local and area coordinators for the exchange organization.
 - b. A twenty-four-(24)-hour emergency telephone number for immediate assistance by the exchange organization.

Supervision

1. The sponsoring foreign student exchange organization must assume the final responsibility of resolving problems, including, if necessary, the changing of host families or the early return home of the exchange student because of personal, family, or school difficulties.
2. The sponsoring foreign student exchange organization must contact the exchange student and host family periodically throughout the exchange visit to ensure that problems are dealt with promptly and effectively.
3. The host family must be available and willing to meet with school personnel when functions or conditions require it.

Xavier Charter School Expectations Student Opportunities/Responsibilities

1. Required Courses. Foreign exchange students will be expected to enroll in the following academic classes:
 - a. One (1) English class;
 - b. One (1) United States history class or one (1) government class;
 - c. Maintain enrollment in at least six (6) classes.
2. Activities Program Foreign exchange students are eligible to participate in the Xavier Activities Programs. Guidelines for participation are set by Xavier Charter School policy and by the Idaho High School Activities Association (IHSAA), as follows:

- a. RECOGNITION. The student must be a participant of an “official Foreign Exchange Program” as defined in the publication from the National Association of Secondary School Principals, entitled, “Advisory List of International Educational Travel and Exchange Programs”.
 - b. GRADUATION. The student cannot have graduated or received a diploma in his/ her own country.
3. Student Fees. Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, yearbook costs, athletic fees, cap and gown fees, lunch prices, and all other school incurred expenses that are expected of other students enrolled at Xavier.
 4. Achievement and Discipline. Foreign exchange students must maintain passing grades in all classes, follow rules and regulations of Xavier Charter School student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations shall result in dismissal of the student from Xavier Charter School’s Foreign Exchange Program.
 5. Scholarship(s). Xavier Charter School will not include names of foreign exchange students in its formal class-rank listing based on cumulative grade point average, nor will foreign exchange students be eligible to apply for any local scholarship.

Placement Quotas for Foreign Student Exchange Organizations

1. The Head of Schools at Xavier Charter School will determine the number of candidates accepted each year.
2. The fact that a foreign exchange organization has located a host family within Xavier Charter School does not infer Xavier Charter School will automatically enroll the student. While the organization may develop such an agreement with a host family, the family should be advised it is contingent upon admission to Xavier.

Legal Reference: 20 U.S.C. 221, et seq.
IDAPA 08.02.03.105.03 Foreign Exchange Students

Policy History:

Adopted on: July 2012
Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3100 Programs for At-Risk/Disadvantaged Students

Xavier Charter School will designate one (1) at-risk coordinator to collect and disseminate data regarding drop-outs in the school and to coordinate the school's program for students who are at high risk of dropping out of school.

Each school year, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. the number of Xavier Charter School students who dropped out in the preceding regular school term;
2. the number of students in grades 1-12 who are at risk of dropping out;
3. Xavier Charter School's dropout rate goal for the next school year;
4. the dropout reduction programs, resources and strategies to be used during the school year.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, Xavier Charter School will consider the student's academic and attendance performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically or psychologically abused; is pregnant or a parent; is an emancipated youth, is a previous drop-out, is a court or agency referral; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

Xavier Charter School will provide a remedial and support program for any student who is at risk of dropping out of school.

Xavier Charter School will have a plan designed to retain students in a school setting. Xavier Charter School plan will be the responsibility of the Head of Schools or the designated at-risk coordinator and will:

1. emphasize a comprehensive team approach that includes the Head of Schools, parent/guardian, teacher, student, community service provider, business representative, or others;

2. include objectives designed to meet the identified needs of at-risk students and to retain those students in school;
3. be designed to use community resources that are available to serve at-risk youth;
4. provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and
5. provide for review of individual profiles for at-risk students.

The District plan may also:

1. include alternatives; and
2. provide for the referral of students who drop out to other programs;

Alternative high school programs conducted during the school year will be conducted off-site or scheduled at a time when school is not in session and shall comply with the State Board of Education Rules Governing Thoroughness (IDAPA 08.02.03.110).

Legal Reference: IDAPA 08.02.03.110 Alternative Secondary Programs

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 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 Xavier Charter School policies or rules will be subject to disciplinary measures.

Cross Reference: 3370 Searches and Seizure
 3330 Student Discipline

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

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014

Xavier Charter School

STUDENTS

Policy: 3210 Uniform Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy.

Xavier Charter School will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal

An individual with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Head of Schools

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the Head of Schools within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Head of Schools shall investigate and attempt to resolve the complaint. If either party is not satisfied with the Head of Schools' decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the Head of Schools' decision. This request must be submitted to the Board within fifteen (15) days of the Head of Schools' decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Head of Schools shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Head of Schools within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Head of Schools agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Head of Schools rejects the recommendation of the

Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

Level 3: The Board

Upon receipt of a written appeal of the decision of the Head of Schools, and assuming the appeal alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Policy History:

Adopted on: July 19, 2012

Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 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:

1. The meeting is voluntary and student-initiated.
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees.
3. The meeting must occur during non-instructional time on regular school days.
4. Employees or agents of the school or government are present only in a non-participatory capacity.
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.
6. 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 Head of Schools.

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 Reference: 20 U.S.C. 4071 Equal Access Act
Board of Education v. Mergens, 110 S.Ct. 2356 (1990)

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3225 Student Clubs: Equal Access

The Board of Directors 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 any school in the Xavier Charter School.
- (b) “Club” shall mean a sponsored club or a non-sponsored or non-curriculum club of students of the school who wishes to organize and meet form 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 participated in any meeting.

Xavier Charter School shall provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Sponsored clubs shall be sponsored by a member of the faculty, staff, or administration of the school. Xavier Charter School shall not sponsor 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. Xavier Charter School 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 the Head of Schools to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

Equal Access Regulations

The following general guidelines will be observed in approving, establishing, and operating student clubs at Xavier Charter School.

1. Each proposed club must complete and submit a request form to the Head of Schools 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 club activities. The Head of Schools or designee will forward the request to Xavier Charter School. Xavier Charter School with Head of Schools approval shall respond to the request, accept or reject the application, and designate the club as either a sponsored club or non-sponsored or non-curriculum club.
2. 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 Xavier Charter School. 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 from before and after school during the school year. 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 the Head of Schools or designee.
3. All clubs must comply with provisions of the school's student constitution, if applicable.
4. No hazing of students shall be permitted.
5. The Head of Schools 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.
6. The Head of Schools, designee, or student council (if appropriate) may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future 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.

For sponsored clubs, the following guidelines will apply:

- A. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the Head of Schools or designee.
- B. All activities of the club must have prior approval of the sponsor.
- C. Club funds shall be subject to deposit, audit and disbursement in accordance with the regulations of Xavier Charter School.
- D. The content and placement of club posters or advertisements shall be approved by the club sponsor.

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. Non-school persons may not direct, conduct, control or regularly attend activities.
- B. Recognition by the Xavier Charter School 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. Xavier Charter School's name will not be identified with the aims, policies, or opinions of the student organization or its members.
- D. Notices of meetings of non-curricular student organizations may be posted only on a designated bulletin board used by all nonschool-sponsored organizations. No announcements shall be made over the public address system or in any school-sponsored publications.
- E. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place.
- F. Every club must have a Xavier Charter School employee volunteer as a monitor to the club. The monitor shall be responsible for monitoring the meetings to assure 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.
- G. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club.
- H. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the Head of Schools or designee.
- I. The Xavier Charter School 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.

Legal Reference: 20 U.S.C. §§ 4071-4074 Equal Access Act

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3230 Student Government

The Board encourages the function of student councils in Xavier Charter School. 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 Xavier Charter School 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(1)

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Revised on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3240 Student Publications

Student publications produced as part of the school's curriculum or with the support of student body funds are intended to serve both as vehicles for instruction and student communications. They are operated and substantively financed by the student body and Xavier Charter School.

Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided they are treated in depth and represent a variety of viewpoints. Such materials may not be libelous, obscene or profane nor may they cause a substantial disruption of the school, invade the privacy rights of others, demean any race, religion, gender, or ethnic group, or advocate the violation of the law. They may not advertise tobacco, liquor, illicit drugs or drug paraphernalia.

The Head of Schools shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials that appear not to comply with the standards.

Policy History:

Adopted on: July 2012

Reviewed: March 2014

Xavier Charter School

STUDENTS

Policy: 3242 Closed Campus

Students shall remain on school grounds from time of arrival until close of school unless officially excused.

Policy History:

Adopted on: July 2012

Reviewed on: March 2014

Xavier Charter School

STUDENTS

Policy: 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 Xavier Charter School's policy to limit the distribution of materials to parent and student organizations sponsored by Xavier Charter School or other governmental agencies. Materials that provide information valued or needed by Xavier Charter School 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 Head of Schools before materials may be distributed. The Head of Schools 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, each school will do the following:

1. Maintain a centrally located bulletin board for the posting of bulletins. **This bulletin board is located in the front foyer of the main entrance.**
2. Maintain a table where flyers and other information can be made available to students.
3. Include announcements for student related activities in newsletters that are distributed through school communication channels to the home of students. The announcements must be submitted one (1) week prior to the newsletter in which the announcement to the home, must advertise a youth-oriented activity, and must be of non-religious or political nature.

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

Cross Reference:	3430	Distribution of Fund Drive Literature Through Students
	4240	Distribution of Fund Drive Literature Through Students

Policy History:

Adopted on: July 2012

Reviewed: March 2014

Revised on: 2011

Xavier Charter School

STUDENTS

Policy: 3260 Student Dress Code

We establish a dress code for Xavier Charter School primarily to support the tenets of a Classical Education and provide appropriate ways for students to express themselves. Students are reminded that their appearance 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. Xavier Charter School will provide an educational atmosphere conducive to learning, minimize disruptions or distractions, and strive to protect the health, safety, and morals of its students.

Minimum Standards for ALL Xavier Charter School Students

- 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, 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 lead teacher/Head of School's reasonable belief that gangs may be present in the school) jewelry, emblem, badge, symbol, sign, codes or other things which evidence membership or affiliation in any gang is prohibited on the school premises or at any school sponsored activity, regardless of location.
- Hair should be neat and clean in appearance and naturally colored. No extreme make-up, haircuts, or hair color. Hair is to be worn in a way that does not obstruct the natural vision of the student.
- Facial hair is allowed when trimmed and neat in appearance.
- Shirts and blouses must have a modest neckline (no cleavage) and be long enough to cover the midriff (front and back).
- Modest fashion accessories and jewelry are allowed.
- No hats in the school building during school hours, 7:30 a.m. to 3:30 p.m.
- Skirts, dresses, skorts, jumpers, and shorts can be no more than 3 inches above the knee when sitting or standing.
- Leggings must not be worn as pants, but must be worn with a mid-thigh length or longer top, dress, jumper, or skirt.
- Two piercings in each ear and/or one small nose stud is allowed. No visible body piercings, tattoos or gauges allowed.
- All Xavier issued apparel is permitted.
- The following are NOT permitted:
 - Sleeveless shirts, blouses or tank tops
 - Visible undergarments
 - Logos bigger than a half dollar
 - Graphic tee shirts, sweatshirts, hoodies, etc.
 - Active wear (except in dance and lifetime sports classes with the permission of the instructor)
 - Flip flops or slippers

- Sweat pants, pajamas, or sleepwear of any kind
- Denim blue jeans or denim blue pants of any kind

Dress Code for Grammar School (Grades K-4)

- 1) Khakis, Dockers, corduroy pants, cargo pants, wool pants, capris, cotton, linen, knit, or polyester pants or slacks, shorts, skorts, jumpers, dresses or skirts. Color choices are to be solid navy blue or khaki tan.
- 2) Basic collared school shirts, turtlenecks and blouses are solid blue, burgundy, or yellow. Basic school shirts may be over-layered with any solid blue, burgundy, or yellow sweater, sweatshirt or vest.
- 3) T-shirts and camisoles are acceptable as a layer underneath as long as they are one of the basic colors and a basic collared shirt or blouse is worn over it.
- 4) Clothing worn for warmth is removed while inside and put in a designated location.
- 5) Closed-toe shoes are required.

Dress Code for Logic School (Grades 5-8)

- 1) Khakis, Dockers, corduroy pants, cargo pants, wool pants, capris, cotton, linen, knit, or polyester pants or slacks, shorts, skorts, jumpers, dresses or skirts are to be navy blue, black, gray, or khaki tan.
- 2) Basic collared school shirts, turtlenecks and blouses are any solid color. Basic school shirts may be over-layered with any solid color sweater, sweatshirt or vest.
- 3) T-shirts and camisoles are acceptable as a layer underneath as long as they are also solid colored and a basic collared shirt or blouse is worn over it.
- 4) Clothing worn for warmth is removed while inside and put in a designated location.
- 5) Closed-toe shoes are required.

Dress Code for Rhetoric School (Grades 9-12)

- 1) Rhetoric school students may wear clothing of any color, material or style as long as the clothing adheres to the basic minimum dress code standards.
- 2) The Head of Schools may designate one day a week as “dress-up” day. On that day, students will wear professional attire to look their best. Think “dress to impress”.

Interpretation and Implementation of Policy

The Lead Teachers/Head of Schools and faculty 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 Head of Schools shall be final.

Enforcement

Dress code violations will be handled on a tiered basis similar to other disciplinary issues. First violation: a written warning documented and recorded by a Lead Teacher. Second violation: parent contact. Third violation: sent home for the day. After the third violation students who repeatedly violate the dress code may be subject to disciplinary action up to and including suspension or expulsion, depending on the facts and circumstances, for violating the standards of student conduct.

Temporary Exceptions

As is customary at Xavier Charter School, many educational activities highlighting our Classical Education model take place that are direct exceptions to this policy. Such activities are considered appropriate and enhance the academic experience of the students. The Lead Teachers or Head of Schools have the authority to grant temporary exceptions to this policy.

Policy History:

Adopted on: February 2012

Revised on: April 15, 2014; January 14, 2015; May 11, 2016

Xavier Charter School

STUDENTS

Policy: 3265 Electronic Communications Devices – Cell Phones/Small Electronics

In order to accommodate concerns about student safety while traveling to and from school, Xavier Charter School will allow students to possess cell phones/small electronic devices provided the following rules are strictly adhered to:

- The use of all cell phones/small electronic devices in the school building from the first bell to the end of the last period is strictly prohibited.
- Cell phones/small electronic devices should be stored turned off and out-of-sight in the students' locker, purse or backpack. If the device "goes off" in the school building during school hours, it is considered "in use" and a violation of school policy.
- Parents should continue to call the school office for any emergency situation, and not contact students by cell phone. Likewise, students who need to contact their parents during the day should ask to use a school phone.

Teachers and administrators may use professional discretion in allowing students to use electronic devices in supervised classroom settings *only* when such use complements the instruction of a Classical Education or assists in assignments (i.e. E-readers, laptops, film production projects).

Teachers will take extra caution before approving the use of cameras in the classrooms and will notify the administration in writing prior to granting approval. All participants in any type of photographed or filmed project must have completed the school's media release.

- The use of cameras, video equipment, or any type of recording phone or device is strictly forbidden in private areas at any time, such as locker rooms, restrooms, dressing areas, and offices. Such use may also be in violation of the criminal code.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.

Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

Xavier Charter School shall not be responsible for loss, theft, or destruction of devices brought onto school property.

Students who violate the provisions of this policy, are subject to disciplinary action, including

losing the privilege of bringing the device onto school property, detention, suspension, or expulsion. In addition, an administrator will confiscate the devices, which shall only be returned to the student's parent(s)/guardian(s). Where appropriate, police authorities may be contacted.

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014

Xavier Charter School

STUDENTS

Policy: 3270 Xavier Charter School-Provided Access to Electronic Information, Services, and Networks

General

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

In order for the Xavier Charter School to be able to continue to make its computer network and Internet access available, all users, including students must take responsibility for appropriate and lawful use 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 Xavier Charter 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 Xavier Charter School's teachers and other staff will make reasonable efforts to supervise use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Curriculum

In accordance with this policy and the Board's philosophy to ensure the safety of all students, the Xavier Charter School shall provide an appropriate planned instructional component for internet safety which shall be integrated into the Xavier Charter School's regular instructional program. The purpose of the program is to increase students' knowledge of safe practices for internet use.

The use of the Xavier Charter School's electronic networks shall be consistent with the curriculum adopted by the Xavier Charter School, 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 Xavier Charter School's educational goals, use the Internet throughout the curriculum.

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

Acceptable Uses

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

2. **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 or use any substance the possession or use of which is prohibited by the Xavier Charter School's 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; 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, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
 - C. Uses 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 or video, text, graphics photographic, or any combination thereof) that is intended to harm another individual.
 - D. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.

- E. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.
- F. Sending, receiving, viewing or downloading obscene materials, materials harmful to minors and materials that depict the sexual exploitation of minors.
- G. 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 Xavier Charter School computer with Internet access shall have 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 Head of Schools or designee.

The school will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate and/or harmful to minors. The Head of Schools 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:

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

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

- The quality of any material or of any performance of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic 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:

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

- Nudity/ pornography – prevailing U.S. standards for nudity, provocative semi-nudity, sites which contain pornography or links to pornographic sites
- Sexuality – sites which contain material of a mature level, images or descriptions of sexual aids, descriptions of sexual acts or techniques, sites which contain inappropriate personal ads
- Violence – sites which promote violence, images or description of graphically violent acts, graphic autopsy or crime-scene images
- Crime – information of performing criminal acts (e.g., drug or bomb making, computer hacking), illegal file archives (e.g., software piracy)
- Drug Use – sites which promote the use of illegal drugs, material advocating the use of illegal drugs (e.g. marijuana, LSD) or abuse of any drug.
Exception: material with valid-educational use
- Tastelessness – images or descriptions of excretory acts (e.g., vomiting, urinating), graphic medical images outside of a medical context
- Language/Profanity – passages/words too coarse to be softened by the word filter, profanity within images/sounds/multimedia files, adult humor
- Discrimination/Intolerance – Material advocating discrimination (e.g., racial or religious intolerance), sites which promote intolerance, hate or discrimination

- Interactive Mail/Chat – sites which contain or allow inappropriate email correspondence, sites which contain or allow inappropriate chat areas
- Inappropriate Banners – advertisements containing inappropriate images or words
- Gambling – sites which allow or promote online gambling
- Weapons – sites which promote illegal weapons, sites which promote the use of illegal weapons
- Body Modification – sites containing content on tattooing, branding, cutting, etc.
- Judgment Calls – whether a page is likely to have more questionable material in the future (e.g., sites under construction whose names indicate questionable material)

Filtering should also be used in conjunction with:

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

The system administrator and/or building Head of Schools shall monitor student Internet access.

