Safe Schools

The following definitions shall apply under this policy—

1. “Suspension” means removal of a student from the student’s regular classroom assignment for a definite period of time.

a. “In-school suspension” means a temporary removal from the student’s regular classroom for at least half a school day while remaining under the direct supervision of school personnel.

b. “Out-of-school suspension” means removal of the student from school grounds for disciplinary reasons, except:

i. If the student is served solely under a Section 504 plan, “out-of- school suspension” means excluding the student from school for disciplinary purposes for one day or longer; and

ii. If the student is a student with disabilities under IDEA, “out-of-school suspension” means the temporary removal of the student from the student’s regular school to another setting for disciplinary reasons.

Utah Admin. Rules R277-100-2(34) (January 7, 2026) 2. “Short-term suspension” means an out-of-school suspension with exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is equal to or less than 10 school days.

3. “Long-term suspension” means an out-of-school suspension with exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is greater than 10 school days.

4. “Expulsion” means termination of the student’s status as a student enrolled in the school. Expulsion may be for an indefinite or fixed period of time.

5. “Involuntary transfer” means reassignment of a student from one school, campus, or academic program, to a different school, campus, or academic program within the District. Involuntary transfer may be for an indefinite period of time or for a fixed period of time.

6. “School district location” means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

7. “Disruptive behavior” means conduct which unreasonably interferes with the educational process or instruction of students in the classroom or elsewhere, including foul, profane, vulgar or abusive language.

8. “Bullying” means student bullying and staff bullying.

Utah Code § 53G-9-601(3) (2025)

9. “Communication” means the conveyance of a message, whether verbal, written, or electronic.

Utah Code § 53G-9-601(4) (2025)

10. “Cyber-Bullying” means:

a. Using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.

Utah Code § 53G-9-601(5) (2025)

11. “Hazing” means a school employee or student intentionally, knowingly, or recklessly committing an act that:

a. meets one of the following:

i. endangers the mental or physical health or safety of an individual; or

ii. involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;

iii. involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or

iv. involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; and either;

b. is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in any school or school sponsored team, organization, program, club, or event; or

c. is directed toward an individual whom the actor the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school

sponsored team, organization, program, club, or event in which the actor also participates.

The conduct described above constitutes hazing, regardless of whether the individual against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Utah Code § 76-5-107.5 (2022)

Utah Code § 53G-9-601(6) (2025)

12. “Retaliate” means an act or communication intended:

a. as retribution against a person for reporting bullying, cyber-bullying, abusive conduct, or hazing; or

b. to improperly influence the investigation of, or the response to, a report of bullying, cyber-bullying, abusive conduct, or hazing.

13. “Staff bullying” means a school employee, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against a student or another school employee, or engaging in a single egregious act toward another employee involving an imbalance of power, that:

a. Creates an environment that a reasonable person would find hostile, threatening, or humiliating and

b. Substantially interferes with a student or employee’s educational or professional performance, opportunities, or benefits. It does not mean instances of (1) ordinary teasing, horseplay, argument, or peer conflict, (2) reasonable correction of behavior by a school employee, or (3) reasonable coaching strategies and techniques by a school employee who is a coach.

Utah Code § 53G-9-601(14) (2025)

14. “Student bullying” means one or more students, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against another student, or engaging in a single egregious act toward another student involving an imbalance of power, that:

a. Creates an environment that a reasonable person would find hostile and

b. Interferes with a student’s educational performance, opportunities, or benefits. It does not mean instances of (1) ordinary teasing, horseplay, argument, or peer conflict, (2) reasonable correction of behavior by a school employee, or (3) reasonable coaching strategies and techniques by a school employee who is a coach.

Utah Code § 53G-9-601(15) (2025)

15. “Weapon” means “dangerous weapon,” which includes any firearm or any object that is used for, or is readily capable of, causing death or serious bodily injury.

