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## STUDENT DISCIPLINE

### **Board of Trustee's Directive**

The Board of Trustee's recognizes that student discipline is essential to further the educational process and provide an environment conducive to learning. The Board authorizes the Administration to take appropriate action to preserve order among the students and staff and to protect school property. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about District schools, property, or activities shall be dealt with in accordance with District policy and the law. (See [Utah Code §53A-11-901](#))

### **Dangerous or Disruptive Conduct**

The following conduct is defined as "dangerous or disruptive conduct" and is prohibited on school property, at school-sponsored activities, or while traveling in school-funded or school-dispatched vehicles.

1. Possessing (regardless of intent), using, selling or attempting to possess, use or sell any firearm, weapon, knife, explosive device, noxious or flammable material, firework, chemical weapon (i.e. mace, pepper spray), martial arts weapon or other instrument including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.
2. Causing, or attempting, threatening or conspiring to cause damage to personal or real property, or causing or attempting, threatening or conspiring to cause harm to a person through:
  - a. Possession or distribution of drugs or alcoholic beverages.
  - b. Harassment – repeatedly communicating to another individual, in a demeaning or disparaging manner, statements that contribute to a hostile learning environment of the student.
  - c. Retaliation – means an act or communication intended as retribution against a person for reporting bullying or hazing, or to improperly influence the investigation of, or the response to, a report of bullying or hazing.
  - d. Sexual harassment or fabrication of sexual harassment charges with malicious intent to defame character.

- e. Arson—the willful and malicious destruction of any part of a building or its contents or occupants by use of fire or explosive.
  - f. Burglary—breaking, entering or remaining in a structure without authorization during the hours when the premises are closed to students.
  - g. Theft/Larceny/Stealing—the intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another.
  - h. Criminal Mischief—willful or malicious injury or damage in excess of \$300 to public property or to real or personal property belonging to another.
  - i. Battery—the unlawful and intentional touching or striking of another person against his or her will.
  - j. Assault—placing another person in fear or apprehension of a harmful or offensive touching, whether or not a touching is actually intended.
3. Vandalism—willfully defacing, cutting, marring, injuring, damaging, or losing school or staff property. Student(s) may not participate in graduation exercises until the student or the student's parent(s)/guardian has paid for the damage or made appropriate restitution.
4. Gang-related Activity—dangerous or disruptive activity, which may include but is not necessarily limited to the following:
- a. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang;
  - b. using a name which is associated with or attributable to a gang; or
  - c. designating turf or an area for gang activities, occupation, or ownership.
  - d. physical confrontation with gang overtones will be referred to the Board of Trustee's
5. Bullying—aggressive behavior that is intentional and that involves an imbalance of power or strength. A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more students.
- (1) physical bullying: hitting and/or punching
  - (2) verbal bullying: teasing or name calling
  - (3) non-verbal or emotional bullying: intimidation through gestures, social exclusion and relational aggression
  - (4) cyber-bullying: sending insulting, threatening or harassing messages by phone or computer, or electronic messaging
    - a. Involvement in any activity which violates federal, state or local law or regulation, disrupting normal school proceedings, or causing, or attempting, threatening or conspiring to cause other students to violate federal, state or local law or regulation or to disrupt school proceedings, or attempting, threatening or conspiring to do any of these. These activities include, but are not limited to: extortion, forgery, lewdness, and distributing obscene materials.
6. Students with prior knowledge of dangerous or disruptive behavior have the duty to report such behavior to school administration. Students that fail to report such behavior

are subject to appropriate disciplinary sanctions. False reports of bullying, cyber-bullying, harassment, hazing, or retaliation is prohibited.

### **Due Process Procedures and Disciplinary Action**

Due process is an administrative procedure followed when continued attendance of a student is in question. Fairness and reasonableness in disciplinary actions are to be maintained in all proceedings.

1. The following disciplinary actions shall be taken in response to any serious violation which threatens or does harm to school property, to persons associated with the school, or their property, that involves the possession, control, use, or threatened use of a real or look-alike weapon, explosive, noxious or flammable material, with intent to intimidate another person or to disrupt normal school activities, regardless of where it occurs ([USC §53A-11-904\(1\) \(3\)](#)):
  - a. Immediately suspend the student from school.
  - b. As soon as possible following the incident, an administrator shall investigate and schedule a conference with the student and parent(s)/guardian.
  - c. The school administration recommends a disciplinary sanction and interventions consistent with similarly situated students committing a similar violation of the code of conduct. Should the disciplinary sanction include a removal from school for more than ten days, or a change of location, such sanction must be approved by the Board of Trustees prior to imposing the sanction.
  - d. The parent(s)/guardian shall be notified of the student's right to a due process hearing.
2. The following actions will be taken for other violations of this policy:
  - a. Immediately remove the student from the scene of the violation.
  - b. As soon as possible following the incident, a school administrator shall investigate and document the charges and schedule a conference with the student involved. At this conference, the student may be suspended pending the informal parent conference.
  - c. If the issue cannot be immediately resolved, a school administrator shall invite the parent(s)/guardian to an informal conference where information can be presented on behalf of the student.
    - (1) This informal conference shall take place at the first reasonable opportunity. In most instances, this conference should take place within three school days of the incident.
    - (2) At the informal conference, the charges shall be explained and supporting evidence reviewed.
3. INTERVENTIONS  
Referral to:
  - (1) anger management/self-discipline classes;
  - (2) court/ law enforcement agency;
  - (3) school guidance specialist; or
  - (4) Division of Family Services, Child Protective Services or other agency.
  - a. SANCTIONS
    - (1) behavior contract;
    - (2) community or school service;
    - (3) inter-class timeout;
    - (4) in-school suspension;
    - (5) lunch/after-school detention;

- (6) restitution for damage/harm;(8) alternative placement
- (7) parent/guardian attending class with student (requires teacher permission)

b. SUSPENSION

(1) Short-term suspension less than or equal to 10 days

(a) One to two days suspension: makeup homework shall be made available to students upon return to school. Students will be given one week to complete the assignments and turn them in to the teacher.

(b) Three to less than or equal to 10 days suspension: parents can make arrangements for makeup work during the suspension period.

(2) Long-term suspension to a hearing with Board of Trustee representatives- (suspension from all school services and activities, including receiving homework).

(3) Students serving a suspension from school are prohibited from being on school property and participating in school-sponsored activities.