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

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

Confidentiality of Student Information

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

Internet Access Conduct Agreements

Each student and his/her parent(s)/legal guardian(s) will be required to sign and return to the school at the beginning of each school year the Internet Access Conduct Agreement prior to having access to the Xavier Charter School's computer system and/or Internet Service.

Warranties/Indemnification

The Xavier Charter School 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 Xavier Charter School 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 Xavier Charter School will not be responsible for any unauthorized charges or fees resulting from access to the Internet, and any user is fully responsible to the Xavier Charter School and shall indemnify and hold the Xavier Charter School, 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 Xavier Charter School 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 system administrator and/or the building Head of Schools will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with 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 Xavier Charter School discipline policies, said student shall be subject to additional possible disciplinary action based upon these policies.

Internet Safety Coordinator

The Head of Schools shall serve, or appoint someone to serve, as "Internet Safety Coordinator" with responsibility and authority for ensuring compliance with the requirements of federal law, state law and this policy. The Internet Safety Coordinator shall develop and maintain administrative procedures to enforce the provisions of this policy and coordinate with the appropriate Xavier Charter School personnel regarding the

internet safety component of the Xavier Charter School’s curriculum. The Internet Safety Coordinator shall handle any complaints about the enforcement of this policy.

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

Public Notification

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

Submission to State Superintendent of Public Instructions

This policy shall be filed with the State Superintendent of Public Instruction no later than August 1, 2011 and every five (5) years after initial submission and subsequent to any edit to this policy thereafter.

Cross Reference: 3330

Student Discipline

Legal Reference: I.C. § 33-132

Local school boards internet use policy required

I.C. § 18-1514(6)

Obscene Materials – Definitions

20 U.S.C. § 9134(f)

Children’s Internet Protection Act

20 U.S.C. § 7131

Internet Safety

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014

Revised on: April 15, 2014, October 22, 2015; February 8, 2017

Xavier Charter School

STUDENTS

Policy: 3270F Internet Access Conduct Agreement

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 Xavier Charter School’s policy regarding School-provided Access to Electronic Information, Services, and Networks (Policy No. 3270). Should I commit any violation or in any way misuse my access to Xavier Charter School’s 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): _____ Home Phone: _____

User’s Signature: _____ Date: _____

Address: _____

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 Xavier Charter School’s policy regarding School-Provided Access to Electronic Information, Services and Networks for the student’s access to Xavier Charter School’s 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 Xavier Charter School, 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 Xavier Charter School’s 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 Xavier Charter School’s computer network and the Internet.

Parent / Legal Guardian (Print): _____

Signature: _____

Home Phone: _____ Address: _____

Date: _____

This Agreement is valid for the _____ school year only.

Policy History:

Adopted on: September 2012

Reviewed by: March 18, 2014

Xavier Charter School

STUDENTS

Policy: 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, ethnicity, 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.

No student shall, on the basis of sex, be denied 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 School Title IX Coordinator. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, the Xavier Charter School will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator and will be carried in all handbooks.

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

Legal Reference: I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on: July 2012

Revised on: March 18, 2014, October 22, 2015

Xavier Charter School

STUDENTS

Policy: 3285 Relationship Abuse and Sexual Assault Prevention and Response

The Board of Directors endeavors to take steps to prevent and/or 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 Xavier Charter School premises or at any Xavier Charter School sponsored activity, regardless of location including, but not be limited to buildings, facilities, and grounds on the Xavier Charter School campus, school buses, Xavier Charter School parking areas, and the location of any Xavier Charter School sponsored activity. This includes instances in which the conduct occurs off Xavier Charter School premises, but impacts a Xavier Charter School 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 Head of Schools or Board.

Students or third parties may also be referred to law enforcement officials. Should Xavier Charter School or any of its' employees have reason to believe that a child under the age of eighteen (18) year 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.

The Head of Schools is hereby directed to develop administrative procedures to implement this policy. 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

Any person wishing to report an instance of sexual assault may submit a completed Complaint Form 3295F to the non-discrimination coordinator.

When Xavier Charter School becomes aware of a report of sexual violence against a student the Head of Schools shall direct the nondiscrimination coordinator to investigate the incident in accordance with Policy 3210 Grievance Procedure and with Title IX of the Education

Amendments of 1972. This shall apply to sexual assaults that occur on school grounds, in the context of a Xavier Charter School education program or activity of the school whether on school property or not, or which have continuing effects on campus on or in an off-grounds education program or activity. This shall occur regardless of whether the assault is brought to Xavier Charter School's attention by a student or other person making a report to a Xavier Charter School employee, by the witnessing of an incident by a school employee, media reporting, or any other channel.

Xavier Charter School 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. Xavier Charter School shall take steps to prevent retaliation a student who files a complaint regarding sexual assault. Xavier Charter School 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 alleged perpetrator or perpetrator do not share classes, extracurricular activities, or a school;
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 school 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 Xavier Charter School will not tolerate and will respond to any incidents of sexual violence; and
13. Assessing the school 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.

Other References: Questions and Answers on Title IX and Sexual Violence, U.S. Department of Education Office for Civil Rights

Legal References: I.C. Title 16 Chapter 16 Child Protective Act
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: November 12, 2014

Revised on:

Xavier Charter School

STUDENTS

Policy: 3290 Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in Xavier Charter School. An employee, Xavier Charter School 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, that:

1. 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
2. has the purpose or effect of:
 - a. substantially interfering with the student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, opportunities or treatment; or
 - d. 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, Title IX coordinator or administrator who will assist them in the complaint process. Supervisors or teachers who knowingly condone, or fail 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 Xavier Charter School 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 Xavier Charter School 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.

Xavier Charter School will make every effort to insure that employees or students accused of sexual harassment or intimidation are given an appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

Any individual seeking further information should contact the Head of Schools for the name of the current Title IX Coordinator for Xavier Charter School. The Head of Schools shall insure that the student and employee handbooks identify the name, address, and telephone number of the individual responsible for coordinating Xavier Charter School's compliance efforts.

An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross Reference:	3210	Uniform Grievance Procedure
Legal References:	20 U.S.C. § 1681, et seq. 34 CFR Part 106 I.C. § 67-5909	Title IX of the Educational Amendments Acts Prohibited

Policy History:

Adopted on: July 2012
Reviewed on: March 18, 2014
Revised on: April 15, 2014

Xavier Charter Schools

STUDENTS

Policy: 3295 Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying

The Board of Directors is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyber bullying, or bullying by students or third parties is strictly prohibited and shall not be tolerated in Xavier Charter School. 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 Head of Schools or Board.

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

Notification

Information on Xavier Charter School's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to school personnel, parents, and students in Xavier Charter School and included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

Procedures

The Head of Schools 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

Xavier Charter School 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 Reference: 3330 Student Discipline
 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 on: January 13, 2016

Revised on:

Xavier Charter School

STUDENTS

Policy: 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

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in Xavier Charter School business, such as employees of businesses or organizations participating in cooperative work programs with Xavier Charter School and others not directly subject to Xavier Charter School control at Xavier Charter School athletic competitions or other school events.
2. “Charter School” or “School” includes school facilities, school property, buses, electronic technology or electronic communication equipment on Xavier Charter School computers, networks, 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.
3. “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.
4. “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, disability, or gender.
5. “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 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.

6. “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 Xavier Charter School’s computer network and the Internet, whether accessed on campus or off campus, during or after schools 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 reasonably 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 Xavier 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.
7. “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 age, race, religion, disability, or gender.

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 annually, including parents, students, and all school personnel. 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.

Information about Xavier Charter School’s policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

The Head of Schools 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] [is encouraged to] immediately report his/her concerns.

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

- Step I Any hazing, harassment, intimidation, bullying, cyber bullying, or cyber-bullying information (complaints, rumors, etc.) shall be presented to the Head of Schools. Complaints against the Head of Schools shall be filed with the Board of Directors. Information may be presented anonymously. Complaints against the Head of Schools shall be filed with the Board chairman. 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. 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 [five] 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.
[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 Head of Schools.]
- Step III If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the Head of Schools or designee. Such appeal must be filed within [10] working days after receipt of the Step II decision. The Head of Schools or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Head of Schools or designee shall provide a written decision to the complainant's appeal within [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. Such appeal must be filed within [10] working days after receipt of the Step III decision. The Board shall, within [20] working days, conduct a hearing at which time the complainant shall be given an opportunity to present the

complaint. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.

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.

Cross Reference: 3210 Uniform Grievance Procedure

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 on: July 2012

Reviewed on: March 18, 2014, January 13, 2016

Xavier Charter School

STUDENTS

Policy: 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;
- G. any other illegal substances so designated and prohibited by law.

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 District property, within the Drug-Free School Zone, or at any district-related event. Furthermore, the Head of Schools 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 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.

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: 3330

Student Discipline.

Legal Reference: 20 U.S.C. 3170 et. seq.

Drug-Free Schools and Communities Act of 1986

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed on: May 13, 2014

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Xavier Charter School

STUDENTS

Policy: 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 tobacco use and possession 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 Xavier Charter School. Tobacco use and possession by students is also prohibited at school-sponsored activities that are held off school property.