“Firearm” means a pistol, revolver, shotgun, short barreled shotgun, rifle or short barreled rifle, or any device that could be used as a dangerous

weapon from which is expelled a projectile by action of an explosive. The following factors are used in determining whether an object other than a firearm is a dangerous weapon:

a. the location and circumstances in which the object was used or possessed;

b. the primary purpose for which the object was made;

c. the character of the wound, if any, produced by the object’s unlawful or improper use;

d. the way the object was unlawfully or improperly used;

e. whether the way the object is used or possessed constitutes a potential imminent threat to public safety; and

f. the lawful purposes for which the object may be used. Possession of a weapon by a student shall not violate this policy if possession is approved in writing by the responsible school administrator or if the item or material is present or to be used in connection with a lawful activity approved in writing by the responsible school administrator before the material in question is brought on school premises. (Persons under 21 years of age are not permitted to carry concealed firearms on school premises even if they have a permit or provisional permit to carry a concealed firearm.)

Utah Code § 76-11-101(3), (4) (2025)

Utah Code § 76-11-205 (2026)

16. “Unlawful conduct” means any conduct by a student which violates any local, state, or federal law or regulation, or violates any District or school policy, or violates the legal rights of another person, and includes, but is not limited to, the following:

a. Harassment: the crime of harassment occurs when a student, with intent to frighten or harass another, communicates a written or recorded threat to commit a violent felony.

Utah Code § 76-5-106 (2022)

b. Indecent exposure of another individual: this crime occurs when an individual, in a public place and without the other individual’s consent, (1) exposes another individual’s genitals, breast below the top of the areola if the individual is female, buttocks, anus, or pubic area, or (2) exposes undergarments intended to cover any of these areas. (A student may be disciplined but may not be referred to law enforcement for this conduct unless the student has previously received a written warning from a law enforcement officer for such conduct.)

Utah Code § 76-5-421 (2025)

c. Burglary: burglary means entering or unlawfully remaining in a building or any portion of a building with the intent to commit an additional crime.

Utah Code § 76-6-202 (2026)

d. Theft: theft means obtaining or exercising unauthorized control over the property of another with the purpose to deprive him or her thereof.

Utah Code § 76-6-404(2) (2025)

e. Criminal mischief: criminal mischief means recklessly or willfully shooting or propelling a missile or other object at or against a motor vehicle, bus, airplane, locomotive, train, railway car, or caboose, whether moving or standing, or intentionally and unlawfully tampering with the property of another so as to recklessly endanger human life, health, or safety or recklessly causes or threatens a substantial interruption or impairment of critical infrastructure.

Utah Code § 76-6-106 (2023)

f. Assault: assault means an attempt, with unlawful force or violence, to inflict bodily injury on an individual.

Utah Code § 76-5-102 (2026)

g. Gang activity.

Utah Code § 76-9-802 to 805

h. Willfully defacing or otherwise damaging school property.

Utah Code § 53G-8-212 (2021)

17. Making a false alarm: a student makes a false alarm if he or she initiates or circulates a report or warning of a fire, impending bombing, or other crime or catastrophe and knows that the report or warning is false or baseless and is likely to cause the evacuation of a building or public transport and is likely to cause public inconvenience or alarm or action of any sort by an official or volunteer agency organized to deal with emergencies.

Utah Code § 76-9-105 (2025)

18. Disrupting the operation of a school: Disrupting the operation of a school occurs when a person is on the property of a public or private school (including property being used by the school for a school function), has the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of the school, and remains on the property after being requested to leave by a school official.

Utah Code § 76-9-106 (2025)

19. Threat of Terrorism: A student commits a threat of terrorism if the student commits or threatens to commit an offense involving bodily injury, death, or substantial property damage, and the student:

a. Threatens to use a weapon of mass destruction or hoax weapon of mass destruction; or

b. The student acts with intent to:

i. Influence or affect a government or unit of government or intimidate or coerce a civilian population; or

ii. Cause action of any nature by an official or volunteer agency organized to deal with emergencies due to the student's conduct posing a serious and substantial risk to the general public; or

iii. Prevent or interrupt the occupation of a building or a portion of a building, a place to which the public has access, or a facility or vehicle of public transportation operated by a common carrier.

Utah Code § 76-5-107.3 (2026)

20. "Sexual Harassment" has the definitions set out in Policy DKB and Policy FHAB.

Publication of Safe Schools Policy—

A copy of this policy shall be given to each student in school upon enrollment in the school. Each student transferring to a school in the district who was not attending a school in the district just prior to the transfer shall receive a copy of this policy. When a copy of this policy is provided to a student, a copy shall also be provided to the student's parent.

Utah Code § 53G-8-204(2)(a) (2024)

A copy of this policy shall be posted in a prominent place in each school in the district. Any significant change in this policy shall be posted in each school in the district, and a copy of the revised policy shall be distributed to the students in each school.

Utah Code § 53G-8-204(2)(b), (c) (2024)

Conduct Warranting Discipline—

A student may be disciplined for the conduct described below. The type of discipline imposed will depend on the nature of the particular conduct.

1. Conduct Which May Warrant, But Does Not Require, Suspension or Expulsion:

a. A student may be disciplined for the following prohibited conduct when it occurs in a school building, or on or in proximity to school property; in conjunction with any school sponsored activity; in or on a school vehicle; is directed at or against another student or a district employee; or when it threatens harm or does harm to the school, school property, a person associated with the school, or property of a person associated with the school.

i. Unlawful conduct, as that is defined above.

ii. Frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language.

iii. Willful destruction, defacing, or damaging of school property.

iv. Behavior, or threatened behavior, which poses an immediate and significant threat to the welfare, safety or morals of other students or school personnel or to the operation of the school.

v. Disruptive behavior, as that is defined above.

vi. Possession or use of pornographic material on school property that would constitute a misdemeanor offense under Utah Code § 76-5c-208. (This includes accessing such material through the District computer network or by using any District-owned device.)

vii. Bullying, abusive conduct, cyberbullying, retaliation, and making false allegations of bullying, bullying or retaliation. See Policy FGAD.

viii. Use of an electronic device or camera to record sounds or images or otherwise capture material in an unauthorized setting or at an unauthorized time shall subject the user of the device to increased discipline based on the circumstances and whether the student has been involved in prior violations of this policy.

1. Use of a device or an electronic device or camera to threaten, intimidate or embarrass another or to capture and transmit test information or any other information in a manner constituting fraud, theft or academic dishonesty may result in an immediate suspension.

ix. Use of a device in a manner which may be physically harmful to another person, such as shining a laser in the eyes of another student, may result in an immediate suspension. When a student repeatedly engages in such behavior, the punishment may be increased as is appropriate.

b. Selling, giving, delivering, transferring, possessing, controlling, or distributing an alcoholic beverage on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA.

c. Selling, giving, delivering, transferring, possessing, controlling, or distributing tobacco products on or in proximity to school property or at or in proximity to any school sponsored event. Students shall not smoke or use tobacco products on school property or at any school-related or school-sanctioned activity on or off school property. “Tobacco products” includes an electronic cigarette or electronic cigarette product as that has been defined by state law (Utah Code § 76-9-1101). See FHAG.

d. Being under the influence of an alcoholic beverage or controlled substance on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA.

e. Engaging in, assisting, permitting, or otherwise being involved in hazing, as provided by the District's policy prohibiting hazing, Policy FGAD.

Utah Code § 53G-8-205(1) (2026)

Utah Code § 53G-8-602 (2018)

Utah Code § 53G-8-209 (2025)

f. Engaging in conduct that contains the elements of the offense of arson or aggravated arson under the Utah Criminal Code.

Utah Code § 76-6-102 (2023)

Utah Code § 76-6-103 (2023)

g. Engaging in conduct that contains the elements of any felony.

h. Sexual Harassment.

i. Gang-related activity: A “gang” as defined in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity. Gang-related activity includes but is not limited to:

i. Wearing, possessing, using or distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang.

ii. Use of a name associated with or attributable to a gang;

iii. Designating "turf" or an area for gang activity or occupation. Be aware that there are challenging constitutional issues related to policies dealing with gang-related attire as the policy impacts students’ First Amendment speech rights. A school should be able to document evidence of real and substantial problems caused by, or at least reasonably likely to be caused by, gang clothing. In designing a dress code, school authorities should focus on problems if they exist. A school may choose to develop a specific list of clothing and accessories that “evidence membership in a gang.” Such lists must be flexible to adapt to shifts in fashion styles. Students must be given ample notice of the list and any amendments.

The policy should also include an appeals process that allows students to dispute that particular clothing deemed gang related is actually not gang regalia.

2. Conduct Which Requires Suspension or Expulsion

a. A student shall be suspended (out-of-school suspension) or expelled from school for a serious violation affecting another student or a staff member, or a serious violation when it occurs in a school building, in or on school property; or in conjunction with any school sponsored activity including:

i. The sale, control, delivery, transfer or distribution of a drug or controlled substance, as defined in Utah Code § 58-37-101, an imitation controlled substance, as defined in Utah Code § 76-18-401, or drug paraphernalia as defined in Utah Code § 76-18-301 (See Policy FHAA); or

ii. The actual use of violence or sexual misconduct; or

iii. The actual or threatened use of a look-alike weapon with intent to intimidate another person or to disrupt normal school activities; or

iv. 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

v. Making a false report of an emergency at a school under Utah Code § 76-9-105.5(2)(b).

Utah Code § 53G-8-205(2)(a) (2026)

Utah Code § 76-5-102 (2026)

Utah Code § 76-5-102.3 (2022)

Utah Code § 76-9-105.5(2)(b) (2026)

3. Conduct Which Requires 1-year Expulsion

a. A student shall be expelled from school for not less than one year, subject to the 45-day review process for mandatory year expulsions set forth below, if the student engages in conduct which requires suspension or expulsion (as set out above) and the conduct involves a real or look-alike weapon, explosive, or flammable material.

Utah Code § 53G-8-205(2)(b) (2026)

4. Discipline Rules for Students With Disabilities

a. Federal and state laws impose particular requirements regarding discipline of students identified as having a disability or when the school has sufficient notice of a disability.

Discipline of such students must comport with the requirements set forth in Policy FHAD for students with disabilities.

Remedial Measures and Disciplinary Sanctions—

Following a determination that a student has committed a violation, the student may be subject to one of the following remedial measures or disciplinary sanctions, as is determined to be appropriate for the violation or as is required by the terms of this policy or other District policies.

1. Remedial Measures

a. Continued school attendance subject to the terms of a remedial discipline plan prepared to correct the violation. This remedial measure is available only where the violation is for willful disobedience, defiance of authority, or disruptive behavior when

such conduct is not of such a violent or extreme nature that immediate removal from school is required.

b. Continued school and class attendance accompanied by the student's parent or guardian for a designated period of time. This remedial measure is available only with the consent of the student's teacher or teachers and the agreement of the student's parent or guardian. The parent or guardian must agree to attend all the student's classes for each day of the suspension. If the parent or guardian fails to attend class with the student, the student shall then be subject to suspension or other discipline in accordance with this policy.

c. In-school suspension. Attendance in a designated in-school suspension program. Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.

d. Home-based instruction. Instruction at home, provided that combined days of suspension and assignment to home-based instruction shall not exceed ten (10) school days in a semester.

e. Voluntary transfer. Voluntary transfer to another school, campus, community-based alternative school or other special program within the district, subject to the admission criteria of such alternative programs.

f. Withholding grade reports, diplomas and transcripts. If a school determines that school or district property has been lost or willfully cut, defaced or otherwise damaged by a student, the school may withhold the issuance of an official written grade report, diploma, or transcript of the student responsible for the damage or loss until the student or student's parent has paid for the damages.

i. If the student and the student's parent are unable to pay for the damages or if it is determined by the school in consultation with the student's parent that the student's interests would not be served if the parent were to pay for the damages, then the school shall provide a program of work the student may complete in lieu of the payment. In that case, the school shall release the official grade report, diploma, or transcript of the student upon completion of the work.

ii. If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the Department or agency, may not be withheld from the Department or agency for non-payment of damages under this section.

iii. No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.

Utah Code § 53G-8-212 (2021)

2. Disciplinary Sanctions

a. Detention. Students in grades kindergarten through six may be detained in school after regular school hours in the event the responsible school administrator determines that such action is justified in disciplining the student. No student may be detained after regular school hours until his or her parent has received prior notice of the detention to take place on a particular school day.

i. The notice provided for under this policy need not be completed before detention of the student if detention is necessary for the student's health or safety.

Utah Code § 53G-8-203(3) (2026)

b. Suspension (in-school or out-of-school).

c. Involuntary transfer. Involuntary transfer to another school, campus, community-based alternative school or other special program within the District.

d. Expulsion.

Authority to Impose Discipline—

The Board of Education hereby delegates to each school principal within the District the authority to suspend a student in the principal's school for up to ten (10) school days, in accordance with this policy. The Board of Education hereby delegates to the superintendent the authority to suspend a student for up to one (1) school year. The Board of Education has the authority to expel a student for a fixed or indefinite period.

Utah Code § 53G-8-206 (2019)

Procedure for Imposing Discipline—

Remedial measures or disciplinary sanctions may be imposed on a student only after it has been determined, following appropriate due process, that the student has committed a violation. The nature of the due process required depends in part on the magnitude of the penalty to be imposed. When a student is accused of sexual harassment, the procedure set out in Policy FHAB shall be followed in place of the procedure in this policy.

1. Short-term Out-of-School Suspension

a. Informal due process hearing. A school principal may suspend a student from school for up to ten (10) school days for a violation. Prior to imposing such a suspension, the school principal shall meet with the student, if possible, to discuss the incident(s) and to provide the student an

opportunity to respond. The principal shall then determine whether a violation has occurred and whether suspension or other discipline is appropriate. In appropriate cases, the principal shall consider and offer the student alternatives to out-of-school suspension, including in-school suspension and parental attendance with the student (where appropriate consent from teachers is obtained).

b. Short-term out-of-school suspension pending due process hearing. If the school principal makes an initial determination that the violation warrants long-term suspension or expulsion, the school principal may recommend those sanctions and may impose a short-term out-of-school suspension pending a hearing on whether those sanctions should be imposed.

c. Departure from school grounds. A suspended student shall immediately leave the school building and grounds following a determination by the school of the best way to transfer custody of the student to the parent or other person authorized by the parent or applicable law to accept custody of the student.

Utah Code § 53G-8-206(5)(a) (2019)

d. Notice of short-term out-of-school suspension. If a short-term suspension is imposed, the principal or assistant principal shall immediately provide notice to the student's parent. Notice shall, if possible, be given by telephone. If reasonable efforts to contact the parent by telephone are unsuccessful, then written notice shall be sent to the parent. The notice, whether verbal or written, shall include the following:

i. That the student has been suspended from school.

ii. The grounds for the suspension.

iii. The period of time for which the student is suspended from school.

iv. The date, time and place for the parent and student to meet with the principal or assistant principal to review the suspension. This meeting shall be scheduled to occur as soon as is practicable, but in all cases prior to the end of the tenth day of the suspension.

Goss v. Lopez, 419 U.S. 565 (1975)

Utah Code § 53G-8-206(4) (2019)

e. Notice of recommended expulsion or long-term suspension. If the principal or assistant principal has recommended that the superintendent expel the student or suspend the student from school for a period longer than ten days, that fact shall be included in the notice to the parent or guardian.

f. Meeting to review out-of-school suspension. At this meeting, the principal or assistant principal shall review with the parent and student the charges and evidence against the student and shall provide the student and parent with an opportunity to respond. During this meeting, the principal or

assistant principal may determine whether the suspension previously imposed should be maintained, whether to adopt an alternative remedial measure, or whether the suspension should be terminated. The principal or assistant principal should also discuss with the parent a plan to avoid recurrence of the problem.

