



## 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 or sixth birthday does not occur on or before the first day of September of the school year in which the child registers to enter school. Any child of the age of five years who has completed a private or public out-of-state kindergarten for the required 450 hours but has not reached the age and date requirements set forth above, shall be allowed to enter the first grade.

##### Initial Enrollment

Immunization records or an appropriate waiver and birth certificate are required for admission to all Xavier Charter schools (subject to provisions of McKinney Homeless Assistance Act). Communication of the requirement for immunization records or exemptions shall comply with Policy 3525.

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, Xavier Charter School shall notify the person enrolling the student in writing that he or she must provide within 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 30 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 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 and/or designee.

## Advanced Enrollment For Military Dependents

Any member of the United States Armed forces who has received transfer orders to a location in Idaho and will, upon such transfer, reside in the district's attendance boundary may enroll their child in Xavier Charter School lottery and will receive the same preference as any other child in the district regardless of where the child resides at the time of enrollment.

## 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 weeks, or until five school days after receipt of transcripts.

Should any doubt exist with the teacher and/or the 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 the Head of Schools and/or designee.

**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 and/or designee, subject to review upon approval by the Board of Directors.

<b>Cross References:</b>	3525	Immunization Requirements
	4160	Parents Right-to-Know Notices

<b>Legal References:</b>	Id. Const. 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	Attendance at Schools - School Age

I.C. § 33-209	Attendance at Schools - Transfer of Student Records - Duties
I.C. § 33-524	Advance Enrollment for Military Dependents
I.C. § 39-4801	Immunization Required
I.C. § 39-4802	Immunization Exemptions
20 USC § 7912	Unsafe School Choice Option
20 USC § 6313	Eligible School Attendance Areas
42 USC § 11432	Grants for State and Local Activities for the Education of Homeless Children and Youths

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014; March 8, 2017; March 19, 2020; March 16, 2023

Revised on: April 15, 2014; December 21, 2017; December 17, 2020; May 19, 2022

## **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 and/or designee 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 Head of Schools and/or designee 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 and/or designee shall treat that student as if they reside in that school's attendance area, except in the circumstances described below. To the extent possible, the Head of Schools and/or designee shall expedite the enrollment process.

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

1. Resides in the district and seeks enrollment in another district school under the provisions of the Every Student Succeeds Act;
2. Was previously enrolled at the requested school during the prior year;
3. Has a brother or sister enrolled at the requested school;
4. Resides in the attendance area of another district school;
5. Has parents employed by the district; or
6. 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 and/or designee 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.

## 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 and/or designee 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.

**Cross Reference:** 8200                      Local School Wellness

**Legal Reference:** I.C. § 33-512              Governance of Schools

### Policy History:

Adopted on: September 2012

Reviewed on: March 18, 2014; March 8, 2017

Revised on: April 15, 2014; March 15, 2018; February 20, 2020; March 16, 2023



## **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; March 8, 2017; March 19, 2020; March 16, 2023

## **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 hours for grades 1 through 12 and at least two and one-half 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.

<b>Legal References:</b>	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

Reviewed on: March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## **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 and/or designee. Xavier Charter School will not be responsible for the student during non-enrollment hours or times. Any transportation needs for such students not provided for otherwise under this policy during the school day shall be the sole responsibility of the student and their parents/guardian.

#### 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 as described in Policy 3525; and
4. Student records from the previously attended public school, if any, and any other records providing academic background information.

#### Extracurricular Activities

Participation in extracurricular activities shall be subject to Policy 3031.

#### 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.

### 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 as outlined in Policy 2720.

### Mixed Curriculum

If a nonpublic student wishes to attend activities or programs in a particular discipline, in a class or grade where the curriculum is merged or integrated, such request shall be made in writing particularizing the subject matter presentation which the student desires to attend (i.e., art instruction in a third grade class). The teacher and principal of that school shall, upon request, provide scheduling information to the dual enrollment student. It shall be the dual enrollment student's responsibility to contact Xavier Charter School and ascertain when such subject matter will be presented. Where certain subject matter is integrated into a mixed curriculum, no change in the presentation of that curriculum needs to be made because of a nonpublic student's request for attendance. It is also the intent of this policy to ensure that the teacher's right to integrate disciplines and be flexible in planning and modifying the daily classroom presentations shall not be hindered or restricted in any way.

### IDEA/ADA/Section 504 Students

Parents who wish to have a dual enrollment student's disability accommodated by Xavier Charter School via a 504 Plan or who wish to have their student enrolled in special programs must comply with the requirements of the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

If a dual-enrolled student or a student enrolled part-time at a district school is found to be eligible for a 504 Plan, Xavier Charter School's process to create and implement a 504 Plan for a student shall be followed.

Whether Xavier Charter School is responsible for assessing a student's need for special education services and for maintaining and implementing an IEP for the student depends on factors including, but not limited to what other type of school the student is enrolled in, if any; whether the student lives in the district; and whether a private school they attend is located in the

district. Xavier Charter School shall provide such assessment and related services when required by state or federal law or administrative rules.

- Cross References:** 2400 Special Education  
2410 & 2410P Section 504 of the Rehabilitation Act  
3525 Immunization Requirements
- Legal References:** I.C. § 33-203 Attendance at Schools – Dual Enrollment  
I.C. § 33-1001, et. seq. Foundation Program –State Aid -  
Apportionment  
I.C. § 33-512 Governance of Schools  
IDAPA 08.02.03.111.13 Assessment in the Public Schools – Dual  
Enrollment
- Other References:** Idaho State Department of Education Special Education Manual, current  
edition  
Idaho State Department of Education Dual Enrollment Q&A  
Idaho State Government Private Schools Quick Guide

Policy History:

Adopted on: July 2012

Revised on: April 15, 2014; October 21, 2021; May 19, 2022; June 10, 2023

Reviewed on: March 9, 2016; March 8, 2017; March 19, 2020; March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

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

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

1. Non-public school students must meet the same eligibility standards as full-time district students to try out.
2. The non-public school student must, on any State Board of Education recognized achievement test, portfolio, or other mechanism, demonstrate composite grade-level academic proficiency;
3. In order for any nonpublic school students to participate in nonacademic public school activities for which public school students must demonstrate academic proficiency on any state board of education recognized achievement test, portfolio, or other mechanism as provided for in state board of education rules. A student shall be eligible if they achieve a minimum composite, core or survey test score within the average or higher-than-average range as established by the test service utilized on any nationally normed test. Demonstrated proficiency shall be used to determine eligibility for the current and next following school years.
4. Non-public school students must be provided the opportunity to take State tests or other standardized tests given to all regularly enrolled public school students when pre-arranged with the principal of the building where the student is registered.
5. A non-public school student will be subject to the same requirements as public school students regarding school attendance on the date of an activity. If the non-public school student is not scheduled to attend academic courses in the district on activity days, the non-public school student’s primary education provider shall provide assurance to the district that such student has met the attendance requirements in the non-public school academic setting. The primary education provider shall also be responsible for the oversight of any other academic standards relating to participation in nonacademic activities.

**Cross Reference:** 3030 Part-time Attendance/Dual Enrollment

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

**Other Reference:** IHSAA Rules and Regulations on Eligibility

Policy History:

Adopted on: October 21, 2021

Revised on: July 21, 2022; October 19, 2023

Reviewed on: March 16, 2023

## **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 and/or designee.
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 and/or designee 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 Dual Enrollment

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014; April 12, 2017; March 19, 2020

Revised on: February 10, 2016; May 21, 2020; March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3040 Compulsory Attendance**

Parents are responsible for seeing that their children of age seven or older prior to the first day of school attend school until the child's 16<sup>th</sup> birthday.

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

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

#### Policy History:

Adopted on: July 2012

Reviewed on: April 14, 2014; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## **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 to 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. Students who are the age of 18 or older may sign themselves 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 five minutes prior to the start of class.

##### Absences

###### *Ten-Day Policy*

Students can accumulate a maximum of 10 absences each semester (excessive tardies, as they are equated to absences as indicated in the section TARDIES, will be included in the count).

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. 9<sup>th</sup> - 12<sup>th</sup> grade 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 medical practitioner's statement. Please note that all medical practitioner's notes must be submitted to the front office no later than **two 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 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. **At six absences** from school/class for students K-12<sup>th</sup> grades, a letter will be sent to the student's home, referencing the school policy and indicating the number of days missed.

- a. When K-6<sup>th</sup> grade students have **accumulated 11** excused or unexcused absences for either AM/PM attendance within a single semester (3 tardies = 1 absence), an attendance letter will be sent; and the principal 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, an attendance letter will be sent; and the principal will schedule an attendance review meeting at which time an attendance contract may be required.
- b. When 7<sup>th</sup> – 12<sup>th</sup> grade students have **accumulated 11** excused or unexcused absences for any class within a single semester (3 tardies = 1 absence), they will be assigned to the next scheduled Academic Make-up Day (Saturday School). If absences are accumulated after the 11<sup>th</sup> absence within any class period during a school day additional Saturday School days will be assigned. (1 Saturday School day = 1 or more absences during a single school day) The dates of Saturday Schools will be

determined by the administration. Saturday Schools will be held 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.

2. If the student continues to accumulate absences and/or tardies, administration 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 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 and/or designee to schedule this hearing. The Attendance Committee will be created at the appointment of the Head of Schools and/or designee, and may include the Head of Schools and/or designee, 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 designee, 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 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 and/or designee to declare a student habitually truant.

1. Prohibited Acts: Any person between the ages of seven and 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 seven years at the time of the commencement of school in his district, but not the age of 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 medical practitioner'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, and/or designee, 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 the Head of Schools and/or designee. 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 on: September 2012

Revised on: July 2012; March 2015; May 11, 2016; April 12, 2017; September 20, 2018;  
September 19, 2019; September 16, 2021; December 16, 2021; March 16, 2023

Reviewed on: April 15, 2014; March 19, 2020

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3060 Education of Homeless Children**

It is the policy of Xavier Charter School to ensure that:

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

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

All schools and employees of Xavier Charter School shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. Xavier Charter School will also strive to prevent stigma against students who are homeless.

#### Definitions

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

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

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

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



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

An unaccompanied student living in any of the circumstances described in clauses 1 through 3 above.

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

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

The term “school of origin” is defined as the school that the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the students “school of origin;” the “school of origin” shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school in Xavier Charter School.

### In General

Xavier Charter School shall ensure the following is provided according to the homeless student's best interest:

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

### School Stability

In determining the best interest of the homeless student each school within Xavier Charter School shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the student;

2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the Head of Schools and/or designee determines that it is not in student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent or guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such parent, guardian, or unaccompanied student, including information regarding the right to appeal under "Disputes", below; and
4. In the case of an unaccompanied student, ensure that Xavier Charter School's liaison designated under "Xavier Charter School Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Disputes," below.

#### Immediate Enrollment:

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

#### Records

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

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

### Disputes

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

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities;
2. The parent or guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by Xavier Charter School, or other entity, including the rights of the parent, guardian, or unaccompanied student to appeal such decisions;
3. The parent, guardian, or unaccompanied student shall be referred to the local educational agency liaison designated under “Xavier Charter School Liaison” below, and upon being informed of the dispute, the liaison shall, within 10 days, initiate an appeal with the district, and if unsuccessful, to the state coordinator of the dispute regarding the educational placement of homeless student;
4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student’s dispute; and
5. If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then Xavier Charter School shall seek further assistance from the State Coordinator of Homeless Education to review and determine within 10 business days how the student’s best interests will be served. The decision of the State Department of Education shall constitute final resolution.

### Placement Choice

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

When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

When addressing school placement, Xavier Charter School's Liaison shall work with the family to address the student's transportation needs.

### Privacy

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

### Contact Information

Nothing in this policy shall prohibit Xavier Charter School and/or the enrolling school from requiring the parent or guardian of a homeless student to submit contact information.

### Comparable Services

Each homeless student in Xavier Charter School shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including the following:

1. Transportation services. Students may be provided with additional transportation services if needed to ensure the student's full participation in Xavier Charter School's education program;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or Charter School sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and
5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the district's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

### Xavier Charter School Liaison

For purposes of this policy, the Head of Schools and/or designee shall designate a Xavier Charter School employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Head of Schools and/or designee shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. The Xavier Charter School tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of Xavier Charter School;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by Xavier Charter School;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an “independent student” for purposes of the student’s Free Application for Federal Student Aid (“FAFSA”). The Liaison shall also provide the required “verification” of the student’s status in connection with his or her application for Federal Student Aid.
8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;
9. Eligibility, school selection or enrollment disputes are mediated in accordance with “Dispute,” above;
10. The parent or guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student’s school of origin, and is assisted in accessing transportation to the student’s assigned school;

11. School personnel receive annual professional development and other support; and

12. Unaccompanied homeless students:

- A. Are enrolled in school;
- B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
- C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from Xavier Charter School Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

### Local and State Coordination

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

### Homeless Status

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

Title 1, Part A

Any student who is homeless and attends Xavier Charter School is eligible for Title 1, Part A services. Xavier Charter School shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools.

**Cross References:** 4120 Uniform Grievance Procedure  
4160 Parents Right-to-Know Notices

**Legal References:**

20 USC § 6311, et seq.	Improving Basic Programs Operated by Local Educational Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act)
20 USC § 1400	Individuals with Disabilities Education Act (IDEA)
42 USC § 1758	School Lunch Programs – Programs Requirements
42 USC § 9831, et seq.	Head Start Programs
42 USC § 11301, et seq.	McKinney-Vento Homeless Assistance Act
I.C. § 33-1404	Charter Schools to Receive Pupils

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014; March 8, 2017; March 19, 2020

Revised on: November 16, 2017; January 18, 2018; August 16, 2018; January 16, 2020; April 15, 2021; March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3060 Education of Homeless Children**

It is the policy of Xavier Charter School to ensure that:

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

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

All schools and employees of Xavier Charter School shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. Xavier Charter School will also strive to prevent stigma against students who are homeless.

#### Definitions

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

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

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

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



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

An unaccompanied student living in any of the circumstances described in clauses 1 through 3 above.

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

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

The term “school of origin” is defined as the school that the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the students “school of origin;” the “school of origin” shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school in Xavier Charter School.

### In General

Xavier Charter School shall ensure the following is provided according to the homeless student's best interest:

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

### School Stability

In determining the best interest of the homeless student each school within Xavier Charter School shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the student;

2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the Head of Schools and/or designee determines that it is not in student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent or guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such parent, guardian, or unaccompanied student, including information regarding the right to appeal under "Disputes", below; and
4. In the case of an unaccompanied student, ensure that Xavier Charter School's liaison designated under "Xavier Charter School Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Disputes," below.

Immediate Enrollment:

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

## Records

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

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

## Disputes

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

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities;
2. The parent or guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by Xavier Charter School, or other entity, including the rights of the parent, guardian, or unaccompanied student to appeal such decisions;
3. The parent, guardian, or unaccompanied student shall be referred to the local educational agency liaison designated under “Xavier Charter School Liaison” below, and upon being informed of the dispute, the liaison shall, within 10 days, initiate an appeal with the district, and if unsuccessful, to the state coordinator of the dispute regarding the educational placement of homeless student;
4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student’s dispute; and
5. If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then Xavier Charter School shall seek further assistance from the State Coordinator of Homeless Education to review and determine within 10 business days how the student’s best interests will be served. The decision of the State Department of Education shall constitute final resolution.

## Placement Choice

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

When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

When addressing school placement, Xavier Charter School's Liaison shall work with the family to address the student's transportation needs.

### Privacy

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

### Contact Information

Nothing in this policy shall prohibit Xavier Charter School and/or the enrolling school from requiring the parent or guardian of a homeless student to submit contact information.

### Comparable Services

Each homeless student in Xavier Charter School shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including the following:

1. Transportation services. Students may be provided with additional transportation services if needed to ensure the student's full participation in Xavier Charter School's education program;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or Charter School sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and
5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the district's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

### Xavier Charter School Liaison

For purposes of this policy, the Head of Schools and/or designee shall designate a Xavier Charter School employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Head of Schools and/or designee shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. The Xavier Charter School tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of Xavier Charter School;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by Xavier Charter School;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an “independent student” for purposes of the student’s Free Application for Federal Student Aid (“FAFSA”). The Liaison shall also provide the required “verification” of the student’s status in connection with his or her application for Federal Student Aid.
8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;
9. Eligibility, school selection or enrollment disputes are mediated in accordance with “Dispute,” above;
10. The parent or guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student’s school of origin, and is assisted in accessing transportation to the student’s assigned school;
11. School personnel receive annual professional development and other support; and
12. Unaccompanied homeless students:
  - A. Are enrolled in school;

- B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
- C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from Xavier Charter School Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

Local and State Coordination

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

Homeless Status

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

Title 1, Part A

Any student who is homeless and attends Xavier Charter School is eligible for Title 1, Part A services. Xavier Charter School shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools.

**Cross References:** 4120 Uniform Grievance Procedure  
 4160 Parents Right-to-Know Notices

**Legal References:** 20 USC § 6311, et seq. Improving Basic Programs Operated by Local Educational Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act)  
 20 USC § 1400 Individuals with Disabilities Education Act (IDEA)

42 USC § 1758

42 USC § 9831, et seq.

42 USC § 11301, et seq.

I.C. § 33-1404

School Lunch Programs – Programs  
Requirements

Head Start Programs

McKinney-Vento Homeless Assistance Act

Charter Schools to Receive Pupils

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014; March 8, 2017; March 19, 2020

Revised on: November 16, 2017; January 18, 2018; August 16, 2018; January 16, 2020;  
April 15, 2021; March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3070 Students of Legal Age**

Every student 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 3050 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 on: April 15, 2014; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

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

##### Policy Purpose

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

##### Scope of Policy

This policy applies to all members of Xavier Charter School's community, including students, employees, and other members of the public including guests, visitors, volunteers, and invitees.

##### Policy Statement

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

Students, employees, or visitors at Xavier Charter School who believe that they have been subjected to sex or gender-based harassment, discrimination, or retaliation should report the incident to the Title IX Coordinator, who will provide information about supportive measures and the applicable grievance process(es). Violations of this policy may result in discipline for both students and district employees.

##### Title IX Coordinator

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

To raise any concern involving bias, conflict of interest, misconduct or discrimination committed by the Title IX Coordinator, contact the **Board Chair** at [board@xaviercharter.org](mailto:board@xaviercharter.org).

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

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

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

### Mandatory Reporters

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

### Contact Information

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

**Gary Moon**  
**Office of the Head of Schools**  
**1218 North College Road**  
**Twin Falls, Idaho 83301**  
**208-734-3947**  
**gmoon@xaviercharter.org**  
**www.xaviercharter.org**

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

Seattle Office  
Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue, #3310  
Seattle, WA 98174-1099  
OCR.Seattle@ed.gov  
1-800-877-8339

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

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

1. File a complaint with, or give verbal notice to, the Title IX Coordinator (or deputy/deputies, if applicable). Such a report may be made at any time, including during non-business hours, by using the telephone number, email address, or by mail to the office address listed for the Title IX Coordinator.
2. Report by phone at 208-734-3947

When notice is received regarding conduct that may constitute Title IX sexual harassment, Xavier Charter School shall provide information about supportive measures and how to file a formal complaint.

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

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

## Grievance Processes

When a formal complaint is made alleging that this policy was violated, the allegations are subject to resolution as outlined in the Uniformed Grievance Procedure 4120. The grievance process provides for a prompt, fair, and impartial resolution.

1. For formal complaints regarding conduct that may constitute Title IX sexual harassment involving students or employees, the district will implement procedures detailed in Policy 4120 and 4120F.
2. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where students are the accused party, and that do not constitute Title IX sexual harassment, the district will utilize the grievance process described in policy 4120 and 4120F and implement procedures described in policies 3280, 3285, 3290, and 3295.
3. For formal complaints regarding sex and gender-based harassment, discrimination and/or retaliation where employees are the accused party, and that do not constitute Title IX sexual harassment, the district will utilize the grievance process described in policy 4120 and 4120F and implement procedures described in policies 5240, 5250, 5800, and 5800P.

<b>Cross References:</b>	3085F2	Sexual Misconduct Reporting Form for Students
	3270	XCS- Provided Access to Electronic Information, Services, and Networks
	3270P	Acceptable Use of Electronic Networks
	3285	Relationship Abuse and Sexual Assault Prevention and Response
	3290	Sexual Harassment/Intimidation of Students
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3295P	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3330	Student Discipline
	4120	Uniform Grievance Procedure
	4600	Volunteer Assistance
	5240	Sexual Harassment/Sexual Intimidation in the Workplace
	5250	Certificated Staff Grievances
	5275	Adult Sexual Misconduct
	5500	Personnel Records
	5500P	Procedures for Releasing Personnel Records to Hiring School Districts
	5800	Classified Employment, Assignment, and Grievance
	5800P	Classified Employee Grievance Procedure

<b>Legal References:</b>	20 USC § 1681 - 1682	Title IX of the Education Amendments of 1972
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34 CFR Part 106

Nondiscrimination on the Basis of Sex in  
Education Programs or Activities Receiving  
Federal Financial Assistance

Policy History:

Adopted on: April 15, 2021

Revised on: March 16, 2023

Reviewed on:

**Xavier Charter School**

**STUDENTS**

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

School \_\_\_\_\_ Date \_\_\_\_\_

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

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

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did anyone witness the incident(s)?  yes  no

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

\_\_\_\_\_

\_\_\_\_\_

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

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

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

Were there any prior incidents?  yes  no

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

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

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

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

**Cross Reference:** 3285 Relationship Abuse and Sexual Assault Prevention and Response

Policy History:

Adopted on: April 15, 2021

Revised on: March 16, 2023

Reviewed on:



## **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 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 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 English class;
  - b. One United States history class or one government class;
  - c. Maintain enrollment in at least six 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 and/or designee 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 References:** 20 USC § 221, et seq. Foreign and Exchange Students  
 IDAPA 08.02.03.105.03 Foreign Exchange Students

Policy History:

Adopted on: July 2012

Reviewed on: April 15, 2014; March 8, 2017; March 19, 2020

Revised on: January 16, 2020; March 16, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3100 Programs for At-Risk/Disadvantaged Students**

Xavier Charter School will designate one 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; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## **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 References:**           3370P           Searches and Seizure  
                                  3330           Student Discipline

**Legal References:**       I.C. § 33-205   Denial of School Attendance  
                                  I.C. § 33-512   District Trustees – Governance of Schools  
                                  *Tinker v. Des Moines Ind. Sch. Dist.*, 393 U.S. 503 (1969)  
                                  *Bethel School District v. Fraser*, 478 U.S. 675 (1986)  
                                  *Morse v. Frederick*, 551 U.S. 393 (2007)

#### Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014; March 8, 2017; March 19, 2020

Revised on: January 16, 2020; March 16, 2023

## **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 and/or designee.

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

**Legal References:** 20 USC § 4071 Equal Access Act  
Board of Education v. Mergens, 110 S.Ct. 2356 (1990)

#### Policy History:

Adopted on: July 2012

Reviewed on: March 8, 2017; March 19, 2020

Revised on: April 15, 2014; March 16, 2023

## **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 and/or designee 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 and/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 and/or designee will forward the request to Xavier Charter School. Xavier Charter School with the Head of School's and/or designee's 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 and/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 and/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 and/or 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 and/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 and/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 USC § 4071-4074

Equal Access Act

Policy History:

Adopted on: July 2012

Reviewed on: March 8, 2017; March 19, 2020

Revised on: April 15, 2014; March 16, 2023

## **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. 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: March 8, 2017; March 19, 2020

Revised on: April 15, 2014; March 16, 2023

## **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 and/or designee 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 on: March 2014; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## **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; March 8, 2017; March 19, 2020; March 16, 2023

## **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 and/or designee before materials may be distributed. The Head of Schools and/or designee 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 central location in a prominent place for the posting of bulletins.
2. Include announcements for student related activities in a newsletter/bulletin that are distributed through school communication channels to the home of students. The announcement to the home must advertise a youth-oriented activity and must be of a non-religious or political nature.

It is the intent to allow the posting of all notices and flyers in a prominent place except those that are viewed by the Head of Schools and/or designee as likely to be disruptive, libelous, or obscene.

<b>Cross References:</b>	3430	Distribution of Fund Drive Literature Through Students
	4240	Distribution of Fund Drive Literature Through Students

Policy History:

Adopted on: July 2012

Reviewed on: March 2014; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## ***Student Dress Code K-6***

### ***XCS Policy No. 3260***

#### **The Xavier Charter School Dress Code**

While students are responsible for their clothing and appearance, it is the parents who are responsible for providing the conditions required for meeting the dress code. Parents are urged to understand the dress code and to ensure that their children go to school each day in the right attire from head to toe. It is an uncomfortable experience for a child to be corrected for a dress code violation, and repeated issues can become an enormous distraction for students. Our students should dress their best, look their best, and do their best. All clothing must be clean, neat, and in properly fitting condition. If a child is deemed to be wearing attire that does not meet the XCS dress code, the parent will be notified, and a change of clothing may be required for the student to return to class. If in doubt about an article of clothing, check with a school administrator.

Decisions about apparel may be referred to the Head of Schools or designee, whose decision will be final. Parents should address specific concerns with the administration as soon as possible.

Students must stay in dress code whenever they are on campus (including the parking lot) during a school day, 7:30 AM – 3:30 PM and at all Xavier Charter School activities. This means arriving on campus fully in dress code and leaving campus fully in dress code. Students may only change out of dress code after school with teacher permission to participate in an approved curricular or school-sponsored event that requires an immediate change in dress.

This dress code policy applies to the regular school hours from 7:30 AM-3:30 PM and at all Xavier Charter School activities.

**In order to promote the ability of our students and staff to participate in the educational process without interruption or unreasonable distraction, school Administration is directed to prohibit any of the following if it is determined by Administration that it unreasonably interferes with the educational process at Xavier:**

- 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 administration'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. Hair is to be worn in a way that does not obstruct the natural vision of the student.
- 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.
- Two piercings in each ear and/or one small nose stud is allowed. No visible body piercings, tattoos, or gauges allowed.



## Dress Code for Grades K-6-

**All clothes must be clean with no rips or holes.**

### **Tops**

- a) Solid-colored shirts must have collars.
- b) Additional solid-colored layers may be worn over a collared shirt in the classroom.
- c) Button-down shirts must be buttoned up.
- d) Solid-colored long or short sleeved T-shirts and camisoles are acceptable as an underlayer, as long as a solid-colored, collared shirt is worn over it.
- e) Collared shirts must have a modest neckline (no cleavage) and be long enough to cover the midriff (front and back) when standing or sitting.
- f) Outerwear: Jackets, coats, and full-zip hooded sweatshirts must not be worn in the classroom.

### **Bottoms**

- a) Bottoms are to be any solid color, except blue denim. Leggings may not be worn as bottoms.
- b) Bottoms not reaching to the top of the knee when standing must be worn with solid-color leggings. Bottoms must be at least fingertip length when standing.

### **Other items of clothing**

- a) Jumpers and rompers require a collared shirt or turtleneck.
- b) Solid-colored dresses do not require a collar.
- c) Closed-toe shoes are required.

### **Xavier Wear**

- a) Xavier wear may be worn Monday through Thursday as long as the clothing meets the requirements listed above, and the logo is no larger than a square with sides measuring 4 inches in length.
- b) Any type of Xavier wear, including club-specific wear, may be worn on Fridays. Club-specific Xavier wear may also be worn on calendared club-specific event days.

*The following are not permitted:*

- o- Visible undergarments
- o- Blankets
- o- Trenchcoats
- o- Sleeveless shirts, tank tops, shirts with open backs, and open/cold shoulder tops
- o- T-shirts or graphic T-shirts worn as an outer shirt
- o- Logos larger than a *square with each side measuring 2 inches in length.*
- o- Athletic wear such as gym shorts, sweatpants, warm-up pants, sweatshirts, and hoodies (except in dance and P/E classes with the permission of the instructor)
- o- Flip flops or slippers
- o- Pajamas or sleepwear of any kind
- o- Blue denim bottoms of any kind

o-Tie dye or camouflage patterns

Interpretation and Implementation of Policy

The Head of Schools/ Assistant 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

The enforcement of the dress code policy will take place during the school day (7:30 a.m. to 3:30 p.m.) and at all Xavier Charter School activities. Dress code violations will be handled on a tiered basis similar to other disciplinary issues. 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 administration has the authority to grant temporary exceptions to this policy.

## Xavier Charter School

### STUDENTS

#### Policy: 3261 Student Dress Code 7 - 12

While students are responsible for their clothing and appearance, it is the parents who are responsible for providing the conditions required for meeting the dress code. Parents are urged to understand the dress code and to ensure that their children go to school each day in the right attire from head to toe. It is an uncomfortable experience for a child to be corrected for a dress code violation, and repeated issues can become an enormous distraction for students. Our students should dress their best, look their best, and do their best. All clothing must be clean, neat and in properly fitting condition. If a child is deemed to be wearing attire that does not meet the XCS dress code, the parent will be notified, and a change of clothing may be required for the student to return to class. If in doubt about an article of clothing, check with a school administrator.

Decisions about apparel may be referred to the Head of Schools or designee whose decision will be final. The school will make specific exceptions to the dress code as required. Parents should address specific concerns with the administration as soon as possible.

Students must stay in dress code whenever they are on campus (including the parking lot) during a school day, 7:30 AM – 3:30 PM and at all Xavier Charter School activities. This means arriving on campus fully in dress code and leaving campus fully in dress code. Students may only change out of dress code after school with teacher permission to participate in an approved curricular or school-sponsored event that requires an immediate change in dress.

This dress code policy applies to the regular school hours from 7:30 AM – 3:30 PM and at all Xavier Charter School activities.

**In order to promote the ability of our students and staff to participate in the educational process without interruption or unreasonable distraction, school Administration is directed to prohibit any of the following if it is determined by Administration that it unreasonably interferes with the educational process at Xavier:**

- This dress code policy applies to the regular school hours from 7:30 AM – 3:30 PM and at all Xavier Charter School activities.
- 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 administration'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. Hair is to be worn in a way that does not obstruct the natural vision of the student.

- No hats in the school building during school hours, 7:30 a.m. to 3:30 p.m.
- Two piercings in each ear and/or one small nose stud is allowed. No visible body piercings or gauges allowed.
- Outerwear: Jackets, coats, and full-zip hooded sweatshirts must not be worn in the classroom.

## **Dress Code for Grades 7 – 12**

### **Tops**

- Shirts, quarter zip sweater or fleece, turtlenecks, vests, or blouses can be worn in any combination in any solid color or pattern.
- Tops worn over leggings must be no higher than 3” above the kneecap.
- Shirts may reveal no cleavage and necklines must not be lower than 2” below the clavicle.
- Crewneck sweatshirts without graphics are allowed with a collared shirt.
- Outerwear: Jackets, coats, and full-zip hooded sweatshirts must not be worn in the classroom.

### **Bottoms**

- Pants, slacks, shorts, skorts, capris, jumpers, dresses, skirts, can be worn in any combination in any solid color or pattern.
- Skirts, dresses, and shorts must be no shorter than 3” above the kneecap, measured while standing.
- Skirts and dresses worn over leggings must be no higher than 3” above the kneecap.
- Leggings must be opaque and can be any color.
- Leggings may not be worn as bottoms on their own.

### **Other items of clothing**

- Clothing must cover the midriff while standing with hands at sides.
- All clothes must be clean with no rips or holes.
- Open-toed shoes/ sandals are permitted.

### **Xavier Wear**

- Xavier wear may be worn Monday through Thursday as long as the clothing meets the 7-12<sup>th</sup> grade dress code requirements, and the logo is no larger than a square with sides measuring 4 inches in length.
- Any type of Xavier wear, including club-specific wear, may be worn on Fridays. Club-specific Xavier wear may also be worn on calendared club-specific event days.

*The following are not permitted:*

- o- Visible undergarments

- o- Sweatshirt hoodies on campus.
- o- Blankets
- o- Sleeveless shirts, tank tops, shirts with open backs.
- o- T-shirts with graphics.
- o- Trenchcoats
- o- Tights
- o- Logos larger than a *square with each side measuring 4 inches in length*.
- o- Athletic wear such as gym shorts, sweatpants, warm-up pants, sweatshirts, hoodies, and joggers (except in dance and P/E classes with the permission of the instructor).
- o- Flip flops, slippers, or Crocs
- o- Pajamas or sleepwear of any kind
- o- Blue denim pants, shorts, or skirts.
- o- Tie dye or camouflage patterns

#### Interpretation and Implementation of Policy

The Head of Schools/ Assistant 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

The enforcement of the dress code policy will take place during the school day 7:30 a.m. to 3:30 p.m. and at all Xavier Charter School activities. Dress code violations will be handled on a tiered basis similar to other disciplinary issues. 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 administration has 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; July 18, 2019; April 27, 2023

Reviewed on: March 8, 2017; March 19, 2020

## **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 on the school campus or during a school activity from the time the school is opened until the student exits the building at the end of the day is strictly prohibited.
- Cell phones/small electronic devices (including but not limited to smart watches and earbuds) should be stored turned off and out-of-sight. The device(s) may be stored in a locker but not on the student's body including purse or backpack. If a device "goes off" on the school campus or during a school activity during school hours, it is considered "in use" and a violation of school policy.
- Parents should 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 and not use their personal device.

Photography teachers will take extra caution before approving the use of cameras in the classroom setting 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; March 8, 2017; March 19, 2020; March 16, 2023

Revised on: July 18, 2024

## **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, 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.



## Internet Safety

Each Xavier Charter School computer with Internet access shall have a filtering device as described in 3270P.

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

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

Xavier Charter School will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing material that is inappropriate or harmful to minors, as defined in section 18-1514 Idaho Code or as defined in 47 USC Section 254.

Filtering should also be used in conjunction with:

1. Educating students on appropriate online behavior;
2. Requiring students review and sign Form 3270F Internet Access Conduct Agreement;
3. Using behavior management practices for which Internet access privileges can be earned or lost; and
4. Appropriate supervision, either in person and/or electronically.

The system administrator and/or Head of Schools and/or designee 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.

### Internet Access Conduct Agreements

Each student and their parent(s)/legal guardian(s) will be required to sign and return to the school at the beginning of each school year the Internet Access Conduct Agreement prior to having access to the 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. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the internet is at the user's own risk. Xavier Charter School specifically denies any responsibility for the accuracy or quality of information obtained through its services. 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 directors, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user and attorney fees. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the Xavier Charter School in the event of the school's initiating an investigation of a user's use of their 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 they may be subject to additional disciplinary action. The system administrator and/or the Head of Schools and/or designee will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with their decision being final. Actions which violate local, state or federal law may be referred to the local law enforcement agency.

If the actions of the individual are also in violation of other 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 and/or designee 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 every five years after initial submission and subsequent to any edit to this policy thereafter.

**Cross Reference:** 3330 Student Discipline

**Legal References:** I.C. § 18-6726 TikTok Use by State Employees on a State-Issued Device Prohibited.  
I.C. § 18-1514(6) Obscene Materials - Definitions  
I.C. § 33-132 Local School Boards - Internet Use Policy Required  
I.C. § 33-137 Digital and Online Library Resources for K-12 Students  
20 USC § 9134(f) State Plans – Internet Safety  
20 USC § 7131 Internet Safety  
Idaho Executive Order 2022-06

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014

Revised on: April 15, 2014, October 22, 2015; February 8, 2017; January 16, 2020; January 21, 2021; March 16, 2023

**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 Directors, Administrators, teachers and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child’s use of their access to such networks or their violation of Xavier Charter School’s policy. Further, I accept full responsibility for supervision of my child’s use of their 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 on: March 18, 2014; March 8, 2017; March 19, 2020

Revised on: March 16, 2023

## Xavier Charter School

### STUDENTS

#### Policy: 3270P Acceptable Use of Electronic Networks

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

#### Terms and Conditions

1. Xavier Charter School provides students with an electronic network to support education and research and for the conduct of school business. Student personal use of computers that is consistent with Xavier Charter School's educational mission may be permitted during class when authorized by a student's teacher or appropriate administrator. Personal use of district computers and networks outside of class is permissible, but must comply with district policy. Use is a privilege, not a right. Students have no expectation of privacy in any materials that are stored, transmitted, or received via Xavier Charter School's electronic network or district computers. Xavier Charter School reserves the right to access, monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage, including email and instant messages.
2. Privileges: The use of Xavier Charter School's electronic networks is a privilege, not a right, and inappropriate use of Xavier Charter School's electronic networks may result in cancellation of those privileges. The system administrator will make all decisions regarding whether or not a user has violated these procedures, and may deny, revoke, or suspend access at any time. An appeal of such decisions may be made to the Head of Schools and/or designee within seven days. Their decision is final.
3. Unacceptable Uses: The user is responsible for their actions and activities involving the network. Some examples of unacceptable uses are the following:
  - A. Using the network for any illegal activity, or to access websites encouraging illegal activity including violation of copyright or of contracts, or transmitting any material in violation of any U.S. or State law;
  - B. Accessing sites which allow or promote online gambling;
  - C. Accessing information pertaining to the manufacture of weapons or the promotion of illegal weapons;
  - D. Downloading the TikTok app or visiting the TikTok website;
  - E. Uses that cause harm to others or damage property;

- F. Unauthorized downloading, installation, or copying of software, regardless of whether it is copyrighted or checked for viruses;
- G. Downloading copyrighted material or trade secret information;
- H. Viewing, transmitting, or downloading pornographic materials, materials harmful to minors, or other sexually explicit materials;
- I. Using the network for private financial or commercial activities;
- J. Wastefully using resources, such as file space or the printer;
- K. Hacking, attempting to bypass security systems, or gaining unauthorized access to files, resources, or entities;
- L. Uploading a worm, virus, or other harmful form of programming and other uses that jeopardize the security of the network;
- M. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
- N. Using another user's account or password or some other user identifier that misleads message recipients into believing that someone other than you is communicating;
- O. Posting material authored or created by another person, or pictures of another person, or another person's private information or messages without their consent;
- P. Posting anonymous messages or messages using a name other than one's own;
- Q. Using the network for commercial or private advertising;
- R. Uses that are commercial transactions;
- S. Accessing, submitting, posting, publishing, sending, or displaying any inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material;
- T. Accessing sites which promote violence or depict or describe graphic violence. This includes promotion of self-harm;
- U. Accessing sites which advocate discrimination or which promote intolerance.
- V. Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying;
- W. Uses that cause harm to others or damage their property, person, or reputation, including but not limited to engaging in defamation;
- X. Using the network while access privileges are suspended or revoked;
- Y. Promotion of political, personal, or religious causes in a way that presents such opinions as the view of Xavier Charter School;
- Z. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications;
- AA. Students are prohibited from using e-mail unless authorized to do so by district staff. Students are prohibited from joining chat rooms or using school equipment or school systems for any such activity, unless it is a teacher-sponsored activity.

4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
  - A. Be polite. Do not become abusive in messages to others.
  - B. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.



- C. Do not reveal personal information (including the addresses or telephone numbers) of
- D. other students or staff.
- E. Recognize that Xavier Charter School email is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
- F. Do not use the network in any way that would disrupt its use by other users.

5. Security: Network security is a high priority. If the user can identify a security problem with Xavier Charter School's electronic devices or services, the user must notify the system administrator, Internet Safety Coordinator, or building principal. The user shall not demonstrate the problem to other users. Users shall keep their account and passwords confidential. Users shall not use another individual's account. Attempts to log on to the internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.

6. Telephone Charges: Xavier Charter School assumes no responsibility for any unauthorized charges or fees, including telephone charges.