Xavier Charter School may initiate discipline according to Xavier Charter School's Student Discipline policy and/or prosecution of a student who possesses or uses tobacco in violation of this policy.

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 Reference: 3300 Drug Free School Zone
3330 Student Discipline

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

Policy History:

Adopted on: February 18, 2014

Revised on:

Xavier Charter School

STUDENTS

Policy: 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.

Definitions

“Gang”

Any group of three (3) or more persons, whether formal or informal, that has a common name or common identifying sign or symbol, associate together to advocate, conspire, or commit:

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

or;

As defined in I.C. 18-8502.

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

1. 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;
2. Display tattoos which may be affiliated with any gang and/or representative of any gang;
3. 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
4. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - a. Soliciting membership in or affiliation with any gang;
 - b. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - c. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
 - d. Engaging in violence, extortion, or any other illegal act or other violation of school property.

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

Cross Reference: 3260 Student Dress

Legal Reference: I.C. 33-506 Organization and Government of Board of Trustees
I.C. 33-512 Governance of Schools
I.C. 18-8500 Idaho Criminal Gang Enforcement Act
I.C. 18-8502 Definitions
Stephenson v. Davenport Community Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

Policy History:

Adopted on: July 2012

Revised on: May 2014

Xavier Charter School

STUDENTS

Policy: 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 Xavier Charter School 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 Xavier Charter School relating to use, possession or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). It is the philosophy of Xavier Charter School that Xavier Charter School will help those who desire to help themselves.

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

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

If Xavier Charter School 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, Xavier Charter School may take whatever action deemed appropriate, including but not limited to, notifying the parent or legal guardian and notifying local law enforcement, suspension and/or expulsion. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if he/she has used and/or is under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/legal guardian will be immediately called;
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. Law enforcement will be called when deemed appropriate.

5. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to twenty (20) days and/or recommended for expulsion.
6. As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. Xavier Charter School will provide counseling services and any other services available to the student and/or the student's parents.
7. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk or addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion will be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

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

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

Legal Reference: I.C. § 33-210 Students using or under the influence of controlled substances
Drug Free Schools and Community Act of 1988 – PL 100-690 and all subsequent amendments

Policy History:

Adopted on: July 2012
Revised on: June 17, 2014
Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 3330 Student Discipline

Disciplinary action may be taken against any student guilty of gross 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 Xavier Charter School.
- 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 in a School Building” 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 with 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
- 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 Xavier Charter School may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and Xavier Charter School 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 Xavier Charter School 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. Xavier Charter School personnel may also report the student's conduct to the appropriate law enforcement officials.

Disciplining Students on Individual Education or Section 504 Plans

The Xavier Charter School 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 building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

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

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Policy 3340.

Possession of a Weapon on School Property – Misdemeanor

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

As used in this section of this Policy only:

- (a) "Deadly or dangerous weapon" means any weapon as defined in United States Code;
- (b) "Firearm" means any firearm as defined in United States Code;

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

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

This section of this policy does not apply to:

1. law enforcement personnel;
2. Any adult over 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 Xavier Charter School who is authorized to carry a firearm with the permission of the board of trustees of Xavier Charter School or the governing 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

Xavier Charter School 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 Xavier Charter School will endeavor to avoid, includes the following:

1. Adopting discipline rules which treat students differently based on age, race, religion, disability, or gender;
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 Xavier Charter School. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

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

Legal Reference: I.C. § 33-205	Denial of school attendance
I.C. § 917	Hazing
I.C. § 18-3302D	Possession weapons or firearms on school property
I.C. § 18-3302I	Threatening Violence on School Grounds
I.C. § 33-1224	Powers and duties of teachers

I.C. § 33-1630 Requirements for Harassment, Intimidation, and Bullying
Information and Professional Development
20 U.S.C. § 8921, et seq. Gun Free Schools Act
29 U.S.C. § 701 Rehabilitation Act of 1973
IDAPA 08.02.03.109.05 Special Education
IDAPA 08.02.03.160 Safe Environment and Discipline
Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory
Administration of School Discipline

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; January 13, 2016

Reviewed on: May 2014

Xavier Charter School

STUDENTS

Policy: 3335 Academic Honesty

All schoolwork submitted for the purpose of meeting course requirements must represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to: 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 have the responsibility for monitoring the above actions.

Where appropriate, parents shall be contacted as soon as practicable to report any alleged academic dishonesty on the part of students. Teachers are granted authority, with the direction and advice of their Lead Teacher, 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 Lead Teacher and then to the Head of Schools.

All teachers, beginning especially at the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in our schools. A copy of the Academic Honesty Policy shall be included in student handbooks and shall be distributed to parents via Xavier Charter School's publications at least annually.

Cheating

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

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

9. Accessing, taking, and benefiting from copies of tests and quizzes previously used or to be used by teachers unless provided as study guides by the teacher.
10. Submitting work previously presented in this course or in another course.

Plagiarism

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

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

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed on: May 2014

Xavier Charter School

STUDENTS

Policy: 3340 Corrective Actions and Punishment

All students shall submit to the reasonable rules of Xavier Charter School. Refusal to comply with written rules and regulations established for the governing of Xavier Charter School shall constitute sufficient cause for discipline, suspension, or expulsion.

For the purposes of Xavier Charter School's policies relating to corrective action or punishment:

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

The Head of Schools 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 Head of Schools 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 Head of Schools who suspended him or her on reasonable conditions prescribed by the Head of Schools. 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 Xavier Charter School or individual classes for an additional ten (10) school days. Only the Head of Schools or the Board of Directors can extend an initial temporary suspension.
3. "Prolonged Temporary Suspension" is the exclusion from Xavier Charter School or individual classes for an additional five (5) school days. Only the Board can extend an extended 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 exclusion from Xavier Charter School. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, who is corrigible, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of Xavier Charter 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. Xavier Charter School 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 of Directors 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 Xavier Charter School. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

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

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

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

When a disabled student is acting in such a way that he or she poses a danger to him or herself or to another student or property, or substantially disrupts his or 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 Head of Schools shall convene the Team for reviewing the student's record before the student is readmitted to Xavier Charter School and no later than the tenth (10th) day of suspension.

Once a student is expelled in compliance with Xavier Charter School 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.

Xavier Charter School

STUDENTS

Policy: 3340P Corrective Actions and Punishment

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

Suspension

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

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

Procedures for Suspension and Expulsion of Students with Disabilities

Xavier Charter School 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 Xavier Charter School 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 on: July 2012

Revised on: June 17, 2014

Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 3365 Student Sex Offenders

Definition

A Student Sex Offender is defined as 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 Xavier Charter School

The superintendent of public instruction is required by state law to notify a school district, charter school, or private school regarding the enrollment of a registered juvenile sex offender. The superintendent of public instruction is also required to notify the district or school of the offender's probationary status or treatment status, if known. The Head of Schools of Xavier Charter School or his designee shall make contact with the State Department of Education in order to receive regular updates of this information.

Educational Placement

The Head of Schools of Xavier Charter School or his designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Head of Schools or his/her designee shall consider such factors as the safety and health of the student population. The Head of Schools or designee shall develop guidelines for managing each student sexual offender in Xavier Charter School. If the Head of Schools or designee determines that, in the best interest of the Xavier Charter School, the student sexual offender should be placed in an alternative educational setting.

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 Xavier Charter School.

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. However, each circumstance involving a student probationary juvenile offender attending Xavier Charter School shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and state laws and rules permit the release of information concerning a student registered sex offender,

discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Legal Reference: I.C. §18-8402 Findings
I.C. §18-8408 Providing List to Superintendent Of Public Instruction
I.C. §33-205 Denial of School Attendance

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3370P Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The Head of Schools, and authorized assistants shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
2. If the authorized administrator 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 Xavier Charter School, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
3. The authorized administrator may perform random searches of any locker, car or container of any kind on school premises without notice or consent.
4. If the authorized administrator 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 Xavier Charter School, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
5. No student shall hinder, obstruct or prevent any search authorized by this procedure.
6. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness, and a written record of the time, date and results shall be made by the administrator. A copy shall be forwarded to the Head of Schools as soon as possible.
7. 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.
8. In any situation where the administrator is in doubt as to the propriety of proceeding with any search or seizure, the administrator is authorized to report to and comply with the directions of any public law enforcement agency.

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed on: May 2014

Xavier Charter School

STUDENTS

Policy: 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.

General Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

“Extracurricular Activities” means Xavier Charter 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” Xavier Charter 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 Head of Schools 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 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 the Head of Schools 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 or tobacco 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.

Eligibility Requirements for Extracurricular and Co-Curricular Participation

To take part in any extracurricular or co-curricular activity students must maintain a 2.0 GPA. If they do not have a 2.0, they are on probation for 2 weeks and can bring up their work and receive a written slip from the teacher or teachers of their passing work. If after the probationary period they do not have their work up to 2.0, they are not allowed to take part in any extracurricular or co-curricular activity until their work is up to 2.0 GPA.

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.

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:

1. The activity suspension is automatic, is for the duration of the school suspension, and runs concurrent with the school suspension.
2. This type of activity suspension cannot be appealed.

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 Head of Schools.

Consequences:

1. The incident will be reviewed pursuant to the Informal Hearing Process at Section V of this policy.
2. 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.
3. 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.