Utah Code § 53G-8-206(5)(b), (c) (2019)

2. Long-term Out-of-School Suspension or Expulsion

a. Due process hearing. If the principal or assistant principal recommends long-term suspension from school or expulsion, he or she shall notify the superintendent of that recommendation. The superintendent shall then schedule a hearing to be held with the student's parent or guardian, the student, and the superintendent or the superintendent's designee. The hearing shall be scheduled to take place prior to the tenth day of the student's suspension from school where possible.

b. Notice of hearing. The superintendent shall provide written notice of the date, time and place of the hearing to the student and his or her parent or guardian so as to afford a reasonable opportunity for preparation. The notice shall include a statement of the charges against the student, that a recommendation has been made for suspension from school for more than 10 days or for expulsion and the period of time for which suspension or expulsion has been recommended. The statement of the charges against the student shall include the nature of the evidence and the names of any witnesses whose testimony may be used against the student unless confidentiality is required due to the necessity to protect student witnesses. Wagner v. Ft. Wayne Community Schools, 255 F. Supp. 2d 915 (N.D. Ind. 2003)

c. Conduct of hearing. The superintendent or the superintendent's designee shall preside at and conduct the hearing at the appointed time and place. The district and the student may each be represented by a person of their choice. Each side may present testimony of witnesses or other evidence, may cross-examine witnesses and may make legal arguments relevant to the issues. However, the district may present hearsay evidence if confidentiality is required due to the necessity to protect witnesses. Wagner v. Ft. Wayne Community Schools, 255 F. Supp. 2d 915 (N.D. Ind. 2003)

d. Decision. At the conclusion of the hearing, the superintendent or designee shall make a final determination of the matter and shall state his or her determination to those attending the hearing. The determination shall then be placed in writing and mailed to the student and his or her parent. Upon a finding that the student has engaged in conduct warranting discipline, the superintendent may determine what discipline or remedial measures are appropriate for the conduct. If the superintendent determines that the appropriate sanction is expulsion, then that sanction must be authorized

by the Board of Education as set out below. Apart from expulsion, the superintendent may impose any of the available remedial measures or sanctions as are found to be appropriate. In determining the appropriate sanction, the superintendent shall consider whether alternatives to suspension are appropriate or available.

Utah Code § 53G-8-206 (2019)

Utah Code § 53G-8-207 (2019)

e. Appeal. A student may appeal the determination of the superintendent to the Board of Education by filing a written notice of appeal with the superintendent within ten (10) days of the date the decision of the superintendent is mailed to the student. No further hearing will be held. The Board will review the evidence submitted to the superintendent and the written determination of the superintendent. The Board may affirm the superintendent's decision or modify the Superintendent's decision. The Board's written decision will be issued within thirty (30) days of receipt of the student's written notice of appeal.

f. Board evaluation of expulsion recommendation. If the superintendent recommends expulsion for an indefinite or definite period of time, then the superintendent will transmit that recommendation to the Board of Education along with the record of evidence submitted to the superintendent. The Board may review the recommendation based on this record or may at its sole discretion accept further evidence. Following its review, the Board may accept, modify, or reject the recommendation, or impose other disciplinary sanctions. This decision is final.

Utah Code § 53G-8-206(3) (2019)

g. 45-day review of mandatory one-year expulsions. Where a student has been expelled for one year because of a violation involving a weapon, explosive, or flammable material, a hearing shall be held within 45 days of the imposition of the expulsion. This hearing shall be held before the superintendent or the superintendent's designee and shall be attended by the student and a parent of the student. At this hearing, the superintendent shall determine

i. what conditions must be met by the student and the student's parent for the student to return to school, including conditions or restrictions required as part of a student reintegration plan;

ii. whether the student should be placed on probation in a regular or alternative school setting, and if so what conditions must be met by the student to assure the safety of students and staff at the school the student is placed in; and

iii. if it would be in the best interest of both the school district and the student to modify the expulsion term to less than a year, giving highest priority to providing a safe school environment for all students.

iv. If the superintendent or his or her designee determines that the student should return to school prior to the expiration of the one-year expulsion term conditioned on compliance with the conditions established by the superintendent, then the superintendent shall submit that recommendation to the Board of Education. If the Board of Education approves the return, the student may return to school pursuant to the conditions established.

Utah Code § 53G-8-205(2)(b) (2026)

h. A student may be denied admission to a public school on the basis of having been expelled from that or any other school during the preceding 12 months.

Utah Code § 53G-8-205(3) (2026)

Evidence in Student Hearings—

All student disciplinary hearings shall be conducted by the Board or its designee in an executive session. All evidence presented in such hearings shall constitute student educational records and shall be treated as "confidential". The District hereby designates all student records as "protected" under the Government Records Access Management Act. The names of students giving statements used in a student hearing involving other students may be protected and redacted where necessary to protect the students from threats of harm or interference with the educational process.

Notification of Offense on School Property or at School Activity—

Whenever a student allegedly commits an offense on school grounds when school is in session or at a school sponsored activity and that information is reported to or known by a school employee, the school employee shall notify the principal. After receiving such a notification, the principal shall notify appropriate law enforcement personnel if permitted under

Utah Code § 53G-8-211, school and district personnel who the principal determines should be informed, and the student's parent or guardian. However, the principal shall not disclose the identity of the reporting employee to the student or student's parent or guardian. In addition, the identity of the reporting employee shall be kept confidential, except that it may be disclosed to a law enforcement officer or agency for purposes of an investigation or prosecution.

Reporting employees and the principal who act in good faith in reporting or conducting an investigation of offenses are immune from legal liability.

Utah Code § 53G-8-510 (2026)

Utah Code § 53G-8-512 (2026)

Sexual Crimes or Serious Offenses by Students—

For purposes of this section:

1. "serious offense" means any of the following:

a. a violent felony as defined in Utah Code § 76-3-203.5, or

b. an offense that is a violation of Utah Code Title 76, Chapter 6, Part 4, Theft and the property stolen is a firearm; or

c. an offense that is a violation of Utah Code Title 76, Chapter 11, Weapons.

2. "sexual crime" or "sexual misconduct" means any conduct described in:

a. Utah Code Title 76, Chapter 5, Part 4, Sexual Offenses, or

b. Utah Code Title 76, Chapter 5b, Sexual Exploitation Act, or

c. Utah Code § 76-7-102, Incest.

Utah Code § 53G-8-201 (2026)

Utah Code § 80-6-103(1)(d) (2026)

When a student commits a serious offense or sexual crime or sexual misconduct on school property, the impact of that misconduct on the school or school facility where the misconduct occurred shall be considered in determining both the discipline to be imposed and the conditions for the student to return to school. Where the misconduct was a violent felony as defined by Utah Code § 76-3- 203.5 directed at another student or a school employee, the student may not return to a school where the victim attends or works.

Utah Code § 53G-8-203(5)(b)(ii) (2026)

Utah Code § 53G-8-213(5) (2026)

Utah Code § 76-3-203.5 (2026)

When a student commits a serious offense or sexual crime or sexual misconduct in connection with engaging in hazing, the discipline shall include loss of membership in or participation with the related team, organization, program, club, or event and unless a specific substantial justification is established otherwise shall also result in the student being permanently ineligible to participate in any extracurricular activity or association in the District.

Utah Code § 53G-8-203(5)(b)(i) (2026)

When a student is suspended or expelled from school because the student has committed a serious offense or sexual crime or sexual misconduct, or when a juvenile court or law enforcement agency provides notice as addressed in Policy FHC, a student reintegration plan shall be established for the student's return to school as provided for in Policy FHC.

Utah Code § 53G-8-203(5)(b) (2026)

Utah Code § 53G-8-213 (2026)

Education of Students Subject to Discipline—

The educational services that will be provided to students subject to discipline will depend upon the nature of the discipline.

1. Students subject to remedial measures. Students subject to remedial measures such as a remedial discipline plan, class attendance with a parent, or in-school suspension will continue to receive educational services from the

district according to the remedial measure. A student transferred to another school or program within the district will receive educational services through that school or program.

2. Parental responsibility for education. When a student is expelled or is suspended from school for more than 10 days, it is the responsibility of the parent's student to undertake an alternative education plan which will ensure that the student's education continues during the period of the suspension or expulsion. The parent shall work with designated school officials to determine how that responsibility might best be met through private education, alternative programs offered by the district, or other alternatives which will reasonably meet the student's educational needs. Costs for educational services not provided by the district are the responsibility of the student's parent.

Utah Code § 53G-8-208 (2020)

3. Review of student progress. The district shall contact the parent of each suspended or expelled student under the age of 16 at least once per month to determine the student's progress.

Utah Code § 53G-8-208(4)(b) (2020)

4. Record of disciplined students. The district shall maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the student's cumulative folder.

Utah Code § 53G-8-208(4)(a) (2020)

Readmission of Suspended or Expelled Students—

1. Suspended students. A suspended student may not be readmitted to a public school until the student and the student's parent or guardian have met with a designated school official to review the suspension and have agreed with the school official upon a plan to avoid recurrence of the violation resulting in suspension. At the discretion of the principal, the student may be readmitted if the student and the student's parent or guardian have agreed to participate in such a meeting. However, a suspension may not extend beyond ten (10) days unless the student and the student's parent or guardian have been given a reasonable opportunity to meet with a designated school official to respond to the allegations and proposed disciplinary action.

2. Expelled students. The superintendent or his or her designee shall review the expulsion sanction of each expelled student at least once per year and shall report the conclusions of such review to the Board of Education. The superintendent or his or her designee may make recommendations regarding whether such sanction should be modified or removed, and what conditions, if any, should be imposed on the student's readmission. If the Board has expelled a student for a set period of time and has not otherwise specified, at

the expiration of that expulsion term a student may enroll at his or her area school on the same terms as a new student.

Information Regarding SafeUT Crisis Line—

The SafeUT Crisis line established by the State through the Huntsman Mental Health Institute provides crisis intervention, including suicide prevention, to individuals experiencing emotional distress or psychiatric crisis. It also provides means for an individual to anonymously report (1) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school, (2) incidents of bullying, cyberbullying, harassment, or hazing, and (3) incidents of physical or sexual abuse committed by a school employee or school volunteer. The Board shall inform students, parents, and school personnel about the SafeUT Crisis Line.

Utah Code § 53H-4-210(2) (2026)

Response to SafeUT Crisis Line Reports—

The District shall respond to reports received through the SafeUT Crisis Line in accordance with models developed by the State Board of Education.

Utah Code § 53G-8-203(2)(i) (2026)

Source Traceability

USBA Model Policy FHA. The model text above is from the 2026 USBA Model Policies and is retained as the controlling format for this draft.

Source: MSD Policy 6310, Student Conduct Relating to Extracurricular Activities, approved 2024.

Source: MSD Policy 7160, Conduct on School Premises, approved 2021.

Source: MSD Policy 7170, Fan Code of Conduct, approved 2024.

Source: MSD Policy 6400, Student Attendance, approved 2024.

Source: MSD Policy 7030, Parents Rights to Academic Accommodations, approved 2020.

Disposition Note

USBA FHA is retained as the controlling safe-schools framework. Millard local language was inserted only to preserve the Board-approved connection between safe-school discipline, extracurricular standards, visitor/fan conduct, parent notice, and school handbook administration.