

## STATEMENT OF POLICY

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SUBJECT: Student Discipline

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### **I. Purpose**

The purpose of this policy is to foster a safe and positive environment for learning.

### **II. Prohibited Conduct and Related Discipline**

A. Following is a list of prohibited conduct 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.

1. You WILL be removed from school for at least one year for a serious violation involving:
  - a. A real, look alike, or pretend firearm, or
  - b. Explosive or flammable material
  - c. Actual or threatened use of a look-alike weapon with intent to intimidate or cause disruption.
  - d. Exceptions may be made on a case by case basis through the Superintendent's office.
2. You WILL be removed from school for:
  - a. Possession, control, actual or threatened use of a real, look alike or pretend weapon, explosive or noxious or flammable material;
  - b. The sale or distribution of a drug, controlled substance, imitation controlled substance, substance that causes impairment, or drug paraphernalia;
  - c. Using or threatening to use serious force; or
  - d. A serious violation of Section C (below) affecting a student or staff member.
3. You MAY be removed from school for:
  - a. Willful disobedience or violation of a school or district rule;
  - b. Defying authority;
  - c. Disruptive behavior;
  - d. Foul, profane, vulgar or abusive language;
  - e. Defacing or destroying school property;
  - f. Truancy;
  - g. Theft;

- h. Posing a significant threat to the welfare, safety or morals of a student, school personnel or the operation of the school;
  - i. Possessing, using, controlling or being under the influence of alcohol, a drug, an imitation drug or drug paraphernalia or misusing any substance;
  - j. Possessing or using tobacco and/or nicotine products;
  - k. Hazing, demeaning, bullying (including cyber-bully activity) or assaulting someone or forcing someone to ingest a substance;
  - l. Inappropriate exposure of body parts;
  - m. Sexual or other harassment;
  - n. Possession or use of pornographic material on school property
  - o. Gang-related attire or activity; or
  - p. Any other behavior that would justify school removal.
  - q. The decision to remove or to discipline in some other way is made by your site administrator based on all the circumstances.
4. The type and length of discipline is based on factors such as previous violations, severity of conduct, and other relevant educational concerns.
  5. When appropriate, students will be placed on remedial discipline plans.
  6. School personnel will use reasonable physical restraint if necessary to protect a person or property from physical injury or to remove a violent or disruptive student.
  7. If you damage or lose school property, your official report cards, diploma and transcripts may be withheld until payment for the damage is received or the lost property is recovered.

### **III. Searches**

- A. School personnel can search you, your locker, your personal property and your vehicle parked on school property based on reasonable suspicion. Reasonable suspicion may be based on, but not limited to, the use of dogs or metal detectors.
- B. School personnel can also conduct random searches that might include all lockers and other school property.

### **IV. Expulsion and Suspension Defined**

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

### **V. Readmission and Admission**

- A. If you are removed from school under II.A. readmission depends upon satisfactory evidence that you will not be a danger to yourself, others, or school property.
- B. If you are removed from school under II.B. or II.C., you may be readmitted after your parent/guardian meets with school officials to make a plan to correct your behavior and after you complete your days of suspension.
- C. The district may deny admission to a student who has been expelled from any school in the last twelve months.

## **VI. Due Process**

- A. If you are referred for discipline under this policy, you will have the opportunity to meet with your site administrator to tell your side of the story.
- B. If your site administrator recommends removal for more than 10 school days, a Cache County District Administrator will hear your case at your school with you, your parents or guardian, the site administrator and others as necessary. Both school and district administrators will fully review all evidence including statements from potential student victims and/or their parents/legal guardians. This hearing will be held within 10 days of your removal from school. If the Cache County District Administrator agrees that you should be removed for more than 10 school days, this recommendation will be given to the Cache County School Board for approval.
- C. If you are removed from school for more than 10 school days, you can appeal the decision by writing to the Cache County School District Superintendent within 10 days of the decision. Your parent or guardian is responsible to plan for your education during suspension and/or expulsion and to pay for any services not provided by the district.

## **VII. Students with Disabilities**

- A. If you are a student with a qualified disability, your site administrator will explain the separate procedures that may apply based on the procedural safeguards under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. For further information, please check the Cache County Policy on Special Education.