

Neither this school district nor any teacher will have a duty to warn of a student's suicidal tendencies absent the teacher's knowledge of direct evidence of such suicidal tendencies.

"Direct evidence" is defined as evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact. Direct evidence includes unequivocal and unambiguous oral or written statements by the student which would not cause a reasonable teacher to speculate regarding the existence of the fact in question. Direct evidence does not include equivocal or ambiguous oral or written statements by a student which would cause a reasonable teacher to speculate regarding the existence of the fact in question.



LEGAL REFERENCE:

Idaho Code Section 33-512B

Brooks v. Logan, 903 P.2d 73 (Idaho 1995)

ADOPTED: April 13, 2004

AMENDED: