

STUDENT DISCIPLINE POLICY 5200
(INCLUDING SAFE SCHOOL POLICY)

I. Purpose

The purpose of the policy is to foster a safe, positive environment for learning by teaching the practice of self-discipline, citizenship skills, and social skills.

II. Prohibited Conduct and Related Discipline

Prohibited conduct is forbidden at school, on school property, including school vehicles, and at any school activity. A serious violation that threatens or harms a school, school property, a person connected with school, or property associated with a person connected with school is forbidden regardless of where it occurs.

A. A student **WILL** be removed from school **for at least 1 year** for a serious violation involving the following:

1. A real weapon or
2. Explosive or flammable material or
3. Actual or threatened use of a look alike weapon with intent to intimidate or cause disruption.

Exceptions may be made on a case by case basis through the Superintendent's office.

B. A student **WILL** be removed from school for the following:

1. Possession, control, actual or threatened use of a real weapon, explosive, noxious, or flammable material;
2. Actual or threatened use of a look alike weapon with intent to intimidate or cause disruption;
3. The sale, control or distribution of a drug, controlled substance, imitation controlled substance, or drug paraphernalia;
4. Using or threatening to use serious force;
5. The commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor; or
6. A serious violation of Section II C affecting a student or staff member.

C. A student **MAY** be removed from school for the following:

1. Willful disobedience or violating a school or district rule;
2. Defying authority;
3. Disruptive behavior;
4. Foul, profane, vulgar, or abusive language;
5. Defacing or destroying school property;
6. Truancy;
7. Theft;
8. Posing a significant threat to the welfare, safety or morals of a student, school personnel, or the operation of the school;

9. Fighting;
10. Bullying,* defined as intentionally or knowingly committing an act that is done for the purpose of placing a school employee or student in fear of physical harm to the school employee or student or harm to property of the school employee or student.
11. Hazing,* defined as intentionally or knowingly committing an act that is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event.

Acts of bullying or hazing may include:

- (a) endangerment to the physical health or safety of a school employee or student;
- (b) any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements to a school employee or student;
- (c) forced or unwilling consumption of any food, liquor, drug, or other substance by a school employee or student;
- (d) any forced or coerced act or activity of a sexual nature or with sexual connotations such as asking a student to remove articles of clothing or expose or touch private areas of the body;
- (e) other physical activity that endangers the physical health and safety of a school employee or student; or
- (f) physically obstructing a school employee's or student's freedom to move.

* Regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.

12. Cyberbullying, defined as the use of e-mail, instant messaging, chat rooms, pagers, cell phones, or other forms of information technology to deliberately harass, threaten, or intimidate someone for the purpose of placing a school employee or student in fear of physical harm to the school employee or student; or harm to property of the school employee or student.
13. Possessing, using, controlling, or being under the influence of alcohol, a drug, an imitation drug, drug paraphernalia, or misusing any substance;
14. Possessing or using tobacco;
15. Inappropriate exposure of body parts;
16. Taking or sharing of obscene, pornographic, lewd, illegal, or otherwise inappropriate images or photographs. Violations will be referred to law enforcement.
17. Sexual or other harassment (including, but not limited to, behavior intended to cause harm or distress in a relationship, especially if repeated over time);
18. Gang-related attire or activity;
19. Retaliation against a school employee or student for the reporting or investigations of any behavior outlined in Sections II A, B, and C above; or
20. Making false allegations against a school employee or student.

The decision to remove or to discipline in some other way is made by the site administrator based on all the circumstances.

- D. The type and length of discipline is based on factors such as previous violations, severity of conduct, and other relevant educational concerns.
- E. When appropriate, students will be placed on remedial discipline plans.
- F. School personnel may use reasonable physical restraint, if necessary, to protect a person or property from physical injury or to remove a violent or disruptive student.
- G. If damage or loss of school property occurs, official report cards, diploma, and transcripts may be withheld until payment for the damage is received or the lost property is recovered.

III. Habitual Disruptive Behavior

A. Definitions

Qualifying minor means a school-age minor who is at least 9 years old or turns 9 years old at any time during the school year.

Disruptive behavior means behavior outlined in Sections II A, B, and C above.

B. Notice of Disruptive Student Behavior

1. A Notice of Disruptive Student Behavior may only be issued to a qualifying minor.
2. A Notice of Disruptive Student Behavior may only be issued by a school administrator or a designee.
3. A Notice of Disruptive Student Behavior shall be issued when the student has:
 - (a) engaged in disruptive behavior (that does not result in suspension or expulsion) 3 times during the school year; or
 - (b) engaged in disruptive behavior that results in suspension or expulsion once during the school year.
4. A Notice of Disruptive Behavior requires that the student and parent meet with school authorities to discuss the disruptive behavior.
5. The student and/or parent may contest a Notice of Disruptive Student Behavior in the following manner:
 - (a) If the notice is written by an assistant administrator or other designee, the appeal is made to the principal;
 - (b) If the notice is written by the principal, the appeal is made to the district coordinator assigned to that school.
6. A school representative shall provide to the student's parent a list of resources available to assist the parent in resolving the student's disruptive behavior problem.

7. The school shall establish procedures for a school counselor or other designated school representative to work with a student in order to attempt to resolve the student's behavior problem before the student becomes subject to the jurisdiction of the Juvenile Court.

