

DESCRIPTOR TERM: Students	Millard District Policy File Code: 6130 Approved: 10-11-18
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STUDENT DISCIPLINE

A. 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 § 53E-3-501(1)(b)(v) (2018)
Utah Admin. Rules R277-609-1 (August 7, 2017)

B. Comprehensive conduct and discipline plan

The District shall, with input from administration, instructional and support staff, students, parents, community councils, and other community members, develop a and maintain comprehensive plan for student and classroom management and school discipline. This plan shall meet the content requirements set forth in Utah Admin. Rules R277-609-4(3).

Utah Admin. Rules R277-609-4 (August 7, 2017)

C. Relation of school discipline rules to other policies

Rules and procedures shall prohibit corporal punishment and shall restrict the use of reasonable and necessary physical restraint as set forth in these policies and pursuant to Utah Code § 53G-8-302 and Utah Administrative Rules R277-609. 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 Utah Code § 53G-8-204 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 Utah Code § 53G-8-203, Utah Code § 53G-8-204 and Section 504 of the Rehabilitation Act of 1974 (29 U.S.C. § 794).

Utah Code § 53G-8-203 (2018)

D. 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 § 53G-8-202(2)(a) (2018)

E. Emergency Removals

1. Students may be removed from regular classes or District premises for non-disciplinary health, safety, and welfare reasons when the Board or its designee determines that an emergency exists.
2. 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.
3. 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.

F. Students with Disabilities

1. Removal of a student with a disability for any of these reasons shall be used only in emergency situations and shall not exceed ten school days.
2. 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.
3. 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 student with a disability for more than ten consecutive days.
4. 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.

G. 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.

H. Prohibition of Corporal Punishment — Use of Reasonable and Necessary Physical Restraint or Force

1. A school employee may not inflict or cause the infliction of corporal punishment, the intentional infliction of physical pain, upon the body of a student who is receiving services from the school.

2. 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:

- a. Obtain possession of a weapon or other dangerous object in the possession or under the control of a child;
- b. Protect the child or another person from physical injury;
- c. Remove from a situation a child who is violent; or,
- d. Protect property from being damaged, when physical safety is at risk.

A school employee may also use less intrusive means, such as a physical escort, to address these types of circumstances. (A “physical escort” is temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.)

Policy 6140 sets forth specific provisions governing the use of physical restraint with students.

Utah Code § 53G-8-301(2) (2018)

Utah Code § 53G-8-302 (2018)

Utah Admin. Rules R277-609-4(3)(k) (August 7, 2017)

3. An employee may not be subjected to any sanction for failure or refusal to commit an act prohibited under this policy.

Utah Code § 53G-8-302(4) (2018)

4. 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 § 53G-8-303 (2018)

I. Limitation

This policy does not restrict the use of physical contact 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 § 53E-7-202* regarding provision of education for students with disabilities.

Utah Code § 53E-7-202 (2018)

J. 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.

K. 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 § 53G-8-204 (2018)

L. 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 § 53G-8-202 (2018)

Utah Code § 53G-8-203 (2018)