

JOINT SCHOOL DISTRICT No. 365



Bruneau - Grand View Joint School District No. 365
School Facilities 9409

Permission to Carry Concealed Firearms on School Property

The Bruneau - Grand View School District is committed to providing a safe environment for students and staff members. In furtherance of this goal, the Board may designate District employees written permission to possess firearms and ammunition. Superintendent determined that certain administrators, and other staff members approved by the school board & Superintendent, should be trained in order that they might act as the initial line of defense.

Pursuant to its authority under Idaho Code Title 18 (18-3302D) (f) Notwithstanding the provisions of section 18-3302C, Idaho Code, a person or an employee of the school or school district may be authorized to carry a firearm with the permission of the board of trustees of the school district or the governing board.

The protective function of an armed employee is to be able to respond to violent threats in a manner consistent with District training in order to maintain the safety and security of district students and staff until law enforcement arrives. Firearms will be used in such responses *only* to prevent or respond to imminently-life-threatening situations.

The district recognizes that in compliance with state and federal law and, if the Board grants written permission for a Bruneau - Grand View employee to possess a firearm and ammunition on school property, the Board does so within the scope of its duties and pursuant to this policy (9409) as approved by the Board of Trustees.

The following provides procedures to Bruneau - Grand View School District, school personnel and the administrators who oversee personnel, for the carrying of firearms and the use of force.

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DEFINITION OF TERMS

SCHOOL PERSONNEL

Staff hired by the Bruneau - Grand View School District, paid to perform a duty.

NECESSARY

Means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to stop or prevent an imminent threat.

FIREARM (I.C. 18-3302)

Any weapon that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

AMMUNITION

Any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm with a deadly consequence. "Ammunition" does include blanks.

ENHANCED CONCEALED CARRY WEAPON PERMIT (CCW) (I.C. 18-3302)

A valid, current permit to carry a concealed firearm issued by the State of Idaho.

BODILY INJURY/HARM

Physical pain or injury or an impairment of physical condition.

GREAT BODILY HARM

Bodily injury which creates the probability of death or causes significant serious permanent disfigurement or loss or impairment of any part of an organ.

PHYSICAL FORCE

Intentional application of force through the use of physical contact. This definition includes counter joints, hitting, kicking, and the use of OC/pepper spray, or any other use of force that results in injury or complaint of injury. This does not include routine handcuffing and escort techniques, not amounting to the conditions above.

DEADLY FORCE

Means the intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.

Use of deadly force must be justified as set out in I.C. 19-201-203. This specified use of force requires a report to law enforcement. Any use of force that escalates the behavior of the intended person or any use of force described in I.C. 19-201 through 19-203 will require a report to be written and submitted to the superintendent or their designee. The superintendent or their designee will then report the matter to law enforcement.

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DEADLY WEAPON

Any explosive, firearm (loaded or unloaded), any other instrument, device, article, or substance, including vehicles, and personal weapons such as hands and feet which under circumstances of its use, is readily capable of causing death or substantial bodily harm.

SCHOOL PROPERTY

All property owned and operated by the Bruneau - Grand View School District may also include, by definition, school activities that are sponsored by Bruneau - Grand View School District and held off-campus in a neutral location, such as a field trip. This does not include other school campuses. School property includes the use of school-owned transportation, such as yellow buses. It is the responsibility of the school personnel to know and determine whether or not the firearm is allowed at the destination prior to leaving for such a destination. Firearm(s) may NOT be left in the school-owned transportation. For the purpose of this policy (9409), school property does not include housing rental properties owned by the district, occupied by employees.

PERSONS AND QUALIFICATIONS

All school personnel that carry firearms authorized by the school board and district shall undergo an extensive background check that includes fingerprinting and psychological screening by the trainer. The Bruneau Grand View School District shall bear the cost of these screenings. Any school personnel hired by the Bruneau Grand View School District that will be engaged in school security activities must qualify and be in possession of an enhanced concealed weapons permit (or a Law Enforcement equivalent or higher) prior to performing job duties that require him or her to carry a firearm while on school district property.

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USE OF FORCE

Use of Force policy will be reviewed annually, and the district may decide to test staff on their knowledge of the policy.

The Bruneau Grand View School District recognizes that school personnel, especially those engaged in school security activities, may be confronted with circumstances where control must be exercised to restrain individuals who pose harm to themselves or others, to quell disturbances, or to effect protective custody detainment. Whenever reasonably possible, the decision to use physical force to gain compliance will follow verbal persuasion, advisement, or warning. This policy (9409) is intended to guide school personnel in their decision to use reasonable force and to consider alternative methods in the application of that force. The reasonableness of the force applied shall be evaluated against the facts and training of the individual, provided by the district, at the time the force is applied. Staff authorized to use force under Policy 9409 will receive guidance in verbal de-escalation techniques, as well as mental awareness and the legal implications of the use of deadly force.

WHEN FORCE MAY BE USED

Physical force is necessary only when other means of defense, restraint, removal, or disarmament would likely be ineffective after such other means have been attempted and were ineffective.

Examples of force that could be reasonable and necessary include, but are not limited to the following:

- Using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury and/or great bodily harm to any person.
- Using reasonable and necessary force to obtain possession of a weapon or other dangerous object within a person's control.
- Using reasonable and necessary force for the purpose of self-defense or the defense of others who are at risk of imminent danger at the hands of another.

USE OF FORCE CONTINUUM

LEVELS:

1. VERBAL COMMUNICATION

The use of verbal skills, to include commands, can achieve the desired results in most social disturbances. Proper communication can de-escalate a tense situation and deter the need for physical intervention. Use of force beyond verbal communication must be justified.

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2. PHYSICAL INTERVENTION

Situations arise where words alone do not resolve a conflict. Physical force/bare hand contact to guide, direct, hold, restrain, or defend are necessary at this level. Holds may be applied to restrain aggressive individuals and control a potentially violent situation.

3. CITIZEN'S ARREST (IC 19-604)

When a school employee observes a Felony being committed in his/her presence and there is reasonable cause for believing the person to be detained or arrested for having committed it.

4. DEADLY FORCE

Use of deadly force must be justified as set out in I.C. 19-201 through 19-203.

19-201. **LAWFUL RESISTANCE.** Lawful resistance to the commission of a public offense may be made: By the party about to be injured.

19-202. **RESISTANCE BY THREATENED PARTY.** (1) Resistance sufficient to prevent the offense may be made by the person about to be injured:

(a) To prevent an offense against his person, or his family, or some member thereof; or

(b) To prevent an illegal attempt by force to take or injure property in his lawful possession. A person acting pursuant to this section may use such degree and extent of force as would appear to be reasonably necessary to prevent the threatened injury.

19-203. **RESISTANCE BY OTHER PARTIES.** Any other person, in aid or defense of the person about to be injured, may make resistance sufficient to prevent the offense.

CARING FOR INJURED DUE TO USE OF FORCE

Any use of force on behalf of school personnel engaged in school security activities where injury results will summon appropriate professional medical attention immediately. This will cause a report to be made and law enforcement will be called by school administration for potential law enforcement investigation depending on the severity of the injury.

USE OF FORCE REQUIRES A REPORT

Any use of force that escalates the behavior of the intended person or any use of force that requires a staff member to place their hands upon a student or adult, other than to escort said person, will require a report to be written and submitted to the superintendent or their designee. The use of force that can be interpreted as assaultive behavior or results in injury, substantial or great bodily harm and possibly death will require a report to be made and mandatory notification of law enforcement for investigation.

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DISTRICT EMPLOYEE POSSESSION OF FIREARMS AND AMMUNITION

Employees who are interested in carrying a firearm and ammunition while on school property, and who are aware of and understand the consequences of the risks involved in carrying a firearm and ammunition on school property, may apply in accordance with Board Policy. Permission to carry firearm(s) and ammunition on school property is a privilege, not a right, and no notice or due process is owed upon the revocation of such privilege. Revocation may be implemented by the Superintendent at any time.

If approved to carry a firearm on school property, it is the expectation that the staff will consistently do so each day as is safe and reasonable, given the activities of the school day. Through this policy, the Superintendent or District designee is also authorized to indicate to personnel that a particular event, activity, or program should not involve the carrying of a firearm(s) and/or ammunition.

Participation in Policy 9409 is optional for individual employees of the district. Likewise, the district reserves the right to preclude individual employees from participating, for any reason, or for no reason. Participation is voluntary and not subject to specialty pay or benefits beyond what is offered under the current contract for their current position with the school district.

The Board may exercise its discretion to grant written permission to a district employee to possess a firearm and ammunition on school property and in transportation vehicles (i.e., all real property, facilities, buildings, fields, and parking lots, belonging to the district) who meet all of the appropriate criteria. All firearms will be kept in good working order.

The Board may grant or deny permission in its sole discretion for any reason, and the decision is final - these decisions will be made in the executive session of a board meeting, and the names of those granted permission will not be made public. The district reserves the right to rescind permission to carry a firearm and ammunition at any time, for any reason or for no reason. The Superintendent may revoke permission to possess firearms and ammunition on school property at any time by verbal or written notice to the individual granted permission. Any verbal notice will be followed by written notice to the individual within 72 hours.

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FIREARMS AND HOLSTERS

TYPES OF FIREARMS

Any handgun used in school security activities must meet the following criteria:

- Solid frame, double action revolvers of .38, 38+P or .357 caliber with at least a 1.75-inch barrel.
- Semi-auto pistols, either single or double action .380, 9mm .40 or .45 caliber; Smith & Wesson, Beretta, Sig Sauer, Glock, H&K, Springfield, Kimber, Colt, or a similar handgun that is approved and used by the local law enforcement agency or sheriff's office, the barrel length: minimum of 2.5 inches.

Modified guns are not approved for use in school with the exception that firearms carriers may replace grips or grip modules and add, replace, or adjust the sights, to include adding an optical (red-dot or night sights) sight compatible with any factory optics cuts on the slide of the firearm (if applicable) No modification to the action or trigger of a firearm is permissible.

All firearms will be inspected by the Superintendent or board-appointed designee at least once annually, and upon request, to ensure they meet the specifications listed above.

TYPES OF HOLSTERS

Carry holsters will meet retention level I or higher and be worn under garments that fully cover the firearm and holster. Open carry will not be permitted.

Approved staff shall carry their firearm and any spare ammunition concealed at all times by their garments. Firearms shall be carried in a manner consistent with the required training and completely out of sight from the public view.

AMMUNITION

Only factory-loaded jacketed hollow-point (JHP) or frangible ammunition will be permitted in firearms authorized to be on school property. Ammunition is approved by the Superintendent or board-appointed designee. Ammunition meeting Policy 9409 standard will be purchased by the district and issued to be used while approved concealed carry staff are at work. Hand or reloaded ammunition is not permitted.

DISCHARGE OF FIREARMS

The discharge of a firearm falls into either an intentional or accidental category of event. Intentional discharge will occur either during qualification/training or in the line of duty. Any intentional or accidental discharge of a firearm on a school campus, within any building or school sponsored activity, will require reporting of the incident to law enforcement. Discharging a firearm at the shooting range during training and qualification is exempt from the reporting requirement.

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TRAINING

Any person approved to carry a firearm on school property under Policy 9409 shall at minimum receive training in, and understand all facets regarding use of force, and of reasonable and necessary force. Initial training in these topics is received during the required Idaho Enhanced Concealed Course. At any time, the Board may require additional training.

Only those who have obtained and maintain a current Enhanced Concealed Carry Weapons Permit in accordance with state law are eligible to be considered to apply to possess a firearm on school property under this policy 9409.

The Board & Superintendent will evaluate and determine the acceptability of each person's qualifications to perform the duties that may be required in the event of a life-threatening situation. The Bruneau Grand View School District will bear the cost of screenings and ongoing training for the purposes of this policy (9409). Costs include up to \$150 annually (per approved staff) for ammunition reimbursement, when used to maintain and increase proficiencies developed in the district-provided training exercises.

The school district will keep a copy of each approved staff's current Enhanced concealed carry weapons license in a secured area at the district office, though NOT in the employee's personnel file.

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APPLICATION PROCESS

1. Application:

- A. An employee will submit a completed and signed "District Possession of Firearms and Ammunition Application."
- B. It will include a "Letter of Application" stating their motivation for and commitment to participate as a District's "Concealed Carry" employee and their background and experience with firearms.

2. Preliminary Review Process:

- A. The Superintendent will conduct the initial screening of applications. Factors that the Superintendent will consider include, but are not limited to:
 - i. Length of employment
 - ii. Employee discipline record
 - iii. Employee evaluations
 - iv. Employee past and present conduct, on and off school property
 - v. Employee experience, training, and qualification with firearms - reviewed and verified in application process.
- B. The Superintendent will bring to the Board, in executive session the employee's application in order to review the following documents:
 - i. "District Possession of Firearms and Ammunition Application"
 - ii. "Letter of Application"
 - iii. Proof of a valid and current Enhanced Conceal Carry Weapon Permit issued by the State of Idaho
 - A photocopy of the Enhanced Conceal Carry Weapon Permit to be placed in the district's Policy 9409 secured location at the district office.
- C. Factors that the Board will consider include, but are not limited to:
 - i. Length of employment
 - ii. Employees past and present conduct, on and off school property.
 - iii. Employees experience, training, and qualification with firearms - reviewed and verified in application process.

3. Secondary Review Process:

- A. Face to Face Board Review - The applicant will meet with the Board and the Superintendent. A representative of the Owyhee County Sheriff's Office (or designee) at the board's request.

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- B. The Board will deny a candidate or recommend the candidate for the initial training session(s) - participation in the initial training does not guarantee approval to carry a firearm on school grounds.
- 4. Firearm and Tactical Training:
 - A. Employees will participate in and pass an Idaho Enhanced Concealed Carry class. Upon proof of completion and passing of the class, the district will reimburse employees for the cost of the course registration.
 - B. At the end of the initial training, with the input of the training providers, the Board will deny or approve (in executive session) the employee's request to conceal carry.
- 5. If approved, prior to bringing a firearm onto the district's property the employee will:
 - A. Submit to the District the make, model, and serial number(s) of the firearm(s) that will be concealed carried - no firearm may be concealed carried that is not recorded.
 - B. Complete and submit the districts "Firearms and Ammunition Possession Agreement."
 - C. Provide firearms and ammunition to the Superintendent or board-appointed designee for inspection and review at least once annually and upon request.
 - D. Failure to allow for firearm or ammunition inspection will result in immediate revocation of the employee's authorization to conceal carry a firearm and/or ammunition on school property.
- 6. Additional training for subsequent years
 - A. Annual Training will be conducted, paid for, and provided by the Bruneau Grand View School District.
- 7. Each Additional Year
 - A. The employee submits a request to continue to conceal carry on District property.
 - E. The Board will review the employees' request in an executive session to continue to conceal carry on District property.
 - i. The Board will either deny or approve the request.
 - F. The employee shall be required to provide updated documentation as to permits/licenses as appropriate.
 - G. The Superintendent or board-appointed designee shall inspect the firearm and ammunition prior to re-approval by the board.

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APPLICATION FOR CONCEALED CARRY OF FIREARM AND AMMUNITION ON SCHOOL PROPERTY

Please complete all sections of this application completely and attach Letter of application. Incomplete applications will not be processed. Return a copy of your completed application to the Superintendent.

Identifying Information

Name:

CCW #:

Job Title:

Phone #:

Have you ever been charged or convicted, pled guilty or received a withheld judgment for a felony or misdemeanor offense?

Yes ____ No ____ If yes, please explain.

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Rationale

Please explain your motivation to participate in Conceal Carry

Please explain your background, training, and experience in using firearms

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Acknowledgment

I understand that by submitting this application I am certifying under penalty of perjury that the information provided is accurate and all documents attached are true and correct copies of the original. I understand the consequences and risks involved with making this commitment to conceal carrying a firearm and ammunition on school district property. Further, I understand that the district may grant or deny my request to carry firearms and/or ammunition on school property for any reason or no reason at all.

Printed Name:

Signature:

Date:

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Bruneau - Grand View School District Firearms and Ammunition Possession Agreement

The following information is provided to notify employees regarding the acceptable ways in which firearms and ammunition may be used and carried on school property of the Bruneau - Grand View JSD #365 ("District"). The district permits, consistent with applicable Federal Law, State Law and District Policy, the possession of firearms by responsible employees to protect the district students and staff.

The purpose of this Firearms and Ammunition Possession Agreement ("Agreement") is to provide for the safe and appropriate possession of firearms on school property (as defined below)

DISTRICT RIGHTS

It is the policy of the district to maintain an environment that promotes safety and responsible conduct by all employees, students, patrons, guests, vendors, parents, etc. It shall be a violation of this agreement for any person to engage in any activity that does not conform to the established purpose and general rules and policies of the district with respect to the carrying of a firearm and ammunition on school property. Persons granted permission to carry on school property or at school activities a firearm and/or ammunition have no expectation of privacy with respect to the firearm they are carrying, the manner in which it is carried, or their CCW when on school property or at school activities. Any person given authority to carry a firearm on school property must allow inspection of the firearm, the means by which it is being carried, and their CCW upon request of the Superintendent (or board-appointed designee). The district reserves the right to revoke permission to carry a firearm or ammunition on school property at any time at the sole discretion of the Superintendent, for any reason. Notice of revocation may be given verbally and later in writing in accordance with applicable policy and regulations - at the time verbal notice is provided, the employee must leave school property with the firearm. The district reserves the right to require an additional background check at the sole discretion of the Board or Superintendent for any reason at any time.

EMPLOYEE RESPONSIBILITIES

Permission to carry a firearm and ammunition on school property is contingent on the undersigned's completion of a training course designated by the Board and a recommendation from the trainer, the Superintendent, and the School Board. Permission to carry a firearm and ammunition on school property is contingent on the undersigned's completion of any training program required by the district's workers' compensation, liability, or insurance carrier. Permission to carry a firearm and ammunition on school property is contingent on the undersigned's possession of a CCW.

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The undersigned is responsible for knowing and following all District policies, rules, and regulations regarding the use and possession of firearms and ammunition on the district's property or permitted district activities. The undersigned is responsible for knowing and following all federal and Idaho laws and regulations regarding the use and possession of firearms and ammunition.

RESTRICTION ON FIREARMS POSSESSION BY DISTRICT EMPLOYEES

All firearms (provided by the individual) and ammunition must be possessed so that they are fully concealed upon the person at all times and tightly secured to the person's body using an approved holster. All firearms must be carried in an approved holster (provided by the individual) worn inside the pants, around the chest/upper body or on the hip, during the school day (per the Concealed Carry guidelines). Level I or greater holsters may include ankle holsters. No firearms or ammunition will be left on school property when school is not in session. Failure to keep the firearm or ammunition concealed, directly on one's person or leave a firearm or ammunition on campus when school is not in session will result in disciplinary action which may include revocation of authorization to conceal carry on school property. A firearm may only be discharged or brandished on District property in self-defense or in defense of others, and in compliance with Idaho and Federal law. It is prohibited to clean, disassemble or demonstrate any part of the firearms to any person, other than the Superintendent or board-appointed designee, while on school property. Failure to follow any part of the district's "Carry Concealed Firearms" policy (9409) will result in disciplinary action which may include immediate revocation of authorization to conceal carry on school property.

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ACKNOWLEDGEMENT OF RECEIPT AND AGREEMENT

I acknowledge that I have received, read, understood, and will comply with the District's Acceptable Firearms and Ammunition Use Agreement and Bruneau Grand View School District board policy #9409.

I understand that any violations of the District's Acceptable Firearms and Ammunition Agreement may be grounds for disciplinary action, up to and including revocation of authorization to conceal carry on school property. I understand that conduct which violates additional Bruneau Grand View School District policy, state law and/or the Code of Ethics for Idaho Professional could result in additional disciplinary action as appropriate. Educators understand that a signed copy of the District's Acceptable Firearms and Ammunition Use Agreement will be placed in a secured location in the school district office.

I understand that, if granted permission to carry a firearm and ammunition on school property it will be reviewed at least annually. I understand and agree that should the Superintendent or board-appointed designee ask to see my firearm or ammunition, at any time, I will comply with such a request in a secure location away from the view of other staff or students. I further consent to the Superintendent or board-appointed designee confiscating any firearm or ammunition if they believe such action to be in the best interest of the district, with the understanding that at a subsequent date such firearm and/or ammunition will be returned to myself or a designee on my behalf.

I understand that the district reserves the right to revoke this permission at any time. My signature below indicates my knowing of and voluntary acceptance of all the terms of this agreement.

Make/Model of Approved Firearm (s): _____

Serial Number(s) of Approved Firearm(s): _____

Print Name

Signature

Date

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BOARD'S WRITTEN PERMISSION TO CARRY FIREARM AND/OR AMMUNITION

The Board of the Bruneau - Grand View JSD #365 grants written permission to the following individual, whose name appears on the signature line below, to carry a loaded firearm and ammunition on school grounds in accordance with BGV policy 9409.

Acknowledgement of Receipt and Agreement, to carry an approved firearm and ammunition on the school property of Bruneau - Grand View JSD #365. This grant of permission is conditioned on compliance at all times with all applicable Idaho laws, school board policies (including this BGV board policy 9409), and the terms of this agreement. The district reserves the right to revoke this permission at any time.

Board Chair Printed Name

Signature

Date

Superintendent Printed Name

Signature

Date

Policy History Adopted on: 07/10/2018.

Revised on: 09/11/2018, 11/8/2023,