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 Xavier Charter School 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 or tobacco, **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:

1. 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 Head of Schools:
 - ✓ will hold a conference with the student;
 - ✓ will notify the student’s parent/guardian and the student of the violation;
 - ✓ may arrange a conference with the parent/guardian and the student; and
 - ✓ 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 part III.B “Other Violations” of the policy.
2. 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, or tobacco use, 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 Head of Schools or athletic director 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 Head of Schools will bar the student from any form of extracurricular or co-curricular activity for the balance of the scholastic year.
 - f. All students who receive an activity suspension for criminal conduct or drug use shall be reported to the Head of Schools or designee and, if applicable, to the appropriate law enforcement agency.
 - g. 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.

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.

Informal Hearing Process

Prior to giving an activity suspension to a student, the Head of Schools or athletic director 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.

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 Head of Schools 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 Head of Schools. 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 Head of Schools, 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 Head of Schools their perceptions of the problem. If the Head of Schools finds that there has been an infraction of bus rules, he will take the following action:

1. 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.
2. 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.

3. 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 Head of Schools 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.

Appeal Process

1. 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 activities exceeds nine (9) school days.
2. The parent/guardian must request an appeal in writing within two (2) school days from the notification of the activity suspension decision.
3. The Head of Schools 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.
4. 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.
5. 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.
6. The panel's determination is final, and is not appealable to the Head of Schools or Board of Trustees.

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 Head of Schools or other authorized administrator.

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 3400 Extracurricular Activities Drug-Testing Program

Xavier Charter School has a strong commitment to the health, safety, and welfare of its students. Results of studies throughout the United States indicate that education alone, as a preventive measure, is not effective in combating substance abuse. Our commitment to maintaining the extracurricular activities in Xavier Charter School as a safe and secure educational environment requires a clear policy and supportive programs relating to detection, treatment, and prevention of substance abuse by students involved in extracurricular activities.

Purpose

The drug-testing program is not intended to be disciplinary or punitive in nature. Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. It is the purpose of this program to prevent students from participating in extracurricular activities while they have drug residues in their bodies, and it is the purpose of this program to educate, help, and direct students away from drug and alcohol abuse and toward a healthy and drug-free participation. No student shall be expelled or suspended from school as a result of any verified positive test conducted by his/her school under this program, other than as stated herein.

Scope

Participation in extracurricular activities is a privilege. This policy applies to all Xavier Charter School students in grades 9-12 who wish to participate in extracurricular activities that are listed in the current student handbook and any other school-sponsored extracurricular activities not listed.

Consent Form

It is MANDATORY that each student who participates in extracurricular activities sign and return the Consent Form prior to participation in any extracurricular activity. Failure to comply will result in non-participation.

Each extracurricular participant shall be provided with the Consent Form (3350F), which shall be dated and signed by the participant and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug-testing program at _____ School.

Testing Procedures

1. The selection of participants to be tested will be done randomly by the Head of Schools/ administrative designee, and selections will be made from time to time throughout the school year. Names will be drawn from one (1) large pool of those agreeing to be tested.

Testing may occur on a different day, Monday through Saturday. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. Each student will be assigned a number that will be placed in the drawing.

2. If the student shows signs of reasonable suspicion, the Head of Schools/administrative designee may call the student's parent/guardian and ask that the student be tested. Factors will include, but are not limited to, excessive discipline problems and/or excessive absences from school. Also, a parent/guardian may request testing of his/her student.
3. No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
4. Upon being selected for a urinalysis test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a follow-up test, a student will be required to provide a sample of fresh urine, according to the quality control standards and policy of the laboratory conducting the urinalysis.
5. All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to twenty-four (24) ounces of fluid. If still unable to produce a specimen within two (2) hours, the student will be taken to the Head of School's office and told he/she is no longer eligible for any of the extracurricular activities. In addition, the parents/guardian will be telephoned and informed the student is unable to produce a sample for the testing procedure and that he/ she may be tested at a later date to be reinstated for eligibility.
6. There is a head strip on each of the specimen bottles, indicating the validity of the urine specimen by temperature. All specimens registering below 90.5 degrees Fahrenheit will be invalid. If this occurs, another specimen must be given by the student.
7. If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the extracurricular activities for the remainder of the school year. This will be reported to the parent/guardian.
8. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site. The Head of Schools/administrative designee must time and sign the pass.
9. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, nicotine, and street drugs (which may include all drugs listed as controlled substances under the laws of the State of Idaho). Also, performance enhancing drugs such as steroids may be tested.
10. The laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory

Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

Chain of Custody

1. The certified laboratory will provide training and direction to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain-of-custody. To maintain anonymity, the student's number, not name, will be used.
2. The Head of Schools/administrative designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker. (The administrator should not bring all the students drawn from the pool to the collection site simultaneously. Calling four (4) or five (5) students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be called after school, perhaps during practice time.)
3. Before the student's urine is tested by the laboratory, students will agree to fill out, sign, and date any form which may be required by the testing laboratory. If a student chooses, he/she may notify the administrator that he/she is taking a prescription medication.
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle. The student will sign that the specimen has been sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom. The door will be closed so that the student is by himself/herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The student will have two (2) minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it has been sealed, the specimen will be transported to the testing laboratory by lab personnel. The testing laboratory will report the results to the Head of School/administrative designee.
8. In order to maintain confidentiality, the container which contains the urine specimen to be tested will not have the name of the student on the container. Instead, the student's

random identification number will appear on the container. Also, the results sheet for the urinalysis will be mailed to the Head of Schools/administrative designee with no name attached; only the student's random identification number will appear on the results sheet.

Test Results

1. This program seeks to provide needed help for students who have a verified positive test. The students' health, welfare, and safety will be the reason for preventing students from participation in extracurricular activities.
2. The Head of Schools/administrative designee will be notified of a student testing positive (that is, if the test shows that drug residues are in the student's system after using at least two (2) different types of analyses). The Head of Schools/administrative designee will notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit any documented prescription, explanation, or information that will be considered in determining whether a positive test has been satisfactorily explained.
3. In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory at a cost to the student or his/her parent/guardian.
4. If the test is verified positive, the Head of Schools/administrative designee will meet with the student and his/her parent/guardian at the school. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student will be prevented from participating in extracurricular activities until after a follow-up test is requested by the Head of School
5. Administrative designee and the results are reported.
6. A follow-up test will be requested by the Head of Schools/administrative designee after such an interval of time that the substance previously found would normally have been eliminated from the body. If this follow-up test is negative, the student will be allowed to resume extracurricular activities. If a second positive result is obtained from the follow-up test or any later test of that participant, the same previous procedure shall be followed. In addition, Xavier Charter School reserves the right to continue testing, at any time during the remaining school year, any participating student who tested positive and did not make satisfactory explanation.
7. Information on a verified positive test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of negative tests will be kept confidential to protect the identity of all students being tested.
8. Drug testing result sheets will be returned to the Head of Schools/administrative designee, identifying students by number and not by name. Names of students tested will

not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Head of Schools/administrative designee has access.

Financial Responsibility

1. Under this policy, Xavier Charter School will pay for all initial random drug tests, all initial reasonable suspicion drug tests, and all initial follow-up drug tests. (Once a student has a verified positive test result and has subsequently tested negative from a follow-up test, any future follow-up drug test that must be conducted will be paid for by the student or his/her parent/guardian.)
2. A request on appeal for another test of a positive urine specimen is the financial responsibility of the student or his/her parent/guardian.
3. Counseling and subsequent treatment by non-school agencies are the financial responsibility of the student or his/her parent/guardian.

Confidentiality

Under this drug-testing program, any staff, coach, or sponsor of Xavier Charter School who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. Once again, this will underscore Xavier Charter School's commitment to confidentiality with regard to the program.

Other Rules

Apart from this drug-testing program, the Idaho High School Activities Association (IHSAA) and the coaching staff/sponsor of each sport/activity have their own training rules and requirements. Coaches/ sponsors have the necessary authority to enforce those rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

Legal Reference: Vernonia School District 47J v. Acton, 515 U.S. 646 (1995)
Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied, 119 S.Ct. 68
(1998)

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3400F Extracurricular Consent Form

XAVIER CHARTER SCHOOLS EXTRACURRICULAR CONSENT FORM

I have received and have read and understand a copy of the Schools' "Extracurricular Activities Drug-Testing Program". I desire that _____ participate in this program and in the extracurricular program of Xavier Charter School and hereby voluntarily agree to be subject to its terms for the entire high school career (grades 9-12). I accept the method of obtaining urine specimens, testing, and analyses of such specimens and all other aspects of the program. I agree to cooperate in furnishing urine specimens that may be required from time to time.

I further agree and consent to the disclosure of the sampling, testing, and results provided for this program. This consent is given pursuant to all State and Federal Statutes and is a waiver of rights to nondisclosure of such test records and results only to the extent of the disclosures in the program.

Date: _____, 20__

Student Signature

Parent/Guardian Signature

I, _____, have decided not to participate in any extracurricular activities sponsored by _____ Schools for the remainder of this school year. In order for me to participate in the extracurricular activity program at a later date, I understand that I must submit to urinalysis.

Student Signature

Date

Parent/Guardian Signature

Date

Xavier Charter School

STUDENTS

Policy: 3410 School Sponsored Student Activities

1. Student Organizations:
 - a. All student organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted.
 - b. Bylaws and rules of student organizations must not be contrary to board policy or to administrative rules and regulations.
 - c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.