7. Copyright Web Publishing Rules: Copyright law and district policy prohibit the republishing of text or graphics found on the internet or on district websites or file servers, without explicit written permission.

A. For each republication on a website or file server of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the website address of the original source.

B. Students engaged in producing website pages must provide library media specialists with e-mail or hard copy permissions before the website pages are published. Evidence of the status of "public domain" documents must be provided.

C. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the website displaying the material is not necessarily authorized to act as a source of permission.

D. The "fair use" rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.

E. Student work may only be published if there is written permission from both the parent/guardian and the student.

F. Violation of the copyright web publishing rules may result in denial of access to the network.

8. Use of Email

A. Xavier Charter School's email system, and its constituent software, hardware, and data files, are owned and controlled by Xavier Charter School. Xavier Charter School provides email to aid students in fulfilling their duties and responsibilities and as an education tool.

- B. Email could be subject to public records requests and disclosures depending upon the subject matter of the contents of the email.
- C. Xavier Charter School reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student to an email account is strictly prohibited.
- D. Each person should use the same degree of care in drafting an electronic email message that would be put into a written memo or document. Nothing should be transmitted in an email that would be inappropriate in a letter or memorandum.
- E. Email sent from an Xavier Charter School account carry with them an identification of the user's internet domain. This domain name identifies the author as being with Xavier Charter School. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this district. Users will be held personally responsible for the content of any and all emails transmitted to external recipients.
- F. Any message received from an unknown sender should be treated with caution and handled as directed by the system administrator. Downloading any file attached to any electronic based message is prohibited unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- G. Use of Xavier Charter School's email system constitutes consent to these regulations.

#### Internet Safety

1. Internet access is limited to only those "acceptable uses," detailed in these procedures.
2. Staff members shall supervise students while students are using district internet access at school, to ensure that the students abide by the Terms and Conditions for Internet access contained in these procedures.
3. Each Xavier Charter School computer with Internet access shall be equipped with a filtering device that blocks materials entry to visual depictions that are obscene, pornographic, or harmful or inappropriate for students as defined by the Children's Internet Protection Act and as determined by the Head of Schools and/or designee. The filter may also block other materials students are prohibited from accessing by district policy or procedure. The Head of Schools and/or designee shall enforce the use of such filtering devices. Students must use Xavier Charter School's filtered network for all online activities on school grounds or using district equipment. Such filter shall also block access to the TikTok website. Measures shall also be undertaken to prevent the downloading of TikTok onto any district device or via the district's electronic network.
4. The system administrator, Internet Safety Coordinator, and/or building principals shall monitor student Internet access.

## Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media locations and are responsible for complying with district policy and procedures for content posted using a district computer, network, or software or when posted during school hours when the student is in attendance at school. Student posts on social media locations outside of school hours and school grounds using a personal computer, network, and software shall be private as long as they do not enter into the educational setting and interfere with the orderly operation of the school. Posts to social network sites using a district computer, network, or software may be subject to public records requests. Students may not disrupt the learning atmosphere, educational programs, school activities, or the rights of others.

All of the requirements and prohibitions in district policy and procedure apply to the use of social media on school grounds, through Xavier Charter School network or using district equipment, or as part of a class assignment.

### Policy History:

Adopted on: January 21, 2021

Revised on: March 16, 2023

Reviewed on:

## **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 stakeholders 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.

<b>Legal References:</b>	20 USC § 1681 - 1682	Title IX of the Education Amendments of 1972
	29 USC § 794	Section 504 of the Rehabilitation Act of 1973 - Nondiscrimination under Federal Grants and Programs
	42 USC § 6101, <i>et seq.</i>	Age Discrimination in Federally Assisted Programs
	42 USC § 12101, <i>et seq.</i> , & 12131, <i>et seq.</i>	The Americans with Disabilities Act of 1990
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited

Policy History:

Adopted on: July 2012

Revised on: March 18, 2014, October 22, 2015; November 19, 2020; March 16, 2023

Reviewed on: March 8, 2017; March 19, 2020

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3281 Gender Identity and Sexual Orientation**

The Board of Directors believes that human sexuality is a complex subject and is best navigated by students under the care and guidance of their parents or guardians. The Board of Directors is committed to providing a positive and productive learning environment for all students. Discrimination, harassment or bullying involving a student's gender identity or sexual orientation shall be handled in the same manner as other discrimination, harassment and bullying complaints.

#### School Facilities

For Logic and Rhetoric school transgender students requesting to use school facilities that do not correspond to their biological gender, the principal will request a meeting with the student and their parents/guardians, and may include the counselor, with the goal of developing an understanding of the student's needs with respect to their gender identity. Policy 3281F will be used to gather information about the gender identity and the sexual orientation of a student to facilitate communication during the meeting and will need to be signed by all parents/guardians. Students age 18 or older may decline involvement of their parents/guardians.

For Grammar students, the parent or student may initiate a request to use school facilities that do not correspond to their biological gender. The principal will set up a meeting with the student and their parents/guardians, and may include the counselor, to discuss the request.

After consultation with the parents/guardians, the student will be allowed to use the restroom and dressing facility that corresponds to their gender identity rather than their biological gender in the following circumstances:

- a) the student consistently asserts that gender identity at school OR
- b) an original copy of the student's birth certificate where the biological gender has been legally changed to correspond to the student's gender identity is provided and a copy made OR
- c) a copy of a court order is provided that provides legal determination of the student's gender identity.

The determination of whether or not a gender identity has been consistently asserted by a student will be determined solely by the Head of Schools with input from various sources that may include the student, the parents/guardians, the counselor, the principal and the student's teacher(s). If a student or parents/guardians disagree with this determination, they may follow the

grievance process outlined in Policy 4120 and 4120F. This process provides for a prompt, fair and impartial resolution.

A transgender student or any other student with a need or desire for increased privacy may be given the option of using a separate or private restroom or dressing facility.

### School Activities

After consultation with parents/guardians, transgender students will be allowed to participate in activities segregated by gender in a manner that is consistent with their gender identity rather than their biological gender under the same circumstances outlined in the School Facilities section above.

### School Trips

No student will be denied participation in overnight trips sponsored by Xavier Charter School because of their transgender status or sexual orientation. Xavier Charter School will provide adequate adult supervision at all times for students participating in school sponsored trips. Any student with a need or desire for increased privacy during overnight trips may be given the option of using a private sleeping room.

### Student Records and Privacy

Xavier Charter School's official records required by law shall utilize a student's legal name. In situations where State or Federal law or administrative rules require school employees to use or report a student's legal name or gender, such legal name or gender shall be utilized. However, school employees shall utilize practices to avoid the inadvertent disclosure of the student's transgender status. The student's educational record shall not include mention of the student's sexual orientation.

In the course of ordinary school interactions and communication, Xavier Charter School employees shall use the name consistently asserted by transgender students at school, regardless of the student's legal name and gender. A transgender student is not required to legally change their name/gender or their official school records as a prerequisite to the use of a name consistent with the student's gender identity.

### Change of Official School Records

Xavier Charter School records required by law to include the student's legal name and/or gender will be changed by the school upon the student's/former student's presentation of appropriate documentation to the school office. Any current or former student may present to the Head of Schools and/or designee responsible for student records a copy of a court order or birth

certificate identifying a change in the student's legal name and/or gender. The student's records will be changed accordingly upon verification of the documentation provided.

### Confidentiality

School employees should not disclose a student's transgender status or sexual orientation to other individuals regardless of setting, including other school personnel. If a student is age 18 or older, their transgender status or sexual orientation may not be disclosed to their parents/guardians without authorization from the student unless there is a legitimate need to know. Action in violation of such student confidentiality may subject an employee to discipline, up to and including possible termination and for certificated personnel, a report to the Professional Standards Commission.

When contacting a parents/guardians of a transgender student, school personnel should use the student's legal name unless the student and parents/guardians has specified otherwise.

### School Dances

Xavier Charter School shall not impose different or unique practices or rules for same sex couples who attend and/or participate in school activities, including dances, when compared to rules for opposite sex couples.

**Cross Reference:** 3281F Gender Identity and Sexual Orientation Informational Form

### Policy History:

Adopted on: December 16, 2021

Revised on:

Reviewed on: March 16, 2023



**Xavier Charter School**

**STUDENTS**

**Policy: 3281F Gender Identity and Sexual Orientation Informational Form**

1. How do you identify?
  
  
  
  
  
  
  
  
  
  
2. What are your preferred pronouns?
  
  
  
  
  
  
  
  
  
  
3. What is your preferred name?
  
  
  
  
  
  
  
  
  
  
4. What support services, if any, are you currently receiving?

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Student Signature \_\_\_\_\_ Date \_\_\_\_\_  
*(A student signature is required if the student is 18 or older.)*

Head of Schools Signature \_\_\_\_\_ Date \_\_\_\_\_

***All signatures must be signed in the presence of the Head of Schools; otherwise, they will need to be notarized.***

**Cross Reference:** 3281

Gender Identity and Sexual Orientation

Policy History:

Adopted on: January 26, 2022

Revised on: March 16, 2023

Reviewed on:

## **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 and/or designee 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 18 years of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, the school shall follow appropriate reporting requirements pursuant to the Child Protective Act. Employees shall also report the incident to the Xavier Charter School's Title IX coordinator or deputies, as described in Policy 3085.

The Head of Schools and/or designee 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

When Xavier Charter School becomes aware of a report of sexual violence against a student the Head of Schools and/or designee shall direct the nondiscrimination coordinator to investigate the incident in accordance with Policy 4120 Uniform 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.

**Cross Reference:** 3085 Sexual Harassment, Discrimination and Retaliation Policy

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

Policy History:

Adopted on: November 12, 2014

Reviewed on: January 11, 2017; January 18, 2018; February 28, 2019; January 20, 2022;  
March 14, 2024

Revised on: November 21, 2019; February 20, 2020; April 15, 2021; March 16, 2023

## **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, per Policy 3085. 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 and/or designee for the name of the current Title IX Coordinator for Xavier Charter School. The Head of Schools and/or designee 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.

**Cross References**      4120      Uniform Grievance Procedure  
                                 3085      Sexual Harassment, Discrimination and Retaliation Policy

**Legal References:**    20 USC § 1681 - 1682      Title IX of the Education Amendments of 1972  
                                 34 CFR Part 106          Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)  
                                 I.C. § 67-5909              Commission on Human Rights - Acts Prohibited  
                                 IDAPA 08.02.03.160      Safe Environment and Discipline

Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014; March 8, 2017; March 19, 2020

Revised on: April 15, 2014; November 21, 2019; April 15, 2021; March 16, 2023

## **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 and/or designee or the 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 and/or designee 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.

<b>Cross References:</b>	3330	Student Discipline
	5265	Employee Responsibilities Regarding Student Harassment Intimidation, and Bullying
<b>Legal References:</b>	20 USC § 1681–1682	Title IX of the Education Amendments of 1972
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 18-917	Assault And Battery - Hazing
	I.C. § 18-917A	Student Harassment – Intimidation – Bullying
	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	District Trustees - Governance of Schools
	I.C. § 33-1630	Requirements for Harassment, Intimidation, and Bullying Information and Professional Development
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on: January 13, 2016

Revised on: November 19, 2020; March 16, 2023

Reviewed on: March 8, 2017; January 18, 2018; February 28, 2019; February 20, 2020; March 18, 2021; January 20, 2022; March 14, 2024

## **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. Examples of hazing include: total or substantial nudity on the part of the person, compelled ingestion of any substance by the person; wearing or carrying of any obscene or physically burdensome article by the person; physical assaults upon or offensive physical contact with the person; participation by the person in boxing matches, excessive number of calisthenics, or other physical contests; transportation and abandonment of the person; confinement of the person to unreasonably small, unventilated, unsanitary or unlighted areas; sleep deprivation; or assignment of pranks to be performed by the person.
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 and procedures will be included in the student orientation material and in the student handbook. Information in this policy will also be included in the orientation program for all new faculty and staff members.

## Complaint Procedures

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

Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying, or cyber bullying, in violation of this policy [shall] [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 and/or designee. 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 Chair. 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 and/or designee.

Step III If the complainant is not satisfied with the decision at Step II, they may submit a written appeal to the Head of Schools and/or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The Head of Schools and/or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Head of Schools and/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.

Step V If the complainant is still not satisfied with the decision of the Xavier Board of Directors then they may submit a written complaint to the Idaho Public Charter School Commission at:

Idaho Public Charter School Commission  
Director  
304 North 8<sup>th</sup> Street, Room 242  
Boise, ID 83702

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:** 4120 Uniform Grievance Procedure

**Legal References:** 20 USC § 1681, et seq. Title IX of the Educational Amendments  
34 CFR Part 106  
I.C. § 67-5909 Acts Prohibited  
I.C. § 18-917 Hazing  
I.C. § 18-917A Student Harassment, Intimidation, Bullying

#### Policy History:

Adopted on: July 2012

Reviewed on: March 18, 2014, January 13, 2016; March 8, 2017; March 19, 2020

Revised on: September 20, 2018; January 19, 2023; March 16, 2023

## **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 and/or designee shall take the necessary steps to ensure that an individual 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 References:** Pub. L. 101-226 The Anti-Drug Abuse Act of 1986, Title IV,  
Subtitle B: The Drug-Free Schools and  
Communities Act of 1986 (as amended)  
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; January 16, 2020; June 10, 2023

Reviewed on: May 13, 2014; June 21, 2017; June 18, 2020

## **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 References:** 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

Reviewed on: June 21, 2017; June 18, 2020

Revised on: June 10, 2023



## **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 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
3. 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 References:** 3260 Student Dress Code K-6  
3261 Student Dress Code 7-12

**Legal References:** I.C. § 33-506 District Trustees - Organization and Government of  
Board of Trustees  
I.C. § 33-512 District Trustees - Governance of Schools  
I.C. § 18-8501, *et seq.* Idaho Criminal Gang Enforcement Act  
I.C. § 18-8502 Idaho Criminal Gang Enforcement Act - Definitions  
IDAPA 08.02.03.160 Safe Environment and Discipline  
*Stephenson v. Davenport Community Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)

Policy History:

Adopted on: July 2012

Revised on: May 2014; January 16, 2020; June 10, 2023

Reviewed on: June 21, 2017; June 18, 2020

## **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 they have 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 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 Directors. 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.

