

## FH-Student Discipline

### General Authority

If a particular type of conduct has the effect of disrupting the learning atmosphere, it should be subject to regulation. The Board possesses discretion in promulgating regulations for the proper conduct of students.

*Utah Code Ann. 53A-1-402(1)(b)(v)*

*Utah Admin. R. 277-609-3*

### Relation of school discipline rules to other policies.

Rules and procedures shall restrict corporal punishment and the use of reasonable and necessary physical restraint or force as set forth in these policies and pursuant to Utah Code Ann. S 53A-11-802. Policies shall include written procedures for the suspension and expulsion of, or denial of admission to, a student, consistent with due process and other provisions of law, including 53A-11-904 et seq. Moreover, all rules and procedures shall be consistent with all other policies of the Board, and all state statutes and federal laws governing school discipline, including 53A-11-902, 53A-11-903 and 504 of the Rehabilitation Act of 1974 (29 U.S.C. 794(a)).

*Utah Code Ann. 53A-11-902*

### Revising discipline rules.

In adopting or revising the District's rules and regulations, the school board shall solicit input from various interest groups at the school and in the community, including district employees, parents and guardians of students, and students.

*Utah Code Ann. 53A-11-901*

### Emergency Removals

Students may be removed from regular classes or District premises for nondisciplinary health, safety, and welfare reasons when the Board or its designee determines that an emergency exists.

Any student removed from school for any "emergency" reason who is in a condition that threatens his or her own welfare or the welfare of others shall be released to the student's parent or guardian, the parent's or guardian's representative, or other proper authority, including, but not limited to, law enforcement officers and medical personnel.

The District shall make reasonable efforts to notify the parent or guardian prior to removing a student from school premises for emergency reasons. If the parent cannot be notified prior to the removal, the parent shall be notified as soon as possible after the removal and the reasons for it.

### Students with Disabilities

Removal of a handicapped student for any of these reasons shall be used only in emergency situations and shall not exceed ten school days. Consecutive ten-day removals are prohibited, unless the Special Education Committee determines that the student poses an immediate threat to the safety of himself or others, or disrupts the safety of the learning environment. If the parents appeal the Special Education Committee's decision and refuse to permit a change in placement, the District may seek a court injunction to remove a dangerous handicapped student for more than ten consecutive days.

If emergency removals, suspensions, or removals to alternative education total 10 school days in a year, the Special Education Committee shall review the student's IEP, unless the discipline management portion of the IEP specifies otherwise.

### Teacher's Authority

A teacher may send a student to the Principal's office in order to maintain effective discipline in the classroom. The Principal shall respond by employing appropriate discipline management techniques.

A teacher may remove from class a student who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class. Not later than the third class day after the day on which the student is removed from the class, the Principal shall schedule a hearing to be attended by the Principal or the Principal's designee, a parent or guardian of the student, the teacher, and the student.

Following the hearing, whether or not all requested parties are in attendance after valid attempts to require their attendance, the Principal shall take one or more of the following actions:

1. Suspend the student for a period not to exceed six school days.
2. Place the student in an alternative education program.
3. Place the student back in the class.

If the student is removed by the teacher a second time within the same semester, the student may be returned to that class only by action of the Superintendent at the Principal's request. If the student is removed by the teacher a third or subsequent time within the same semester, the student may be returned to that class only by action of the Board at the request of the Superintendent.

### Corporal Punishment

A school employee may not inflict or cause the infliction of corporal punishment upon a child who is receiving service from the school, unless written permission has been given by the student's parent or guardian to do so. Such written permission shall be valid only if delivered by the parent

or guardian to the student's teacher or to the school administration, and shall be kept and maintained by the school administration.

*Utah Admin R 277-608*

*Utah Code Ann. 53A-11-802*

The term "corporal punishment" means the intentional infliction of physical pain upon the body of a student as a disciplinary measure. The term "child" means a person under the age of eighteen (18) or under the age of twenty-three (23) if the person is receiving educational services as an individual with a disability.

*Utah Code Ann. 53A-11-801*

### Appropriate Conduct

This policy does not prohibit the use of reasonable and necessary physical restraint or force in self-defense or otherwise appropriate to the circumstances to:

- 1) obtain possession of a weapon or other dangerous object in the possession or under the control of a child;
- 2) protect the child or another person from physical injury;
- 3) remove from a situation a child who is violent or disruptive; or
- 4) protect property from being damaged.

*Utah Code Ann. 53A-11-802*

An employee of the District may not be subjected to any sanction for failure or refusal to commit an act prohibited by this policy.

*Utah Code Ann. 53A-11-802*

Policy FDD regarding Child Abuse Reporting and Investigation shall apply to complaints made to the District regarding improper or unauthorized use of corporal punishment.

Utah Code Ann. 53A-11-803

### Limitation

This policy does not restrict the use of corporal punishment which is considered to be reasonable discipline for purposes of behavior reduction intervention and which is also in compliance with state regulations and District policies adopted pursuant to Utah Code Ann. 53a-15-301 regarding provision of education for handicapped students.

Utah Code Ann. 53a-11-704, 53a-11-705

Utah Code Ann. 53a-11-401

### Disciplinary Record

Disciplinary records shall be made available to parents/legal guardians or the student, whichever is appropriate, pursuant to the District's student records policy.

### Notice of rules.

A copy of the rules and procedures shall be made available to all students at the time of their enrollment in the school. If a school makes significant changes to its discipline rules and procedures, written notice of the adopted and revised discipline rules and procedures shall be distributed to all new and continuing students. In the case of all new, continuing or transfer students, a copy of the rules and procedures shall be mailed to the student's parents or legal guardian.

Utah Code Ann. 53A-11-903

### Board review of school discipline rules.

Each school shall file a copy of its school discipline rules and procedures with the Board within thirty days after adoption of the rules and procedures. The Board shall review the rules and procedures filed by each school and may require the school to modify any rule or procedure that is

not consistent with Board policy or state statutes on discipline in the public schools.

Utah Code Ann. 53A-11-901, 902.