2. Social Events
 - a. Social events must have prior approval of the administration.
 - b. Social events must be held in school facilities unless approved by Head of Schools.
 - c. Social events must be chaperoned at all times.
 - d. Attendance at high school social events and dances shall be limited to Rhetoric School students, and middle school social events shall be limited to Logic School students, unless prior permission is received from the Head of Schools.

3. Extracurricular Activities
 - a. Academic and behavior eligibility rules are established by Idaho High School Activities Association (IHSAA) rules and Xavier Charter School policy.
 - b. 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.

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed on: May 2014

Xavier Charter School

STUDENTS

Policy: 3420 Student Fundraising Activities

The Board acknowledges that the solicitations 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 schools. 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 be permitted by the Head of Schools providing that the instructional program is not adversely affected.

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3430 Distribution of Fund Drive Literature Through Students

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of Xavier Charter School to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered when recognized student or school-affiliated organizations of Xavier Charter School request permission to participate in such activity.

Cross Reference: 4310 Contact with students

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3440 Student Fees, Fines and Charges / Return of Property

Within the concept of free public education, Xavier Charter School shall provide an educational program for the students as free of costs as possible.

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, or designee, may waive the fee in cases of financial hardship.

The Board delegates authority to the Head of Schools to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the Board regarding fee schedules. Fees may be required for the actual cost of breakage and of excessive supplies used in courses such as commercial, industrial arts, music, domestic science, science or agriculture.

A student shall be responsible for the cost of replacing materials or property that is lost or damaged due to negligence.

Xavier Charter School 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 Xavier Charter School be returned.

Legal reference: I.C. § 33-603 Payment of fees or returning of property

Policy History:

Adopted on: July 2012

Revised on: June 15, 2016

Xavier Charter School

STUDENTS

Policy: 3460 School-Related Foreign Travel by Students

School-related foreign trips are allowed by Xavier Charter School when the experiences are an integral part of the school curriculum and contribute to the School's 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 Head of Schools shall take into account any foreign travel warnings or cautions of the U.S. Department of State. The Head of Schools shall seek advice concerning foreign travel from Xavier Charter School's 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

All student activities involving travel shall be authorized by the Head of School 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 Head of Schools 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.

Trip participant parents/guardians are responsible for providing provisions for any special medical problems and/or precautions.

Advertising, including the distribution of materials during the school day will be permitted at the discretion of the Head of Schools.

Private groups and organizations may not use Xavier Charter School in any way to promote their activities.

The Head of Schools will develop procedures for trips, including the approval process, procedures to be used in case of accident or illness and student conduct violations.

The trip proposal must be in writing and contain the following elements:

1. Identify the purpose of the trip and an outline of anticipated educational experiences and/or course of study to be followed.
2. Identify the names of students and chaperones attending the trip.
3. Identify and plan for any special medical needs of student and chaperones attending the trip.
4. Identify adequate liability insurance to protect Xavier Charter School, board members, chaperones, teachers and students.
5. Submit an itemized statement of costs, including transportation, meals and accommodations.
6. 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 Head of Schools 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.

In developing the proposal for the extended trip, the trip organizer will perform the following duties:

1. Hold at least one (1) pre-trip meeting with students and parent/guardian.
2. Provide to the Head of Schools, students, parent/guardian and chaperones detailed written information about the trip and all activities.
3. Provide detailed information on the responsibilities and rules for the students and chaperones.
4. Discuss Xavier Charter School policy regarding student conduct while on a school-sponsored activities.
5. 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.
6. Perform periodic checks to insure strict compliance with all school rules and policies.
7. Refrain from using tobacco 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 Head of Schools 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:

1. Supervise and be responsible for students during the entirety of the trip.
2. Ensure that students follow all legal and school requirements.
3. Establish a procedure for room checks and monitor compliance.
4. In all ways model the behaviors expected of Xavier Charter School students.

Any adult convicted of any sex or drug related offenses may not serve as a chaperone. Xavier Charter School reserves the right to request background checks on chaperones.

The safety, protection and supervision of Xavier Charter School students are the sole purposes for adult chaperones accompanying Xavier Charter School 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 Xavier Charter School policy. Violations will result in appropriate disciplinary action.

Students and their parent/guardian are expected to be knowledgeable about Xavier Charter School's 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.

1. Students and their parent/guardian will read and sign a code of conduct. The code of conduct will be prepared by the Head of Schools and will be reviewed during the pre-trip meetings.
2. 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 Head of Schools.

Responsibilities

Responsibilities of the Head of Schools:

1. Obtain and retain on file written parental permission for students who are under the age of 18.
2. Sign any contractual agreement with a public carrier and/or any other service provider.
3. Assure that all plans and arrangements are provided to and understood by the students and their parents.
4. Set student and chaperone conduct rules.

Responsibilities of Trip Organizer:

1. Communicate conduct rules of students and chaperones to parents/guardians, students and chaperones. Set behavior expectations for students and chaperones.
2. Carry a list of the names of students and chaperones participating, their emergency information and submit a copy of the list to the building Head of Schools prior to the trip.
3. Notify the building Head of Schools of any emergency situation, i.e. an accident involving student(s), student missing from the group, etc.
4. 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.

Xavier Charter School is not responsible for financial losses to students and parents due to cancellation of trips.

The authority to cancel trips rests with the Head of Schools 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 Head of Schools. The Board may request a summary and evaluation be presented to the Board.

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; February 8, 2017

Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 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:

1. The development of procedures for the isolation and temporary care of students who become ill during the school day.
2. Consulting services of a qualified specialist for staff, students, and parents if necessary.
3. Vision and hearing screening at select grade levels.
4. 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, Xavier Charter School 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 District is conducted which is:

1. Required as a condition of attendance.
2. Administered by the school and scheduled by the school in advance.
3. 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 Charter School policies, rules, and regulations.

All parents will be notified of the requirements of Xavier Charter School's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

Legal Reference:

General Education Provisions Act, 20 U.S.C. 1232h(b)

Policy History:

Adopted on: September 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3510 Medications

The Board of Directors of Xavier Charter School recognizes that students attending the school may be required to take medication while at school, either on a short term or daily basis. The Board will permit the administration of medication that is necessary for the health and well-being of students in its jurisdiction. Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel. This policy is intended to provide for medication of a student to permit the student's attendance at school and is not intended to provide a treatment service.

If a student must take medication during the school day, Xavier Charter School will implement the following guidelines:

1. SELF-ADMINISTRATION OF PRESCRIBED INHALER, EPINEPHRINE AUTO-INJECTOR, INSULIN AND BLOOD GLUCOSE MONITORING SUPPLIES

- A. Any student for whom a physician or other authorized medical professional has prescribed 1) a metered-dose inhaler for treatment of asthma or other potentially life-threatening respiratory illness, 2) an epinephrine auto-injector for severe allergic reaction (anaphylaxis), or 3) insulin or blood glucose monitoring supplies for the management of diabetes will be permitted to carry and self-administer such medication(s) during the school day.
- B. The student's parent/guardian must submit a written request at least annually using the *Authorization Form for Student Self-Administration of Medication* for the student to be allowed to self-administer any of the medications in this section.
- C. The parent/guardian is responsible for notifying the school of any changes to the student's medical condition what would impact the self-administration of medication.
- D. The parent/guardian is responsible for insuring his/her student brings the medication to school and to refill the medication as needed.
- E. The container label must clearly state the student's name, medication prescription number, medication name, doctor's name, dosage, and directions for administration.

2. OTHER PRESCRIPTION MEDICATIONS

- A. If the school is being asked to store and/or administer a prescription medication, the parent/guardian must submit a written request at least annually using the *Authorization for Medication Administration* form for the medication to be given during school hours. This request must be received before any medication will be given to the student.
- B. The medication must be in its original container.

- C. The container label must clearly state the student's name, medication prescription number, medication name, doctor's name, dosage, and directions for administration
- D. The parent/guardian is responsible for insuring his/her student brings the medication to school and to refill the medication as needed.
- E. All controlled substances must be stored in a secure area in the school office.

3. NON-PRESCRIPTION (OVER THE COUNTER) MEDICATIONS

- A. If the school is being asked to store and/or administer a non-prescription medication, the parent/guardian must submit a written request at least annually using the Authorization for Medication Administration form for the non-prescription medication be given during school hours. This request must be received before any medication will be given to the student.
- B. The medication must be in the original container and the student's name and directions for administering the medication must be written on the container.
- C. Non-prescription medications, such as aspirin or Tylenol, will not be provided to students by the school.
- D. Non-prescription pain medications (such as aspirin, acetaminophen, or ibuprofen) may be brought to school in an original container in larger quantities than are sufficient for a one (1) day's supply. Logic and Rhetoric school students may keep and administer their own medication (with the exception of controlled substances).

4. ADDITIONAL GUIDELINES

- A. Generally, medications should be dispensed to students before and/or after school hours under the supervision of the parent/guardian. Medications should only be dispensed at school when necessary to meet the health needs of the student.
- B. Parents/guardians are responsible for notifying the school, in writing, that the student requires medication on a regular or emergency basis, and supplying the medications and instructions for dispensing the medications.
- C. The school personnel who dispenses medication to students will maintain a log of all medications dispensed.
- D. All medications that are not self-administered will be kept in a secured area in the school office.
- E. It is the student's responsibility to come to the office at the appropriate time to take his or her medication, unless the student's 504 or IEP plan states otherwise.