<b>Cross References:</b>	3330 3340 3370P	Student Discipline Corrective Actions and Punishment Searches and Seizures
<b>Legal References:</b>	Pub. L. 100-690 I.C. § 33-210  IDAPA 08.02.03.160	The Anti-Drug Abuse Act of 1988 (as amended) Attendance at Schools - Students Using or Under the Influence of Alcohol or Controlled Substances Safe Environment and Discipline

Policy History:

Adopted on: July 2012  
 Revised on: June 17, 2014; January 16, 2020; June 10, 2023  
 Reviewed: May 2014; June 21, 2017; June 18, 2020

## **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:

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

20. Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and 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:

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

Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

- 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.

### Threat of Violence

Any student threatening violence against the school or against members of the student body is guilty of a misdemeanor crime and is subject to penalties up to and including expulsion.

If it is determined that a firearm was involved, or the threat of the use of a firearm in any threat against the school or against any member of the student body then the said perpetrator will be subject to an expulsion from school.

### 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 period of not less than one year, 12 calendar months, or may deny enrollment to, a student who has been found to have carried a weapon or possessed a firearm on school property in this state or any other state, except that the Board may modify the such expulsion or denial of enrollment order requirement on a case-by-case basis when the Board determines reasonable conditions apply and the student's presence is

not detrimental to the health and safety of other students. 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 §33-205(3) 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. The Board specifically authorizes an exception to this policy for student members in good standing and faculty mentors of the XCS Trap and Skeet Club, who may possess and use a shotgun during practice sessions and competitive events related to this club, and of the XCS Archery Club, who may possess and use a bow and an arrow with a target tip during practice sessions and competitive events related to this club.

The following definitions apply to this policy:

- (a) "Deadly or dangerous weapon" means any weapon as defined in United States Code. Such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- (b) "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries or stores a dangerous 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 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 Directors of Xavier Charter School or the governing board.

### Delegation of Authority

Each teacher, and any other school personnel when students are under their 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.

<b>Cross References:</b> 3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
3340	Corrective Actions and Punishment
4320	Disruption of Xavier Charter School Operations
9450	Firearms Policy and Procedure

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

**Other References:** 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; December 13, 2018; February 20, 2020; October 21, 2021; January 5, 2023; June 10, 2023

Reviewed on: May 2014; January 11, 2017; June 21, 2017; June 18, 2020; March 18, 2021; January 20, 2022; March 14, 2024

## **Xavier Charter School**

### **STUDENTS**

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12. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct.
13. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
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- Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
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not detrimental to the health and safety of other students. 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 §33-205(3) 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. The Board specifically authorizes an exception to this policy for student members in good standing and faculty mentors of the XCS Trap and Skeet Club, who may possess and use a shotgun during practice sessions and competitive events related to this club, and of the XCS Archery Club, who may possess and use a bow and an arrow with a target tip during practice sessions and competitive events related to this club.

The following definitions apply to this policy:

- (a) "Deadly or dangerous weapon" means any weapon as defined in United States Code. Such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- (b) "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries or stores a dangerous 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 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 Directors 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.

<b>Cross Reference:</b>	3295	Hazing, Harassment, Intimidation, Bullying, and Cyber Bullying
	3340	Corrective Actions and Punishment
	4320	Disruption of Xavier Charter School Operations
	9450	Firearms Policy and Procedure

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

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

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; January 13, 2016; December 13, 2018; February 20, 2020; October 21, 2021; January 5, 2023

Reviewed on: May 2014; January 11, 2017; June 21, 2017; June 18, 2020; March 18, 2021; January 20, 2022



## **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. The use of artificial intelligence (AI) to generate any content (text, video, audio, images, code, etc.) for an assessment or course assignment as one's own work constitutes a violation of this academic honesty policy. 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 and/or designee.

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.
11. Using AI to solve equations.
12. Using AI to generate test answers.
13. Using AI to complete any class assignment.

### 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.
8. Submitting a paper partially or entirely generated by AI.

### Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; June 10, 2023; Jan 18, 2024

Reviewed on: May 2014; June 21, 2017; June 18, 2020

## **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 school days.

The Head of Schools and/or designee may temporarily suspend any student 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 and/or designee shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any student who has been suspended may be readmitted to the school by the Head of Schools and/or designee who suspended them on reasonable conditions prescribed by the Head of Schools and/or designee. 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 by the Head of Schools and/or designee for an additional 10 school days. Prior to suspending any student, the Head of Schools and/or designee shall grant an additional informal hearing on the reasons for the extended temporary suspension and the opportunity to challenge those reasons. The student may still be readmitted to the school by the Head of Schools and/or designee who suspended them on reasonable conditions prescribed by the Head of Schools and/or designee. The Board of Directors shall be notified of any extended temporary suspensions, the reasons for them, and the response to them.
3. "Prolonged Temporary Suspension" is the exclusion from Xavier Charter School or individual classes for an additional five school days. Only the Board can extend an extended temporary suspension for an additional five days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other students' 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 student who is an habitual truant, who is incorrigible, 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 students, 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 days of the Board's actions.

No student shall be expelled nor denied enrollment without the Board of Directors having first given written notice to the parent or guardian of the student 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 student to be represented by counsel, to produce witnesses and submit evidence on their own behalf, and to cross-examine any adult witnesses who may appear against them. Within a reasonable period of time following such notification, the Board shall grant the student and their parents 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 student and their parents or guardian to prepare their response to the charge.

5. "Discipline" constitutes all 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.

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

#### Discipline of Students with Disabilities

Additional requirements apply when suspending or expelling a student with a disability. Xavier Charter School shall comply with these requirements as outlined in Policy 3340P.

**Cross Reference:** 3330                      Student Discipline

**Legal References:** 20 USC 1400, et seq.    Individuals with Disabilities Education Act  
I.C. § 33-205    Denial of School Attendance  
I.C. § 33-512    Governance of Schools

Policy History:

Adopted on: March 9, 2016

Reviewed on: June 21, 2017; June 18, 2020

Revised on: February 16, 2023

## **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 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 and/or designee.
4. Upon request of the parent or legal guardian, a review of the suspension shall be conducted by the Head of Schools and/or designee. At the review, the student and parent or legal guardian may appear and discuss the suspension with the Head of Schools and/or designee. After the meeting, the Head of Schools and/or designee shall take such action as appropriate. That action is final.
5. Arrangement can be made between Xavier Charter School OR the teacher and the student or their family such that graded work missed during the period of suspension can be completed by the student for consideration for the student's grade.
6. The suspension of a student may be extended by the Head of Schools and/or designee 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 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 and/or designee at least two school days prior to the date of the hearing as originally scheduled. The Head of Schools and/or designee shall determine if the request shows good cause.
3. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.
4. To ensure student privacy, the Board must take action on expulsion in executive session. The student shall not be named in the minutes of the meeting, but a record of the decision will be placed in the student's educational record and in the official records of the Board.

#### Procedures for Students with Disabilities

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

#### Suspension of Students with Disabilities

Xavier Charter School may suspend a student with disabilities for up to 10 cumulative or consecutive school days in a school year for violation of the code of student conduct and educational services may cease to the same extent educational services cease for students without disabilities. Cumulative suspensions, if over 10 school days in a school year, must not constitute a significant change in placement.

A significant change in placement occurs when a student with a disability is removed for more than 10 consecutive school days or is subjected to a series of suspensions or removals that constitute a pattern of exclusion because they are more than 10 school days in a school year, and because the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another indicate a pattern of exclusion.

For a student with an Individualized Education Program (IEP) who is suspended for more than 10 cumulative school days in a school year and a change in placement does not occur, educational services shall be provided to the extent necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward

achieving the goals set out in the IEP, although in another setting, as determined by school personnel, in consultation with at least one of the student's teachers.

### Expulsion of Students with Disabilities

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

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

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

### Additional Provisions

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

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

1. The parent expressed concern in writing to supervisory or administrative personnel, or to the student's teacher, that the student is in need of special education and related services; or
2. The parent requested an evaluation; or
3. The student's teacher, or other district personnel expressed specific concerns about a pattern of behavior by the student directly to the director of special education or other supervisory personnel.

### Policy History:



Adopted on: July 2012

Revised on: June 17, 2014; October 21, 2021; February 16, 2023

Reviewed: May 2014; June 21, 2017; June 18, 2020

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3345 Restraint & Seclusion Board Policy**

It is the priority of Xavier Charter School District No. 462 to promote a safe learning environment for all students and staff. The board recognizes that there may be emergency situations where it becomes necessary for a staff member to physically restrain or place a student in seclusion when the student's behavior poses an imminent risk of serious physical harm to self or others. The purpose of this policy is to ensure that all students and staff are safe in school, and that any student who may have a behavior crisis is free from the inappropriate use of physical restraint or seclusion.

The Board does not condone the use of restraint or seclusion when responding to student behavior and prohibits the use of corporal punishment and unreasonable use of physical force against a student as forms of discipline or methods of classroom governance. The Board recognizes, however, that it may be necessary to use reasonable and appropriate physical restraint and/or seclusion when it is the least restrictive intervention and when the student's behavior poses imminent danger of serious physical harm to self or others. The Board supports school-wide programs and services that promote positive student behavior to improve overall school safety and create an environment that is conducive to learning, while also minimizing the need for the use of physical restraint and seclusion and ensuring that they are only used as a last resort in an emergency.

#### **DEFINITIONS**

“Aversive technique” means physical, emotional, or mental distress as a method of redirecting or controlling behavior.

“Chemical Restraint” means using drugs or medication to control behavior; not including those prescribed by and administered in accordance with the directions of a qualified health professional.

“Crisis intervention” means implementation of a predetermined strategy to mitigate immediate harm to students or staff in a behavioral crisis.

“Corporal punishment” means knowingly and purposely inflicting physical pain on a student as a disciplinary measure.

“De-escalate” means utilizing strategically employed verbal or non-verbal interventions to reduce the intensity of threatening behavior before a crisis situation occurs.

“Emergency” means a situation in which a student's conduct creates a reasonable belief in another person that the student's conduct has placed the student or a third person in imminent danger of serious physical harm. An emergency requires an immediate intervention.

“Functional behavioral assessment (FBA)” means the evaluation process of gathering information that can be used to hypothesize about the function of student behavior to develop a behavior intervention plan (BIP) for those students demonstrating, or at risk for demonstrating, challenging behavior.

“Imminent” means likely to happen right away or within a matter of minutes.

“Mechanical Restraint” means the use of any device or equipment to restrict a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- a. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports
- b. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle
- c. Restraints for medical immobilization; or
- d. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm

“Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. In addition, physical restraint does not include behavioral interventions used as a response to calm and comfort (e.g., proximity control, verbal soothing) an upset student.

“Physical Restraint” means personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort.

“Life-threatening physical restraint” 1) restricts airflow to a student’s lungs, whether by compressing the student’s chest or otherwise, or 2) immobilizes or reduces a prone student’s ability to freely move his or her arms, legs, or head. The use of prone (i.e., lying face down) physical restraints should be avoided.

“Positive behavioral interventions and supports” means application of a broad range of systematic and individualized strategies for achieving important social and learning outcomes, while preventing challenging behaviors by making them irrelevant, inefficient, and ineffective.

“Seclusion” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

## **PROHIBITED PRACTICES**

The following are prohibited under all circumstances, including emergency situations:

1. The use of restraint and seclusion, and corporal punishment, as a form of discipline, punishment, or as a method of managing classroom behavior.
2. The use of chemical restraints (i.e., drugs or medication) to control behavior or restrict freedom of movement unless it is (1) prescribed by a qualified health professional, and (2) administered as prescribed by the qualified health professional.
3. School employees may not use a life-threatening physical restraint on a student.
4. The use of physical restraint or seclusion procedures when a known psychiatric, medical or physical condition of the student would make physical restraint or seclusion dangerous for that student. For example, seclusion is inappropriate for students who are severely self-injurious or suicidal.

## **APPROPRIATE USE OF PHYSICAL RESTRAINT OR SECLUSION**

Restraint or seclusion will only be implemented in situations where a student's behavior poses imminent danger of serious bodily harm to self or others, and not as a routine strategy to address classroom management or inappropriate behavior. School staff will implement positive behavioral interventions and supports, functional behavioral assessments and related behavior and crisis plans, and utilize constructive methods to de-escalate potentially dangerous situations.

Staff members are authorized to restrain a student or place a student in seclusion when an emergency, exists, or when a student's individualized education program (IEP), behavioral intervention plan (BIP), or crisis plan describes the specific behaviors and circumstances in which restraint and seclusion may be used as a response to imminent danger of serious physical harm to self or others.

The following applies to the use of physical restraint or seclusion:

1. Staff members will take reasonable efforts to prevent the need for the use of physical restraint or seclusion by implementing positive behavioral interventions and supports.
2. Staff members will only use physical restraint or seclusion in situations where (1) the student's behavior poses imminent danger of serious bodily harm to self or others, **and** (2) efforts at de-escalation or interventions are ineffective.
3. Staff members will utilize the least restrictive technique necessary to end the threat of imminent danger of serious bodily harm.
4. Any behavioral intervention used by staff members must be consistent with the child's rights to dignity and to be free from abuse.
5. Staff members will carefully and continuously visually monitor the student when physical restraint or seclusion is used to ensure the appropriateness of its use and the safety of the student and others.
6. Staff members will immediately terminate the use of physical restraint or seclusion as soon as it is determined the student is no longer in imminent danger of serious bodily harm to self or others, or if the student is observed to be in severe distress.

7. Staff members will document in writing each incident requiring physical restraint or incident immediately and no later than 24 hours after the event.

8. All staff members directly assigned to students or classrooms who demonstrate aggressive or dangerous behaviors will receive training in crisis management, de-escalation techniques, classroom behavior management, functional behavior assessment, behavior intervention planning, and when appropriate, the safe use of physical restraint and seclusion. Only trained personnel will employ these interventions whenever possible.

9. Staff members will review and revise behavioral strategies as appropriate to address the underlying cause of the dangerous behavior and to prevent the repeated use of physical restraint or seclusion for managing the dangerous behavior.

10. Parents will be notified verbally regarding physical restraint or seclusion as soon as possible and no later than 24 hours following the restraint or seclusion. (See “Notice to Parent/Guardian” section).

### **NOTICE TO ADMINISTRATOR**

Staff members must notify the building principal and, if appropriate, special education director, immediately when a student is physically restrained or placed in seclusion.

### **OBSERVATION OF STUDENT**

Seclusion will not be used unless a staff member can continuously monitor the student for visual and auditory signs of physiological distress and can communicate with the student. A staff member will maintain continuous, direct visual and auditory contact with the student throughout the duration of any physical restraint or seclusion to ensure the appropriateness of its use and the safety of the student and others.

Students will be permitted to use the restroom upon request and will be escorted to and from the restroom. Students will also be provided with water on request. Students will not be denied access to meals. If the student’s level of escalation prevents the student from participating in planned mealtimes, the student will be permitted access to meals immediately as soon as the risk of serious physical danger to self or others has passed. See Time and Duration section below for information on allowable length of seclusion.

Monitoring will be conducted by a staff member who has received the required training to ensure the safety of the student and that procedures are appropriately implemented and documented.

### **SECLUSION AREA**

If seclusion is to be employed by the district, each school building must designate a clean and safe seclusion area intended for confining a student without causing or allowing the student to harm him- or herself or others. The seclusion area will be of reasonable size; adequately lighted, ventilated, and heated/cooled; free from any objects or potential hazards that unreasonably expose the student or others to harm; permit direct, continuous visual and auditory monitoring of the student; must not be locked; and must comply with state and federal fire safety requirements. A push lock may be used with consistent monitoring but may not prevent the student from exiting the area should an emergency arise.

A staff member will visually inspect the seclusion area before and after each use to determine whether the area is clean and safe and address any concerns by cleaning the area and/or reporting the concerns to maintenance staff.

### **TIME AND DURATION**

Physical restraint and seclusion will not be used any longer than necessary to allow a student to regain control of his/her behavior and may not exceed thirty (30) minutes.

If an emergency seclusion lasts longer than thirty (30) minutes, the following are required: additional support (e.g., change of staff, introducing a nurse or specialist, or obtaining additional expertise) and documentation to explain the extension beyond the time limit.

### **REINTEGRATION INTO THE CLASSROOM**

Staff members will follow the steps outlined in the student's Crisis Plan to determine when the student is ready to be reintegrated into the classroom or activities. If no Crisis Plan is in place, staff members (at least two staff members) may make an independent judgment about when the student is ready to rejoin classmates or other activities. Reintegration may occur quickly, or may be very gradual, but will depend on the circumstances and the emotional state and readiness of the student to return to the normal situation.

### **INCIDENT REPORTING**

Immediately after the student has restored emotional and behavioral control following the use of physical restraint or seclusion, a staff member not involved with the incident will visually examine the student to ascertain if any injury has been sustained during the physical restraint or seclusion.

The staff member(s) involved with the incident will complete a written incident report immediately and no later than 24 hours after the event. The building principal or designee will place a copy of the report in the student's education file.

Each staff member involved in an incident will engage in a debriefing session within two (2) days of the incident to determine what could have been done to prevent the need for the use of physical restraint or seclusion for this student specifically and for other students in similar situations.

### **Incident Report Requirements**

The following information will be included in the incident report created after each instance of physical restraint or the use of seclusion:

1. Information about the student (i.e., name, grade, etc.).
2. If the student has a disability (IDEA or Section 504), and the type of disability.
3. The date and start and end times of the restraint or seclusion.
4. The location of the incident.
5. A description of the incident.
6. Possible events that triggered the dangerous behavior that led to restraint or seclusion.

7. Prevention, redirection, or pre-correction strategies that were used during the incident.
8. A description of the dangerous behavior that resulted in the implementation of physical restraint or seclusion.
9. A description of the restraint or seclusion strategies that were used during the incident and a log of the student's behavior during physical restraint or seclusion.
10. A description of any injuries or physical damage that occurred during the incident.
11. How the student was monitored during and after the incident.
12. A description of behaviors displayed demonstrating the student's ability to return to the educational environment.
13. The staff member(s) who participated in the implementation, monitoring, and supervision of physical restraint or seclusion and whether the person(s) had training related to restraint or seclusion.
14. The extent to which the staff member(s) adhered to state and district procedural implementation guidelines.
15. The follow-up that will occur to review or develop the student's positive behavioral interventions and supports in order to avoid the use of restraint or seclusion in the future.
16. The date and time the parent/guardian was notified.

## **FREQUENT USE OF RESTRAINT OR SECLUSION**

Schools must follow these procedures in cases where a student is placed in physical restraint or seclusion four (4) or more times in 20 school days.

In cases where such a student requires, may require, or is being evaluated for special education services or a 504 plan, the student's planning and placement team must meet to (1) conduct or revise the student's functional behavioral assessment and (2) create or revise any applicable behavioral intervention plan, including the student's IEP or 504.

For all other students, a school administrator, at least one of the student's teachers, the student's parent, or guardian, and, if any, a mental health professional must meet to (1) conduct or revise the student's behavioral assessment, (2) create or revise any applicable behavioral intervention plan, and (3) determine if the student may require special education services.

## **NOTICE TO PARENT/GUARDIAN**

The building principal or designee will verbally notify the parent/guardian of a student requiring physical restraint or seclusion as soon as possible and no later than 24 hours following the incident.

Verbal notice will include a brief summary of the incident and contact information for the staff member who will provide additional information. The delivery of the notice will be documented by the district.

Verbal notice will be provided via telephone or in person. In the event a staff member is unable to speak directly to the parent via telephone, a message will be left on the individual's voicemail, if available. If unable to reach the parent via telephone or leave a message on voicemail, the staff member will send an e-mail to the parent, if the e-mail address is known.

Parents/guardians will receive written, annual notice about the district's policies and procedures for restraint and seclusion. Parents/guardians will be notified within thirty (30) days of any changes to such policies and procedures.

All student handbooks in our schools will contain a statement regarding the use of restraint and seclusion consistent with this policy and outline reporting procedures.

### **CRISIS INTERVENTION TRAINING**

The district will provide all staff directly assigned to students or classrooms with annual professional development training regarding positive behavior supports, de-escalation techniques, and classroom behavior management. This training will be recurrent and will be provided to new staff during orientation.

All staff directly serving students or classrooms with students who demonstrate aggressive or dangerous behaviors will receive annual professional development training in crisis management, de-escalation techniques, the correct use of restraints and seclusion when required, and the implementation of functional behavior assessment, behavior intervention plans, and crisis plans. This training will be recurrent and will be provided to new staff during orientation.

Restraint and seclusion techniques will only be utilized by a person who has been trained in crisis intervention. Untrained staff should request assistance from trained staff as soon as possible.

### **MONITORING AND REPORTING**

The superintendent or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy in the district. The superintendent or designee will comply with all state and federal requirements for reporting incidents of physical restraint or seclusion. The building principal or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy within the school.

### **ANNUAL POLICY REVIEW**

The district will, not less than annually, review this policy and related procedures to determine the efficacy of the policy and procedures; whether modification of the policy or procedures is necessary; and whether selected school staff should receive additional training on positive behavior intervention and supports, or the proper use of restraint, seclusion, and other aversive techniques. The review must include a review of the documentation and reporting of incidents involving physical restraint and seclusion.



In conducting this annual review, the district shall also review the reports of all events of seclusion or restraint that occurred with the district's students in the past school year. This review will include an analysis as to whether or not the district's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Annually, the superintendent designee shall submit to the Board a report containing all the following disaggregated data:

- a. The total number of incidents of seclusion during the previous school year.
- b. The total number of students (i.e. students with and without disabilities) who were involved in incidents of seclusion during the previous school year;
- c. The number of students with disabilities who were involved in incidents of seclusion during the previous school year;
- d. The number of incidents of physical restraint during the previous school year;
- e. The total number of students (i.e. students with and without disabilities) who were involved in incidents of physical restraint during the previous school year; and
- f. The number of students with disabilities who were involved in incidents of physical restraint during the previous school year.

Policy History:

Adopted on: April 18, 2024

Revised on:

Reviewed on:



**Xavier Charter School**

**STUDENTS**

**Policy: 3345F Restraint and Seclusion Reporting Form**

**RESTRAINT AND SECLUSION REPORTING FORM**

**Student Details**

Student Name	Grade	DOB
Parent Name	Parent Phone	Parent Email Address
Mark all that apply. <input type="checkbox"/> IEP <input type="checkbox"/> 504 Plan <input type="checkbox"/> Health Plan	<input type="checkbox"/> FBA <input type="checkbox"/> BIP <input type="checkbox"/> Crisis Plan	Disability

**Reporting Details**

Name of Person Completing Form	Date and Time of Report	Date and Time of Incident
School	Name/s and Roles of Staff Involved in Restraint or Seclusion Incident	
Location of the Incident		

**Incident Details**

<i>Describe possible events that triggered the dangerous behavior that led to restraint or seclusion.</i>			
<i>Describe prevention, redirection, or pre-correction strategies that were used before and during the incident.</i>			
<i>Describe the dangerous behavior that resulted in the implementation of restraint or seclusion.</i>			
Start time	End time	Person implementing restraint or seclusion	Staff who monitored or observed

<i>Describe the restraint or seclusion technique or strategies used.</i>
<i>Describe how the student was monitored during and after the incident.</i>

### Incident Log

<i>Provide a log of student behavior during restraint or seclusion.</i>		
Time	Student behavior	Adult response
Time	Student behavior	Adult response
Time	Student behavior	Adult response
Time	Student behavior	Adult response
Time	Student behavior	Adult response
<i>Describe student behavior that demonstrated student's ability to return to the educational environment (recovery).</i>		
<i>Describe any injuries or physical damage that occurred during the incident.</i>		
<i>Other comments.</i>		

### Parent/Guardian Notification

**This report and notification shall be provided to the parent/guardian as soon as possible and prior to the debriefing meeting referenced below.**

Was the parent/guardian notified *immediately* following the incident, or at the latest, within 24 hours?

- Yes
- No

*If No, Explain:*

Date of notification	Time of notification	How much time had passed following the incident?
Person providing notification	Method of contact	Summary of notification

## Debrief Meeting

When an incident of restraint or seclusion occurs, a debriefing session shall be convened within two (2) school days to review the incident's details and consider steps to prevent reoccurrence.

Date of meeting	Names and roles of attendees
Time of meeting	
<p>Incident report reviewed during this meeting:</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Restraint or seclusion implemented according to state and district guidelines:</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><i>If No, explain.</i></p> <p>Attendees in agreement with the report:</p>	

<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><i>If No, explain.</i></p>
<p><b>Summarize</b> the discussion, including planned steps to prevent the reoccurrence of restraint or seclusion and review of positive behavior supports, functional behavior assessment, behavior intervention plan, and/or crisis plan. Describe the follow-up that will occur to review or modify support to avoid future use of restraint or seclusion.</p>

## **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 and/or 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 and/or 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 and/or designee shall consider such factors as the safety and health of the student population. The Head of Schools and/or designee shall develop guidelines for managing each student sexual offender in Xavier Charter School. If the Head of Schools and/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.

<b>Legal References:</b>	I.C. § 18-8402	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Findings
	I.C. § 18-8403	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act -Definitions
	I.C. § 18-8408	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act -Providing List to Superintendent of Public Instruction
	I.C. § 18-8412	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Exemption from Civil Liability
	I.C. § 18-8413	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act – Penalties for Vigilantism or Other Misuse of Information
	I.C. § 33-205	Denial of School Attendance

Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: January 16, 2020; June 10, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3370P Searches and Seizure**

To maintain order and security in the schools, Xavier Charter School authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

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

1. Xavier Charter School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by students without notice or consent of the student. This applies to student vehicles parked on school property. If a search produces evidence that the student has violated or is violating the law of Xavier Charter School's policies or rules, such evidence may be seized and impounded by school authorities and disciplinary action may be taken.
2. If Xavier Charter School authorities have 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, they are authorized to conduct a search of any car or container and to seize any such item or substance.
3. The Head of Schools and/or designee may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, and other illegal or dangerous substances or material, including searches conducted through the use of specially trained dogs.
4. Xavier Charter School authorities may search a student and/or the student's personal effect in the student's possession when there are reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating the law or Xavier Charter School's student conduct rules.
5. If Xavier Charter School authorities have any reasonable suspicion to believe that any student has any item or substance in his or her possession, which constitutes an imminent danger to the property of any person or Xavier Charter School, they are authorized to conduct a search of the student and/or the student's personal effects in the student's possession.
6. The search of a student and/or the student's personal effects in the student's possession shall be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. Any time a search of a student must be conducted, a second adult shall be



present. Whenever practical, one of the two adults present during the search shall also be of the student's same sex.

7. No student shall hinder, obstruct or prevent any search authorized by this procedure.
8. When feasible and when a student is under 18 years of age, Xavier Charter School authorities shall contact a student's parent/guardian prior to conducting a search of their person. When it is not feasible to contact the parent prior to a search of a student's person, they shall attempt to contact the parent/guardian as soon as possible following the search.
9. Any search or seizure authorized in this procedure shall be conducted in the presence of at least one adult witness. A written record of the time, date and results shall be made by the Xavier Charter School authority who conducted the search and/or seizure. If the Head of Schools and/or designee was not involved in the search and/or seizure a copy of the written record shall be forwarded to the Head of Schools and/or designee as soon as possible.
10. If a search of property, student or student's personal effects produces evidence that the student has violated or is violating the law or Xavier Charter School's policies or rules, such evidence may be seized and impounded by school authorities and disciplinary action may be taken. 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.
11. 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 the situation to the appropriate law enforcement agent. The administrator is not to become the agent of any public law enforcement agency.

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; September 15, 2022; June 10, 2023

Reviewed on: May 2014; June 21, 2017; June 18, 2020

## 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 and/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 and/or 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 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.

Student Eligibility Requirements to Participate in Xavier Charter School Extracurricular Activities and/or Idaho High School Activities IHSAA)

**Academic Requirements**

- On target to graduate.
- Pass all classes during the previous semester prior to the activity season. The Head of Schools and/or designee may make exceptions to this requirement as long as the decision is in compliance with XCS and/or IHSAA rules.
- Maintain a 2.5 GPA during the semester of participation. The Head of Schools and/or designee may make exceptions to this requirement as long as the decision is in compliance with XCS and/or IHSAA rules. The Assistant Head of Schools and/or designee will begin grade checks after the first three weeks of the activity. If the grade check reveals that the student's GPA is below 2.5, the student will receive a warning and be placed on academic probation for one week. The student may continue to participate in the activity during this period. If the student's GPA continues to be below 2.5 after the next week, the student will not be able to participate in the activity until the student's GPA is raised to at least 2.5.
- Be in school for at least 4 periods on the day of an activity.

**Behavior Requirements**

- Meets required attendance for all classes during the previous semester.
- If a student is suspended from school, they may not attend practice, travel to the activity or organization, and/or participate in any interscholastic activity during the suspension.
- If a student is truant from school or class on the day of the activity, the student may not participate in the activity.
- The student has turned in all school issued equipment or paid for lost or damaged equipment from a previous season.
- A student who is participating in any XCS and/or IHSAA activity shall not attend or remain at parties or other functions where alcohol, drugs, or tobacco are being used contrary to the provisions of Idaho Law. When a student discovers that alcohol and/or drugs are being used illegally they shall promptly remove him/herself from the premises. Sufficient evidence for disciplinary action would include, but is not limited to the following: the observation of a staff member, or administrator, investigative evidence, the report of a police officer, and/or admission of a violation by a student.

Participants must ride the transportation provided by the district to the event if the district provides transportation.

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 they receive 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 they commit 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 and/or designee.

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 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 they have has been arrested or it reasonably appears to Xavier Charter School that they have 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 and/or designee:
    - 1) will hold a conference with the student;
    - 2) will notify the student’s parent/guardian and the student of the violation;
    - 3) may arrange a conference with the parent/guardian and the student; and
    - 4) will inform the student and parent/guardian of consequences for future violations of the policy.
  - b. Second Violation: When a student violates this “knowingly present” prohibition of this policy for the second time during a scholastic year, they are 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 21 calendar days.
  - b. The suspension will be reduced to a 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 their criminal conduct or drug use prior to the personnel’s knowledge of the incident(s), the Head of Schools and/or designee 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 evident supports the accusation, the Head of Schools and/or designee 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 and/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 and/or designee 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 and/or designee 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 and/or designee. 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 and/or designee, 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 and/or designee their perceptions of the problem. If the Head of Schools and/or designee finds that there has been an infraction of bus rules, they will take the following action:

1. On the first infraction, the student will be warned that following any further infraction they 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 and/or designee 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 school days.
2. The parent/guardian must request an appeal in writing within two school days from the notification of the activity suspension decision.
3. The Head of Schools and/or designee 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 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 school days of the panel's decision.
6. The panel's determination is final, and is not appealable to the Head of Schools and/or designee or Board of Directors.

## Elementary Students

Students in kindergarten through sixth grade who are in violation of this policy may have the length of the activity suspension reduced by the Head of Schools and/or designee or other authorized administrator.

## Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; July 16, 2020; June 10, 2023

Reviewed: May 2014; June 21, 2017



## **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 the Head of Schools and/or designee.
  - 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 and/or designee.
  
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; June 10, 2023

Reviewed on: May 2014; July 20, 2017; June 18, 2020

## **-Xavier Charter School**

### **STUDENTS**

#### **Policy: 3420 Student Fundraising Activities**

It is against the policy of Xavier Charter School for teacher(s) and/or student(s) to undertake any money-raising activity in the school or in the community without the approval of the Head of Schools and/or designee for such sponsorship.

#### Fundraising Guidelines

1. All fundraising efforts in the school must be approved by the Head of Schools and/or designee.
2. Funds raised must be for a specific project or need and must be spent on the intended project within a reasonable time-period following the completion of the fund raiser.
3. An accurate record of receipts and expenditures related to the fundraiser must be kept.
4. Revenues from a fundraising activity are not to be co-mingled with unrelated funds from another program.
5. Care should be taken to ensure that cash donations are verified and counted by more than one individual. Funds collected should be deposited as soon as possible and not left in classrooms or unsecured locations.
6. When the fundraising effort involves a partnership with a third party-vendor, a contract/agreement must be signed that clearly lists the responsibilities of both parties and the terms of the arrangement. (See the last section of this policy, *Third-party Fundraising*.)
7. Follow the cash handling procedures outlined in the Employee Handbook which includes using the cash handling form.

#### Types of Fundraising

##### *Sales of Products or Services*

Xavier Charter School may engage in the sale of products or services for groups, teams, or special school projects or programs. Common examples include concessions, chocolate sales, photo sales, athletic camps, or car washes.

School administration and teachers should choose fundraisers that are in the best interest of the school and should avoid fundraisers that have high overhead, require significant upfront capital expenses, or have the potential to lose money. Fundraiser's that involve student labor should consider the potential risk of injury and should not engage in the activity if there are issues with

supervision or if the risks of serious injury are too great. Administration should also consider whether the time commitment to participate in the activity creates an excessive burden to students and families.

### *Food Fundraising*

Fundraising activities during the school day should be limited. If activities during the school day involve the sale of ready-made food classified as unhealthy by the Healthy & Hungry Free Kids Act, then those fundraisers are limited to 10 per-school per-year with a maximum of four days per activity. Examples include the sale of ready-made ice cream, candy, doughnuts, pizza, or concessions that are designed to be sold and consumed during the school day. This limit does not apply to foods that meet the healthy requirement such as boxes of fruit, or items sold after school hours, or non-ready-made foods such as frozen-cookie dough, or for snacks given as incentive not related to fundraising.

### *Raffles*

Raffles, duck races, and bingo are governed under the Idaho Lottery Enforcement Division and Idaho Code 67-7710. If the value of the raffle prizes exceeds \$5,000, then a charitable gaming license must be obtained by the school from the Idaho State Lottery Enforcement Division. Once a school obtains a license, it covers all raffles they engage in. With a license there is no limit on the value of the merchandise offered for raffle, except cash prizes are limited to a maximum award of \$1,000. If a raffle is approved by the building administrator, then a raffle manager will be designated. Regardless of the value of the prizes, the raffle manager will ensure compliance with state gaming laws and will maintain an accurate log of all ticket sales. The raffle manager will ensure that winners are determined fairly according to the rules outlined in the raffle.

### *Crowdfunding*

See Policy 4530 Crowdfunding.

### *Third-party Fundraising*

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 and/or designee providing that the instructional program is not adversely affected.

### Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: July 21, 2022; June 10, 2023

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3420P Student Fundraising Activities**

##### Cash Handling

Staff members should not collect money without approval. When money is received, it should be immediately receipted at the front office. (Do NOT leave money in the classroom overnight.) If a staff member would like to collect money for an event or fundraiser, please refer to Policy 3420 and follow the below procedures:

- 1 - Submit a Fundraising or Event Jotform request 10 days prior to the event to ensure approval of event/fundraiser and cash box availability.
- 2 - Sign a Cash Handling Agreement and Cash Box Checklist Form before checking out the cash box from the front office.
- 3 – After the money is collected, two staff members or adults are required to count the money to verify the amount of the deposit and sign/complete the Cash Box Checklist Form.
- 4 - After the amount has been verified, IMMEDIATELY take all money with the form to the front office; **OR** if it is after school hours, place all money with the form in the black drop box located on the wall near the library before leaving the building.
- 5 - The front office will check the box the next morning, count it, and deposit the money.

##### Policy History:

Adopted on: September 15, 2022

Reviewed on: June 10, 2023

## **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

Reviewed on: June 21, 2017; June 18, 2020; June 10, 2023

## **Xavier Charter School**

### **STUDENTS**

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

Xavier Charter School shall not require a fee for any course for which academic credit is awarded.

A student may be charged a reasonable fee for any non-credit course or non-curricular activity such as an extra-curricular activity, student-activity, or membership in a voluntary club or association. The Board may waive the fee in cases of financial hardship.

Additional fees may be charged for “enhanced programming and materials” which are voluntary enrichments to the curriculum beyond what is necessary to meet the learning expectations for a particular grade or course (i.e. students may wish to use a superior product or consumable than that provided by the school, in which case they may be asked to pay the additional cost of the upgrade.) This includes online enrollment when solely a matter of preference.

A student shall be responsible for the cost of replacing materials or property that is lost or damaged due to negligence. If school property in a student’s possession is lost, broken, or otherwise damaged, the student may be charged the lesser of the fair market value of the item at the time or the cost of repair.

Xavier Charter School may require, as condition of graduation or issuance of a diploma or certificate that all lawful indebtedness incurred by a student be satisfied and/or that all books or other instructional materials, 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; May 19, 2022

Reviewed on: July 20, 2017; June 18, 2020; June 10, 2023

## **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 and/or designee shall take into account any foreign travel warnings or cautions of the U.S. Department of State. The Head of Schools and/or designee 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 Schools and/or 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 and/or designee no later than eight 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 and/or designee.

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

The Head of Schools and/or designee 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 students 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 and/or designee 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 pre-trip meeting with students and parent/guardian.
2. Provide to the Head of Schools and/or designee, 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 ensure that students are following the curfew requirements.
6. Perform periodic checks to ensure 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 and/or designee 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 only share rooms with students of the same biological sex.

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 adult per 10 students. Groups with both male and female participants must have supervision of at least one male and one 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/or designee 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 and/or designee.

### Responsibilities

Responsibilities of the Head of Schools and/or designee:

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 Head of Schools and/or designee prior to the trip.
3. Notify the Head of Schools and/or designee of any emergency situation, i.e. an accident involving student(s), student missing from the group, etc.
4. Identify and provide parents an emergency plan.

### Cancellation of Trips

Cancellation of trips may occur due to weather, safety, world events or local school needs. 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 and/or 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 and/or designee. 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; June 10, 2023

Reviewed: May 2014; June 21, 2017; June 18, 2020

## **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 Xavier 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.

Abortion-Related Counseling and Referrals Prohibited

All staff are prohibited from providing the following services to any person during working hours or in the course of their work:

1. Providing or performing an abortion;
2. Counseling in favor of abortion;
3. Referring for abortion; or
4. Dispensing emergency contraception, except in the case of rape.

<b>Legal References:</b>	20 USC § 1232h(b)	Protection of Pupil Rights - Limits on Survey, Analysis, or Evaluations
	I.C. § 18-8701, <i>et seq.</i>	No Public Funds for Abortion Act
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on: September 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: January 16, 2020; October 21, 2021; November 16, 2023

**Xavier Charter School**

**STUDENTS**

**Policy: 3500F Student Health/Physical Screenings/Examinations**

Notice of Health Services

**[NOTE: This form is to be provided to students’ parents/guardians at the beginning of each school year.]**

Dear parent or guardian,

The purpose of this form and the attached copy of the Charter School’s policy on Student Health/Physical Screenings/Examinations is to provide notice of all health services offered or made available through at the School by the Charter School or by any private organizations and to provide notice of the School’s policy on physical examinations and screening of students.

This year, the School will provide the following, as appropriate and in accordance with School policy:

1. Preventative health and wellness services and screenings as described in Policies 2415 and 3500;
2. Administering or assisting of the administration of medication as described in Policy 3510;
3. First aid and emergency care as described in Policy 3540; and
4. Appropriate management of all health conditions with parental consent.

**[INCLUDE SECTION BELOW IF APPLICABLE.]**

The School will provide the following additional health services or examinations which can only be provided with parental permission:

Health Service or Exam	Approximate Date	Initial to Indicate <b>Permission</b> to Conduct the Health Service or Exam

The School will provide the following additional health services or examinations **unless the student's parent opts out:**

Health Service or Exam	Approximate Date	Initial <b>only</b> if you do <b>not</b> want your child to receive this health service or exam.
		<i>Opt Out:</i>
		Opt Out:
		Opt Out:

\_\_\_\_\_

Student Name

\_\_\_\_\_

Parent Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Parent Name

Legal References: 20 USC § 1232h(b) Protection of Pupil Rights - Limits on Survey, Analysis, or Evaluations  
 I.C. § 18-8701, et seq. No Public Funds for Abortion Act  
 IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: November 16, 2023

Reviewed on:

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 that would impact the self-administration of medication.
- D. The parent/guardian is responsible for ensuring their 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 ensuring their 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 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 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 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 their 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 and/or designee.
- 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 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 Xavier Charter School.
- 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 References:** 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; June 10, 2023; November 16, 2023

Reviewed on: June 21, 2017; June 18, 2020

## **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/or designee 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 and/or designee 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 and/or designee, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, 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

Reviewed on: June 21, 2017; June 18, 2020

Revised on: June 10, 2023

## 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 Xavier Charter 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
Measles, Mumps, and Rubella (MMR)	2 doses	2 doses
Diphtheria, Tetanus, Pertussis	5 doses	5 doses
Polio	4 doses	3 doses
Hepatitis B	3 doses	3 doses
Hepatitis A	2 doses	0 doses
Varicella	2 doses	0 doses

Summary of Seventh Grade Immunization Requirements	
Immunization Requirement	Number of Doses
Diphtheria, Tetanus, Pertussis	1 dose
Meningococcal	1 dose

Summary of Twelfth Grade Immunization Requirements		
Immunization Requirement	Child admitted to 12 <sup>th</sup> grade during 2020-2021 school year and each year thereafter, if student received their first dose of Meningococcal vaccine at 16 years of age or older, or if student has never received a dose.	Child admitted to the 12 <sup>th</sup> grade during 2020-2021 school year and each year thereafter, if student received their first dose of Meningococcal vaccine before the age of 16
Meningococcal	1 dose	2 doses

### 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 Xavier Charter School officials stating their objections on religious or other grounds is exempt from the immunization requirements. The parent or guardian can use a form provided by Xavier Charter School or submit a written, signed statement that Xavier Charter School will attach to the form;
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; and
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.

## Communication of Immunization Requirements and Exemptions

In accordance with Idaho law, all communication to parents/guardians regarding immunization requirements shall also describe the exemptions and make reference to 39-4802, Idaho Code. For purposes of this section, ‘communication’ includes letters, phone calls, registration packets, etc.

### Reporting

Xavier Charter School shall submit a report of Xavier Charter 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 References:** I.C. § 39-4801    Immunization Required  
I.C. § 39-4802    Immunization Exemptions  
IDAPA 16.02.15    Immunization Requirements for Idaho School Children

### Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; August 16, 2018; September 16, 2021; February 16, 2023

Reviewed: May 2014; June 21, 2017; June 18, 2020

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3530 Suicide**

While the Charter School has a responsibility to notify a student's parent/guardian regarding any known changes in the student's mental, physical, or emotional health or well-being, neither a school district nor a teacher has a duty to warn of the suicidal tendencies of a student absent the teacher's or school district's knowledge of direct evidence of such suicidal tendencies. The Board directs the Head of Schools and/or designee to draft and implement procedures relating to:

1. Suicide prevention;
2. Suicide intervention; and
3. Suicide postvention.

"Postvention" shall mean counseling or other social care given to students after another student's suicide or attempted suicide.

These procedures may include, but are not limited to, the following measures:

1. Prevention:
  - A. Offering and providing help and assistance, including early identification;
  - B. Support and/or counseling by school support personnel for low-risk students;
  - C. Referral to appropriate sources outside the school for high and moderate-risk students;
2. Intervention:
  - A. Contacting the parents/guardians of students identified as at imminent risk of suicide.
  - B. Contacting emergency services to assist a student who is at imminent risk of suicide.
  - C. Providing first aid until emergency personnel arrive, as appropriate.
  - D. Moving other students away from the immediate area of any suicide attempt on Xavier Charter School property or at a Xavier Charter School event.
3. Postvention:
  - A. After care support by the school for faculty, staff, and students after a sudden death has occurred.

Following notification of School staff of a suicide attempt by a student or following the identification of a student as being at imminent risk of suicide, the Executive Director may require a note from the student's doctor or counselor stating that it is the doctor or counselor's



opinion that the student is ready to return to school. The student and their parent/guardian may meet with the [school counselor or Head of Schools or designee] to create a plan for the student's return to school, including any appropriate accommodations needed by the student.

The Charter School shall comply with all requirements of State Law and administrative rules for training by personnel on suicide prevention and awareness. This includes providing annual professional development to staff involved in preventing, intervening, and responding to suicide.

<b>Legal References:</b>	I.C. § 33-136	Suicide Prevention in Schools
	I.C. § 33-512B	District Trustees - Suicidal Tendencies – Duty to Warn
	I.C. § 33-6001	Parental Rights
	IDAPA 08.02.02.112	Suicide Prevention in Schools
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020; June 10, 2023

Revised on: January 17, 2019; May 19, 2022; November 16, 2023

## **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 and/or designee 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 and/or designee 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, they may elect to continue the treatment or make other arrangements.

#### Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: June 10, 2023

## **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 and/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 and/or designee may interrogate the suspected student without the prior consent of the student's parent, guardian, or legal custodian. Xavier Charter School officials 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 and/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/or 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 and/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 and/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 and/or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The Head of Schools and/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 and/or designee so that the student may be summoned to the Head of Schools' office and/or designee 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 and/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 to 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.

<b>Cross References:</b>	4400	Relations with Law Enforcement and Child Protective Agencies
	4410	Investigations and Arrests by Police
	5260	Abused and Neglected Child Reporting

<b>Legal References:</b>	I.C. § 6-904(1)	Tort Claims Against Governmental Entities – Exceptions to Governmental Liability
	I.C. § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	I.C. § 16-1606	Child Protective Act: Immunity
	I.C. § 16-1607	Child Protective Act: Reporting in Bad Faith—Civil Damages
	I.C. § 16-1631	Child Protective Act: Authorization for Department to Act

I.C. § 20-516 Child Protective Act: Apprehension and Release of  
Juvenile—Detention

**Other References:** Idaho Att’y Gen. Ann. Rpt. 93-2 (1993) (available at  
<https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf>) (last  
accessed November 18, 2019)

Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: January 16, 2020;

## **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 and/or designee, evidence of their 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 and/or designee.

#### Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: June 10, 2023

## **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 .
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

Reviewed on: June 21, 2017; June 18, 2020; June 10, 2023; March 14, 2024



## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3563 Student-Tracking Safety Devices**

Because of student privacy concerns, Xavier Charter School requires listen-in technology to be disabled while any student tracking device is at school, on school-provided transportation, and at school events. Xavier Charter School prohibits unauthorized audio or visual recordings or transmission of audio or images of other students.

A parent/guardian shall obtain approval from the Head of Schools and/or designee before operating a student-tracking safety device or other electronic device with recording or listen-in capability, such as AngelSense, at school or at a school-sponsored event. Any parent/guardian receiving permission to use an electronic device with listen-in capability may be requested to enter into a user agreement with the school to define the scope and limits of such use.

**Legal References:** Family Educational Rights and Privacy Act  
20 USC Section 1232g  
34 CFR Part 99 (2000)

#### Policy History:

Adopted on: October 17, 2019

Reviewed on: June 18, 2020

Revised on: June 10, 2023

## **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 and/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, homeschooling 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 15 calendar days from the date of receipt of the above-mentioned notice to request a hearing before the Head of Schools and/or designee for the purpose of reviewing the pending suspension of driving privileges. The requested hearing will be held within 30 calendar days after the receipt of the request.

The Head of Schools and/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 their own or family member's employment or medical care. The Head of Schools and/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 and/or designee, denies a hardship waiver, that decision may be appealed to the Board of this Xavier Charter School within seven calendar days of receipt of the Head of Schools' and/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 and/or designee, or reverse the decision and grant the hardship waiver.

#### **Legal References**

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  
Reviewed on: June 21, 2017; June 18, 2020  
Revised on: June 10, 2023

# 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 and/or designee 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 and/or 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.

<b>Cross References:</b>	3575 4260 8605	Student Data, Privacy, and Security Records Available to the Public Retention of Xavier Charter School Records
<b>Legal References:</b>	20 USC § 1232g, <i>et seq.</i>  34 CFR Part 99 I.C. § 33-133  I.C. § 33-209  I.C. § 33-6001 I.C. § 32-717A	Family Education Rights and Privacy Act (FERPA) Implementing FERPA Idaho Student Data Accessibility, Transparency, and Accountability Act – Definitions - Student Data – Use and Limitations - Penalties Attendance at Schools - Transfer of Student Records -- Duties Parental Rights Divorce Actions - Parents’ Access to Records and Information

Policy History:

Adopted on: July 2012

Revised on: June 17, 2014; January 13, 2016; January 16, 2020; September 16, 2021;  
November 16, 2023

Reviewed: May 2014; June 21, 2017; June 18, 2020

## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3570P Maintenance of Xavier Charter School Student Records**

Xavier Charter School shall maintain a record for each student that may contain information, including but not limited to the items listed below, if Xavier Charter School has created or received such information. Items 1 through 7 must be included:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Special education records (maintained pursuant to IDEA requirements);
14. Verified reports or information from non-educational persons;
15. Verified information of clear relevance to the student's education;
16. Log pertaining to release of student's record; and
17. Disciplinary information.

The information described above shall be maintained in student records permanently. Other content of the student record shall be maintained for a period of **at least seven** years after a student graduates or permanently leaves Xavier Charter School, except for those records for which longer retention is required.

Special Education Records shall be maintained in accordance with then-applicable special education laws, as such may change from time to time.

Xavier Charter School's public records custodian, in conjunction with the Head of Schools and/or 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 and/or designee.

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 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 15 school days of Xavier Charter School's receipt of such a request unless state or federal law specifically provides another length of time.

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 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, Xavier Charter School shall enter into a written agreement when designating anyone other than its employee as its authorized representative. Xavier Charter School 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 copy of the consent form will be kept in the records, and one copy shall be mailed to the parent or eligible student by the Head of Schools and/or designee. 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 and/or designee or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.
10. Prior to the release of any records or information under items 6, 7, 8, and 9 above, 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. Grade level;
- 3. Parents'/guardians' names and addresses;
- 4. Academic awards, degrees, and honors;
- 5. Information in relation to Xavier Charter School-sponsored activities, organizations, and athletics;
- 6. Major field of study; and
- 7. 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

Parents/guardians may challenge the accuracy, relevancy, or propriety of the records, except for grades and references to expulsions or out-of-school suspensions if the challenge is made when the student's 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

Reviewed on: June 21, 2017; June 18, 2020

Revised on: September 16, 2021; December 16, 2021; May 19, 2022; November 16, 2023

## 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 and/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 Superintendent 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.

<b>Cross References:</b>	3570 3570P	Student Records Maintenance of Xavier Charter School Student Records
<b>Legal References:</b>	20 USC § 1232g 34 CFR 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

Reviewed on: June 21, 2017; June 18, 2020

Revised on: June 10, 2023

## 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 and/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 and/or designee, 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 they 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 References:** 20 USC § 1232g, *et seq.* Family Education Right to Privacy Act (FERPA)  
34 CFR Part 99 Implementing FERPA

##### Policy History:

Adopted on: July 2012

Reviewed on: June 21, 2017; June 18, 2020

Revised on: January 16, 2020; June 10, 2023

## **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

Reviewed on: June 21, 2017; June 18, 2020; June 10, 2023



## **Xavier Charter School**

### **STUDENTS**

#### **Policy: 3620 Transfer of Student Records**

##### Receiving School

Within 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 10 days after receipt of a written or electronic request, except as provided in 3610—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 and/or designee of the receiving school.

<b>Cross References:</b>	3570	Student Records
	3570P	Maintenance of Xavier Charter School Student Records
	3610	Records of Missing Children
<b>Legal References:</b>	I.C. § 18-4511	School Duties—Records of Missing Child—Identification Upon Enrollment—Transfer of Student Records
	I.C. § 33-209	Attendance at Schools - Transfer of School Records - Duties

##### Policy History:

Adopted on: July 2012

Revised on: June 21, 2017; January 16, 2020; June 10, 2023

Reviewed on: June 18, 2020