C. Habitual Disruptive Student Behavior Citation

1. The Habitual Disruptive Student Behavior Citation may only be issued to a student who has received a Notice of Disruptive Student Behavior and:
 - (a) engages in disruptive behavior (that does not result in suspension or expulsion) at least 6 times during the school year;
 - (b) engages in disruptive behavior that does not result in suspension or expulsion at least 3 times during the school year and engages in disruptive behavior that results in suspension or expulsion, at least once during the school year; or
 - (c) engages in disruptive behavior that results in suspension or expulsion, at least twice during the school year.
2. A Habitual Disruptive Student Behavior Citation may only be issued by a District Coordinator.
3. The citation shall be mailed by certified mail to, or served on, the parent of the student.
4. A student to whom a Habitual Disruptive Student Behavior Citation is issued shall be referred to the Juvenile Court.
5. Within five days after the citation is issued, a representative of the school district shall provide documentation to the parent and the court of the efforts made by a school counselor or representative.
6. The District Coordinator will cooperate with the Juvenile Court in providing other information as needed, including but not limited to attendance, grades, and behavioral reports.

IV. Searches

- A. School personnel may search students, lockers, personal property, and vehicles parked on school property based on reasonable suspicion.
- B. School personnel may also conduct random searches that might include all lockers and other school property.

V. Suspension and Expulsion Defined

- A. Suspension is disciplinary removal from school with an offer of educational services.
- B. Expulsion is a disciplinary removal from school by the School Board for more than 10 school days without an offer of alternative educational service.

VI. Readmission and Admission

- A. If a student is removed from school under II A, readmission depends upon satisfactory evidence that the student will not be a danger to self, others, or school property.

- B. If a student is removed from school under II B or C, the student may be readmitted after the parent/guardian meets with school officials to make a plan to correct the behavior(s) and after the student completes both the days of suspension and any conditions imposed.
- C. The district may deny admission to a student who has been expelled from any school in the last twelve months.

VII. Due Process

- A. If a student is removed from school or otherwise disciplined under this policy, the student has the right to meet with the site administrator to tell his/her side of the story.
- B. If the site administrator recommends removal for more than 10 school days, a Weber District Student Services Coordinator will hear the case at the school with the student, the parent or guardian, the site administrator, and others as necessary. This hearing will be held within 10 school days of removal from school.
- C. If a student is removed from school for more than 10 school days, an appeal of the decision may be made in writing to Weber District Student Services within 10 school days of the decision. The parent or guardian is responsible to plan and to pay for any educational services not provided by the district during the suspension.

VIII. School Management Procedures

Each school shall establish school management plans in writing which include the following:

- A. School-wide expectations related to student self-discipline, good citizenship, and social skills.
- B. Effective instructional practices for teaching the expectations.
- C. Systematic methods for reinforcement of expected behaviors and uniform methods for correction of student behavior.
- D. Procedures to help and protect victims of behavior outlined in Sections II A, B, or C above, may include parental involvement, referral to counseling, and other available programs and sharing information as permitted under federal and state law.
- E. Procedures for promptly reporting to law enforcement all behaviors as described in Section II A, B, and C above that constitute criminal activity.
- F. Procedures allowing for anonymous reporting. Formal disciplinary action is not permitted that is based solely on an anonymous report of bullying, hazing, or retaliation.
- G. Defining who is responsible for taking, investigating, and responding to reports of behavior violations as described in Section II A, B, or C above.
- H. Making this policy available to the students and parents in registration materials or sent home annually. The policy will also be posted on the Weber School District Web site.

IX. Staff Development and Evaluation

Each school shall develop an annual process of evaluation, including student assessment and ongoing staff development and training related to school classroom management plans and their efficiency and effectiveness as outlined in Section VIII above.

X. Training

Individual schools will provide training and strategies for students and staff in the following:

- Overt aggression. Overt aggression may include physical fighting such as punching, shoving, kicking, and verbal threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior.
- Relational aggression. Relational aggression may include indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation.
- Sexual harassment. Prohibitions against bullying or hazing of a sexual nature or with sexual overtones.
- Cyberbullying. Cyberbullying may include use of email, web pages, text messaging, instant messaging, three-way calling or messaging or any other electronic means for aggression inside or outside of school.
- Intervention skills
- Social skills
- Adult supervision of students
- Bullying, hazing, and retaliation
- Provide for student assessment of the prevalence of bullying in school.

XI. Secondary Schools Extracurricular Programs (Athletics and Clubs)

- A. Through the district office, each new coach/advisor will participate in a bullying and hazing prevention training, with a refresher course every three (3) years.
- B. Each coach/advisor and student will sign the “Code of Conduct” form each year, which will prohibit bullying/hazing and give notice of consequences.
- C. The district will maintain a curriculum outline, schedule of teaching, and signatures of participants. Copies of this information will be provided to the Utah State Office of Education Law and Legislative Section upon request.
- D. Each school will develop a schedule to teach bullying and hazing prevention including the provisions of this policy to all students that participate in extracurricular activities (including clubs, groups, athletics, student government, cheerleading, and dance groups) with a notice of consequences. This will be taught at the beginning of each year.

XII. Students with Disabilities

If a student has a qualified disability, the site administrator will explain the separate procedures that may apply based on the procedural safeguards under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act.