- F. No medications, prescription or non-prescription, will be dispensed by school personnel to a student without written permission from the student's parent/guardian. Nonprescription medications will not be supplied to students.
- G. Any medication that a student must have in case of emergency will be kept in an easily accessible location.
- H. Grammar school students are not allowed to possess prescription or non-prescription medications at school unless the medication falls within the provisions of this policy or unless specifically authorized to do so by the Head of Schools.
- I. Logic and Rhetoric school students may keep and administer their own medication (with the exception of controlled substances), but are prohibited from bringing more than one (1) day's supply of the medication to school, unless the medications fall within the provisions of this policy. A note from the parent/guardian must be on file in the office or in the student's possession identifying the medication and the dosage.
- J. The parent/guardian is expected 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 one week following the student's last day of attendance during the school year will be disposed of by XCS.
- K. Xavier Charter School and its employees will accept no responsibility for any ill effects that may result from medication dispensed to students while following this policy.

Legal Reference: I.C. § 33-506(1)

I.C. § 33-520

Policy Governing Medical Inhalers, Epinephrine Auto-Injectors, Insulin And Blood Glucose Monitoring Supplies

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; October 12, 2016

Xavier Charter School

STUDENTS

Policy: 3520 Contagious or Infectious Diseases

Xavier Charter School is required to provide educational services to all school age children who reside within its boundaries. Attendance at Xavier Charter School 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. Xavier Charter School 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 Head of Schools and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

Xavier Charter School 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 school 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 Head of Schools to determine appropriate measures to protect student and staff health and safety. The school nurse or other responsible person designated by the Head of Schools, 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 on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3525 Immunization Requirements

Attendance at Xavier Charter School may be denied to any child who does not provide an immunization record to the school 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.

Summary of Immunization Requirements			
Immunization Requirement	Child born after September 1, 2005	Child born after September 1, 1999 through September 1, 2005	Child born on or before September 1, 1999
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

Summary of Seventh Grade Immunization Requirements		
Immunization Requirement	Child admitted to 7 th grade prior to the 2011-2012 school year	Child admitted to the 7 th grade during the 2011-2012 school year and each year thereafter
Diphtheria, Tetanus, Pertussis	0 doses	1 dose
Meningococcal	0 doses	1 dose

Immunization Certification

The immunization record must be signed by a physician or physician's representative or another licensed health care professional including osteopaths, nurse practitioners, physicians' assistants, licensed professional nurses, registered nurses, and pharmacists 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 a similar one may be used provided it includes the following information:

1. Name and date of birth of child;
2. School and grade child is enrolling in and attending;
3. Types, numbers, and dates of immunizations to be administered;
4. Signature of the parent, custodian, or legal guardian; and
5. Signature of a licensed health care professional providing care to the child.

Children admitted to Xavier Charter School and failing to continue the schedule of intended immunizations will be excluded from school until documentation of administration of the required immunizations is provided by the child's parent, custodian, or legal guardian.

Exemptions

1. 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.
2. 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.
3. 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.
4. A child who has had varicella (chickenpox) 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.

A child exempted under one of the above requirements may be excluded by Xavier Charter School in the event of a disease outbreak.

Reporting

Xavier Charter School 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. The report shall include:

1. Inclusive dates of the reporting period;
2. Name and address of the school and county;
3. Grade being reported and total number of children enrolled in the grade;
4. Name and title of the person completing the report form;
5. Number of children who meet all of the required immunizations listed in the tables above;

6. Number of children who do not meet all of the required immunizations listed in the tables above, but are in the process of receiving the required immunizations; and
7. Number of children who claimed exemption to the required immunizations listed in the tables above.

Legal Reference: I.C. § 39-4801 Immunization Required
 I.C. § 39-4802 Exemptions
 IDAPA 16.02.15 Immunization Requirements for Idaho School Children

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014

Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 3530 Suicide

Although neither a school (nor a teacher) has a duty to warn of the suicidal tendencies of a student absent the teacher's or school's knowledge of direct evidence of such suicidal tendencies, Xavier Charter School may, in its sole discretion, provide the following programs in order to prevent adolescent suicide by:

1. offering and providing help and assistance including early identification;
2. support and/or counseling by school support personnel for low-risk students;
3. referral to appropriate sources outside the school for high and moderate-risk students;
4. attendance to the rights of the student and his/her family; and
5. after care support by the school for faculty, staff, and students after a sudden death has occurred.

Legal Reference: I.C. § 33-512B Suicidal tendencies – Duty to warn.

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 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 Head of Schools 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 Xavier Charter School, the responsible school officials shall do the following:

1. Isolate the child immediately from other children in a room or area segregated for that purpose.
2. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
3. 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 Head of Schools 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 on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3545 Student Interviews, Interrogations or Arrests

Interviews by Xavier Charter School Administrators (Student Victims/Witnesses)

When a violation of board policy or school rule occurs, the Head of Schools or designee may question a potential student victim or students who may have relevant information without prior consent of the parent, guardian or legal custodian. Another adult should be present during the questioning of students.

Interrogations by Xavier Charter School Administrators (Student Suspect)

In situations where a student is suspected of violating board policy or school rule, the Head of Schools or designee may interrogate the suspected student without the prior consent of the student's parent, guardian, or legal custodian. Xavier Charter School official must first have reasonable grounds, however, to suspect that the student committed such a violation. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will be afforded the opportunity to present his or her side of the story, orally or in writing.

Interviews and Interrogations by Law Enforcement Officials (School-Related Violation)

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or an activity involving school operations, law enforcement officers may be notified by Xavier Charter School officials to request a criminal investigation. Law enforcement officers may also independently determine that an investigation requiring student interviews and interrogations is necessary. When law enforcement officers question a student victim, witness or suspect in such instances, Xavier Charter School officials shall make an effort to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation.

When students are interviewed or interrogated by law enforcement officers, the Head of Schools or designee shall request that police officers observe all procedural safeguards prescribed by law. However, Xavier Charter School personnel are not responsible for a police officer's compliance with the law. If a parent or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

The Xavier Charter School discipline investigations conducted by school administrators and criminal investigations conducted by law enforcement officers shall be conducted in a parallel manner rather than as a joint investigation. Therefore, a Xavier Charter School discipline investigation need not stop as soon as the school administrator believes that a crime has been committed. The results of the parallel investigations may be shared among Xavier Charter School officials and the police.

Interviews and Interrogations by Law Enforcement Officers (Non-School-Related Violation)

Xavier Charter School strives to maintain cooperative working relations between law enforcement, child protective and school authorities. Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the student's class time. The Head of Schools and Head of Schools' designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the Head of Schools or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the Head of Schools or designee shall immediately contact the area administrator or legal counsel for assistance.

Before any student interview or interrogation begins regarding suspected criminal activity, the Head of Schools or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The Head of Schools or designee shall request that all procedural safeguards prescribed by law are observed by the law enforcement officers when interviewing student witnesses or interrogating student suspects. An effort shall be made to notify the student's parent, guardian or legal custodian in advance of the interview or interrogation regarding suspected criminal activity. Whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision. **In cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family, such parent/guardian contact would not be warranted. The Idaho Department of Health and Welfare or law enforcement may exclude Xavier Charter School personnel from any child abuse investigations/interviews and may use a school building to conduct the interview.**

Arrests by Law Enforcement Officers

A law enforcement officer may take a student into custody if the student has been placed under arrest or if the student's parent, guardian, or legal custodian and the student consent to such release. The officer must first notify the Head of Schools or designee so that the student may be summoned to the Head of Schools' office and taken into custody in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on Xavier Charter School premises without prior notification to the Head of Schools' or designee, the law enforcement officer should notify school authorities of the situation as soon as possible.

When a student is removed from Xavier Charter School by law enforcement officers for any reason, Xavier Charter School officials will make every reasonable effort to notify the student's parent, guardian, or legal custodian. The Xavier Charter School official will document such effort in writing. Before removing the student from Xavier Charter School, the police shall sign a release form in which they assume full responsibility for the student. If a Xavier Charter

School official has reason to believe that a student was removed from Xavier Charter School by a law enforcement officer without making a valid arrest or without the consent of the student and the parent, guardian, or legal custodian, the Xavier Charter School official will attempt to immediately contact the Xavier Charter School administrator or legal counsel.

Xavier Charter School officials will notify the appropriate school administrator of the removal of any student from Xavier Charter School by law enforcement under any circumstance. Xavier Charter School officials shall request that all procedural safeguards prescribed by law are observed by law enforcement officers conducting an arrest. Xavier Charter School personnel are not, however, responsible for an officer's legal compliance with respect said arrest.

Definitions:

1. "Interview"—The questioning of a student who may be a witness or victim of an incident.
2. "Interrogation"—The questioning of a student suspected of violating Board and/or school policy, school rule or criminal law.
3. "Reasonable Grounds to Suspect"—More than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred. For example, it may be based upon, among other things, direct observations or the reported observations or experiences of others. It involves a common-sense conclusion about human behavior based upon all of the circumstances presented.
4. "Probable Cause"—A set of probabilities grounded in factual and practical considerations, which would cause a reasonable person to believe that a violation has occurred. It requires having more evidence for than against.

Cross Reference: 4400 Relations with Law Enforcement and Child Protective Agencies
4410 Investigations and Arrests by Police
5260 Abused and Neglected Child Reporting

Legal Reference: 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

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 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 Xavier Charter School procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the Head of Schools, 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 Head of Schools or designee.

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3550P Removal of Student During School Day

Xavier Charter School 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:

1. Law enforcement officers, upon proper identification, may remove a student from Xavier Charter School as provided in Policy 4410.
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. Proper identification is required before the student shall be released.
3. A student shall be released to the custodial parent. When in doubt as to custodial rights, Xavier Charter School enrollment records must be relied upon, as the parents (or guardians) have the burden of furnishing Xavier Charter School with accurate, up-to-date information.
4. Xavier Charter School should always check with the custodial parent before releasing the student to a non-custodial parent.
5. 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.
6. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: 4400 Relations with the Law Enforcement and Child Protective Agencies

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3565 Termination of Driving Privileges

In the event an enrolled student fails to meet the state enrollment and attendance requirements, the Head of Schools or designee will provide written notification on a form provided by the Idaho Department of Education to the student and parent/guardian of Xavier Charter School's intent to request that the Idaho Department of Transportation suspend the student's driving privileges, because the student has dropped out of school (and has not otherwise enrolled in another public/private school, home schooling educational program, course of preparation for the GED, a college or university, a post-secondary vocational program, or job training program or other educational activity approved by the Board) or has failed to comply with the enrollment and attendance requirements found in Idaho Code.

The student and parent/guardian will have fifteen (15) calendar days from the date of receipt of the above-mentioned notice to request a hearing before the Head of Schools or designee for the purpose of reviewing the pending suspension of driving privileges. The requested hearing will be held within thirty (30) calendar days after the receipt of the request.

The Head of Schools or designee may grant a hardship waiver of the requirements of this policy for any student for whom a personal or family hardship requires that the student have a driver's license for his or her own or family member's employment or medical care. The Head of Schools or designee will take into account the recommendations of teachers, other school officials, guidance counselors, or academic advisors prior to granting a waiver. Such a hardship waiver must be requested by the student or the student's parent/guardian at the initial hearing.

If the Head of Schools or designee, denies a hardship waiver, that decision may be appealed to the Board of this Xavier Charter School within seven (7) calendar days of receipt of the Head of Schools' or designee's decision. The hearing before the Board will be held at a mutually convenient time. The Board will have the authority to uphold the decision of the Head of Schools or designee, or reverse the decision and grant the hardship waiver.

Cross-Reference: 2325 Driver's Education

Legal Reference: I.C. § 33-211 Students' Drivers' Licenses
I.C. § 49-110 Definitions
I.C. § 49-303 What Persons Shall Not Be Licensed
I.C. § 49-303A Driver's License or Permits Issued to Certain Persons Under the Age of Eighteen Years
I.C. § 49-305 Instruction Permits—Temporary Licenses—Motorcycle Endorsement Instruction Permit
I.C. § 49-310 Applications of Persons Under the Age of Eighteen Years

I.C. § 49-326 Authority of Department to Suspend, Disqualify or
Revoke Driver's License and Privileges

Policy History:

Adopted on: July 21, 2014

Revised on:

Xavier Charter School

STUDENTS

Policy: 3570 Student Records

Xavier Charter 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. Xavier Charter School 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 Rhetoric School students, unless the parent(s) notifies the school not to release this information.

The Head of Schools shall implement this policy consistent with state and federal law and may develop administrative procedures to assure compliance with state and federal law. The Head of Schools 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.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. 99 Family Education Rights and Privacy Act,
34 C.F.R 99 Family Education Rights and Privacy Act
I.C. § 33-133 Student Data – Use and Limitations
I.C. § 33-209 Transfer of Student Records -- Duties
I.C. § 32-717A Parents’ Access to Records and Information
No Child Left Behind Act of 2001, P.L. 107-334

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; January 13, 2016

Reviewed: May 2014

Xavier Charter School

STUDENTS

Policy: 3570P Maintenance of Xavier Charter School Student Records

Xavier Charter School shall maintain a record for each student that shall contain information, including but not limited to the following:

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; (if applicable)
9. Psychological reports; (if applicable)
10. Achievement test results;
11. Log pertaining to release of student's record; and
12. Disciplinary information.

Information in student files shall be maintained indefinitely, or until such time when Xavier Charter School has been given written consent to destroy the records, or when a student permanently leaves Xavier Charter School.

Records for a special education student with disabilities who graduates or permanently withdraws from Xavier Charter School, including eligibility documentation, IEPs, consents, and written notices, will, for at least six (6) years, be maintained until such time or when Xavier Charter School has been given written consent from the parent and/or adult former student to destroy the records or transfer the records to the parent or to the student if the student has succeeded to the rights of the parents. Such written records of individual students are confidential and shall be shredded or burned under supervision of the staff member responsible for the records if not released to the parent(s) and/or adult former student. The records manager should maintain a log that documents the date of destruction or release of records.

The Head of School's designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with Xavier Charter School's procedure established by the Head of Schools.

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

Xavier Charter School shall grant access to student records as follows:

1. Xavier Charter School or any Xavier Charter School 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 student'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 Xavier Charter School's 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. Xavier Charter School shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

- 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 Xavier Charter 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 I.R.S. (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. Xavier Charter School may grant access to, or release information from, student records to employees or officials of Xavier Charter School 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 District shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The District 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. Xavier Charter School may 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. Xavier Charter School shall grant access to, or release information from, a student's records 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. Xavier Charter School shall grant access to or release information from any student record as specifically required by federal or state statute.
8. Xavier Charter School 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 Head

of Schools. Whenever Xavier Charter School 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. Xavier Charter School may release student records to the Head of Schools 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 5, 6, 7, 8, and 9 above, Xavier Charter School 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. Xavier Charter School 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. Any release that is made must be narrowly tailored considering the immediacy, magnitude, and specificity of the information concerning the emergency and the information should only be released to those persons whose knowledge of the information is necessary to provide immediate protection of the health and safety of the student or other individuals (i.e. law enforcement, public health officials, trained medical personnel). The exception is temporarily limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's records. Xavier Charter School 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 which the release was made, and the purpose of the release and the same information shall be recorded in the student's record log.
12. Xavier Charter School 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. Xavier Charter School 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. See Policy 4260 for information regarding Xavier Charter School copy fee schedule.
14. A log 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 log 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 such person. The log 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 requesting the release or access;
- D. The legitimate interests the parties had in requesting or obtaining the information;
- E. The date of the release or grant of access;
- F. A copy of any consent to such release; and
- G. Any additional information required by state or federal law.

Directory Information

Xavier Charter School may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

- 1. Name;
- 2. Address;
- 3. Gender;
- 4. Grade level;
- 5. Birth date and place;
- 6. Parents'/guardians' names and addresses;
- 7. Academic awards, degrees, and honors;
- 8. Information in relation to Xavier Charter School-sponsored activities, organizations, and athletics;
- 9. Major field of study; and
- 10. Period of attendance at Xavier Charter School.

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, Xavier Charter School 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

The parents 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 Xavier Charter 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; and
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. Xavier Charter School will include the statement in any release of the information in dispute.

Policy History:

Adopted on: February 10, 2016

Revised on:

Xavier Charter School

STUDENTS

Policy: 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, Xavier Charter School 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

Xavier Charter School 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, Xavier Charter School shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Head of Schools 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 Xavier Charter School shall be restricted to:

1. the authorized staff of Xavier Charter School 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

Xavier Charter School shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. Xavier Charter School shall immediately notify the Executive Director of the Idaho State Board of Education and the State Head of Schools of Public Instruction in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. Xavier Charter School 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.

Xavier Charter School 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.

Xavier Charter School shall clearly define what data is determined to be directory information.

If Xavier Charter School 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: 3570 – 3570P

Student Records

Legal Reference: 20 U.S.C. § 1232g
34 C.F.R. 99
I.C. § 33-133

Family Education Rights and Privacy Act
Family Education Rights and Privacy Act
Idaho Student Data Accessibility, Transparency,
and Accountability Act

Policy History:

Adopted on: November 12, 2014

Revised on:

Xavier Charter School

STUDENTS

Policy: 3575A Relations with Non-custodial Parents

Access to Students

The parent with whom the student primarily resides shall be recognized by Xavier Charter School 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 Head of Schools or designee, 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 Xavier Charter School 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 Head of Schools, 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. Xavier Charter School reserves the right to request verification in the form of a certified court document from any party presenting legal documents.

Legal Reference: Federal Family Educational Rights and Privacy Act of 1974
Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802)
regs. Implementing
FERPA enacted as part of 438 of General Education Provisions Act (20
U.S.C. 1232G) – parent and student privacy and other rights with respect
to educational records

Policy History:

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 3610 Records of Missing Children

Upon notification by the Idaho state police of a missing or runaway child currently enrolled in Xavier Charter School, 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 Reference: I.C. § 18-4511 School Duties—Records of Missing Child—
Identification Upon Enrollment—Transfer of
Student Records

Policy History

Adopted on: July 2012

Revised on:

Xavier Charter School

STUDENTS

Policy: 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 Head of Schools or other administrator of the receiving school.

Cross Reference:	3570 - 3570P 3610	Student Records Records of Missing Children
Legal Reference:	I.C. § 18-4511 I.C. § 33-209	School Duties—Records of Missing Child— Identification Upon Enrollment—Transfer of Student Records Transfer of school records - Duties

Policy History:

Adopted on: July 2012

Revised on: