



Discipline Policy

I Overview

- A. Channing Hall recognizes that students' mistakes in both academic and behavioral areas are opportunities for learning.
- B. Student discipline measures should assist in correcting unacceptable student behavior and must also keep other school participants safe.
- C. Some behaviors require disciplinary measures that temporarily or permanently exclude the student from the school community and group learning opportunities.

II The discipline policy has four main objectives:

- A. The creation and maintenance of a safe, healthy, and nurturing environment
- B. The support of productive teaching and learning
- C. The teaching and reinforcement of appropriate conduct
- D. The development of students' self-discipline and self-management

III Definitions

- A. Suspension
 - 1 Short term suspension is a temporary interruption of school services and activities (10 or fewer consecutive school days);
 - 2 Long term suspension is an interruption of school services for more than 10 days.
- B. Suspended Student Status. A suspended student may, at the discretion of the Administration, have access to homework, tests, and other schoolwork through a home study program, but will not be allowed to attend classes or participate in any school activities during the period of suspension.
- C. Expulsion. Expulsion is a permanent removal of a student from the school and/or the denial of meaningful services to a student.
- D. Expelled Student Status. In cases of a student's expulsion from Channing Hall, the legal obligation of the state's compulsory education laws is the sole responsibility of the student's parents/legal guardians.
- E. Firearm, explosive, noxious or flammable material. The terms "firearm," "explosive," and "noxious or flammable material" include but are not limited to guns, starter pistols, cap guns, bombs, bullets and ammunition, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.
- F. Gang. A gang is 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 criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption to a class, activity, program, or other function of a school.

- G. Bullying. Bullying means a school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:
- 1 causing physical or emotional harm to the school employee or student;
 - 2 causing damage to the school employee's or student's property;
 - 3 placing the school employee or student in reasonable fear of:
 - a harm to the school employee's or student's physical or emotional well being
 - b damage to the school employee's or student's property;
 - 4 creating a hostile, threatening, humiliating, or abusive educational environment due to:
 - a the pervasiveness, persistence, or severity of the actions; or
 - b a power differential between the bully and the target; or
 - c substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

IV Authority to Discipline Students

- A. A school administrator, or teacher as supported by an administrator, may:
- 1 Take lower-level disciplinary action against a student including:
 - a Temporary removal from a class
 - b Denial of privileges such as field trips or extracurricular participation;
 - c In-school suspension;
 - d Appropriate service in the school consistent with the student's age and the offense
 - 2 Suspend a regular education student for up to 10 school days per incident;
 - 3 Suspend a student for more than 10 days with due process as required by this policy and the law;
 - 4 Recommend suspension of regular education students for longer than 10 days to the local board;
 - 5 Recommend expulsion to the Channing Hall board; or
 - 6 Recommend other disciplinary action consistent with this policy and the law.
- B. The Channing Hall Board may:
- 1 Suspend a student for more than 10 days, following due process as provided in this rule;
 - 2 Expel a student;
 - 3 Take other disciplinary action consistent with this policy and the law.
- C. If a teacher or an administrator determines that discipline for a student who has an IEP or a Section 504 plan is warranted, the teacher or administrator shall work with the school special education director to ensure that any student discipline is consistent with the IDEA and the student's IEP or §504 plan.

V Student Behavior and Grounds for Discipline

- A. A student may be disciplined for the offenses outlined in Utah Code §53G-8-205 https://le.utah.gov/xcode/Title53G/Chapter8/53G-8-S205.html?v=C53G-8-S205_2018012420180124
- B. In addition to the offenses provided in §53G-8-205, a student may be disciplined for the following offenses:
- 1 Gang Activity: Gang activities include, but are not limited to, any of the following:
 - a Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other things that are evidence of membership in or affiliation with any gang;
 - b Committing any act or omission or using any speech, either verbal or nonverbal (flashing signs, gestures, handshakes, etc.) that demonstrates membership in or affiliation with a gang;
 - c Soliciting others for membership in a gang;
 - d Requesting any person to pay for “protection,” the claiming of “turf,” or otherwise intimidating, bullying, retaliating against, threatening, or harassing any person;
 - e Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;
 - f Committing any illegal act;
 - g Encouraging or inciting another person to act with physical violence upon any other person; or
 - h Causing damage to property
 - 2 Possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs, controlled substances, drug paraphernalia, or any other material or item that has caused or may cause substantial disruption to school operations.
 - 3 Accessing pornographic, obscene, or inappropriate sites that interrupts and/or disrupts the educational environment — whether or not on Channing Hall-provided devices or students’ own devices (appropriate use of electronic devices, cellular phones, etc., is defined each year by the school policy and is subject to the reasonable discretion of the Administration).
 - 4 Retaliation or reprisal aimed toward a student who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted by the school.
 - 5 Misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies (a student may possess and use over-the-counter remedies at school only in amounts not to exceed the recommended daily dose including, but not limited to, aspirin, ibuprofen, acetaminophen, cough drops, allergy medication, cough syrup, and mouthwash).

- 6 Misuse or abuse, distribution, sale or arranging for the sale of prescription medication at school, on school property or a school-sponsored activity or function.
- 7 Bullying or a pattern of bullying, cyber-bullying and violations of the school's electronic device policy, and hazing.
- 8 Other infractions which include but are not limited to dress code violations, showing disrespect to a school employee, persistent tardiness, persistent use of inappropriate language on school property or at school-related events, minor vandalism, cheating on assessments or assignments, etc.
- 9 The repetition of minor infractions over a period of time

VI Parent Notice

- A. Parents will be notified immediately if a student commits any misconduct for which the student may be suspended or expelled.
- B. Channing Hall administrators will take no disciplinary action, with the exception of minimal or lower-level disciplinary action, against students until parents are notified and have an opportunity to respond.
- C. Channing Hall administrators may question students about routine disciplinary issues without or before contacting parents.
- D. Channing Hall administrators will not suspend a student, other than an in-school suspension for one day, without first notifying a parent.

VII Disciplinary Procedures

- A. Minimal disciplinary actions include, but are not limited to: students missing recess; being sent to the office; losing technology privileges for a day or two; loss of classroom or administrative privileges; short term community service
 - 1 Parent notice preferred, but not required
 - 2 No required due process
- B. Short term suspension includes, but is not limited to, minor fighting incidents; misuse of technology; persistent and flagrant use of inappropriate language; disruptive behavior; minor safe schools violations including smoking, sharing personal over-the-counter medications, or possessing tobacco products; flagrant and continued defiance of authority.
 - 1 Parent notice is required prior to releasing student from school or sending home;
 - 2 The school will notify a non-custodial parent of a student's long-term suspension if the parent has requested in writing to be notified of a student's disciplinary actions consistent with notice to the custodial parent; the school may not notify the non-custodial parent if the school has a court order that prohibits providing school records or information to the non-custodial parent.
 - 3 Administrator gives student brief explanation of offense or violation;
 - 4 Student, prior to suspension, has opportunity to explain offense or violation;
 - 5 Student/parent notified of punishment;
 - 6 Teachers may use discretion in allowing student to complete school work during the suspension period so long as teacher is consistent with all students and work that student may miss does not cause the student to fail the class; and

- 7 School administrators may determine student's extracurricular participation, including travel and/or field trips, during suspension period.
- C. Long term suspension including, but not limited to, offenses outlined in Utah Code [§53G-8-205](#) and other offenses designated in Section IV of this policy.
- D. Expulsion including, but not limited to, offenses outlined in Utah Code §53G-8-205. Expulsion is presumed for a student that has a real or look-alike weapon, explosive or flammable device on school property or at a school-sponsored activity. Expulsion may be modified to different discipline based on extenuating circumstances of the incident(s).
- E. Due process required for long-term suspension or expulsion includes the following minimum elements:
 - 1 Parent must be given an opportunity for a hearing
 - 2 Hearing procedures include notice to parents of:
 - a Alleged offense(s), hearing date and hearing procedures
 - b Parents/student may be represented by an attorney if the school has legal representation
 - c Three objective board members will serve as the hearing panel
 - d Hearing must be recorded
 - e Parents/student/school may present witnesses
 - f Parents/student must have adequate time to prepare for a hearing
 - g Parents/student will receive written findings of hearing decision in a timely manner
- F. The school must provide educational services for a suspended student.
- G. If a student is expelled, parents have full responsibility for providing educational services to student.
- H. Channing Hall administrators may consider the following aggravating and mitigating circumstances in determining a student's discipline:
 - 1 The age of the child or children involved;
 - 2 The degree of harm inflicted;
 - 3 The surrounding circumstances of the incident(s);
 - 4 The nature and severity of the behavior;
 - 5 The relationship between the parties involved;
 - 6 The pattern of behavior demonstrated by an individual student;
 - 7 The likelihood that the misconduct will be repeated;
 - 8 Law enforcement action taken against a student;
 - 9 Other relevant information

VIII Disciplining Students with Disabilities

- A. The Channing Hall administration will follow the Utah State Board of Education Special Education Rules and Procedures and work closely with the school's special education department to discipline students who are served under IDEA.
- B. Students who are served under IDEA may receive minor discipline and short term suspensions consistent with their IEPs

IX Other Administrative Information About Student Conduct and Discipline.

- A. Administrators and teachers will contact parents at scheduled and informal times throughout the year (Parent Teacher Conferences, Report Cards), but they may not contact parents about each minor infraction or failure.
- B. School administrators will contact parents about any serious infraction of the disciplinary code or when a student's progress shows sign of stagnation. Administrators and teachers will implement specific and appropriate supports for students experiencing unique difficulties.
- C. Administrators and teachers will use a combination of discussion and consequences to help a student understand the type of community Channing Hall seeks to become, and to help students understand how they can contribute to the making of that community.
- D. Administrators and teachers will measure a student's progress regularly and consider a student's overall progress during the course of a year along with the student's own evaluation of his/her progress.
- E. Parents may contact Administrators or teachers with any concerns, questions, needs, or recommendations.
- F. The Administration shall contact the parent/guardian of students who have long-term suspensions at least monthly to determine the student's progress.
- G. The Administration may contact the parents of an expelled student to provide assistance or determine the student's progress.
- H. The parent/guardian and designated officials may enlist the cooperation of the Division of Family Services, the juvenile court, law enforcement, or other appropriate government agencies in determining how to meet the education needs of a student.
- I. Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the State of Utah Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action of change of placement occurs
- J. Student drug testing
 - 1 Channing Hall does not conduct random drug testing on students.
 - 2 If a school employee identifies a student on school property or at a school-sponsored activity who appears to be under the influence of a controlled substance, the employee will contact a school administrator.
 - 3 The administrator will contact the parents and will arrange for the student to be tested by a commercial lab within a specified period of time.
 - 4 If the student or parent refuses to submit to a drug test, the school may take appropriate disciplinary action based on the observation and information that the school has without the drug test.
 - 5 The student may be suspended from school or the school may take appropriate disciplinary action until the results from the drug test are returned to the school.
 - 6 The school administrator may refer the student to law enforcement, if appropriate.
- K. Student Search and Seizure
 - 1 The Channing Hall Administration will use the standards and information in the State Board of Education model policy for searching students or school property

while students are at school or during school sponsored activities.

<https://schools.utah.gov/file/f5d5b4a0-ee8f-4101-b296-ab57e11940a3>

X Additional Safe School Measures

- A. Channing Hall is a closed campus. Students may not leave school grounds during the school day except for specific school programs or with explicit authorization from the Administration or its designees.
- B. A school employee may, when acting in the scope of employment, use and apply physical restraint or force as may be reasonable and necessary consistent with 53G-8-302 under the following circumstances:
 - 1 To obtain possession of a weapon or other dangerous object in the possession or under the control of a student;
 - 2 To protect a student or another individual from physical injury; or
 - 3 To protect property from being damaged, when physical safety is at risk.
- C. A school employee may use less intrusive means, including a physical escort, to address circumstances that may justify restraint.
- D. If an employee uses physical restraint on a student, the employee shall write a report for the Administration outlining the incident and the reasons for the use of physical restraint within three days following the incident. The appropriate administrator will inform the Board of the incident in a timely manner.
- E. The original of the report may be maintained in the employee's personnel file.
- F. A school employee may not direct, cause, or allow the infliction of corporal punishment upon a student.
- G. The Administration and/or teacher will make reasonable attempts to notify a parent/guardian before detaining a student after school.
- H. A student may be denied admission to Channing Hall if the student has been expelled from Channing Hall or another school during the preceding twelve (12) months (Utah Code 53G-8-205(3)).
- I. The Administration may investigate whenever Channing Hall administrators, teachers or employees have reason to believe that students have violated school rules or policies.
- J. Law enforcement officials and other state officials may conduct investigations of alleged criminal conduct on the school premises or during a school-sponsored activity or to investigate other criminal activity.
- K. School officials shall cooperate with law enforcement authorities in their official duties.
- L. If law enforcement personnel seek to interrogate students for alleged non-school related offenses, school officials may request that law enforcement personnel take jurisdiction of the student. When law enforcement personnel take custody of a student, it is law enforcement's responsibility to contact the student's parent.
- M. The Administration, teachers, and other employees of Channing Hall will immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Family Services should any administrator, teacher, or employee have reason to believe that a child has been subject to incest, molestation, sexual exploitation, sexual abuse, physical abuse, neglect, or conditions or circumstances that would reasonably result in such abuse or neglect, consistent with Channing Hall policy and Utah Code 62A-4a-403.

- N. The Administration will document all activity by law enforcement authorities and other state officials on the Channing Hall Campus. All such activity will be reported to the Board.
- O. The Board will review this policy annually, make recommendations as needed based on school data and school actions, and ensure the training of school personnel on safe school and student discipline requirements.

XI Student Discipline Records

- A. The Administration may include appropriate information in the education record of any student concerning disciplinary action taken against the student for conduct that poses a significant risk to the safety or well-being of that student, other students, or the school community.
- B. The Administration may disclose student discipline information as described above to teachers and other school officials, including teachers and school officials in other public schools, who have legitimate educational interests in the behavior of the student, consistent with FERPA, 99 CFR Part 34.
- C. The Administration shall not release personal and identifiable discipline records to other government agencies, including law enforcement agencies, unless the agency produces a subpoena or court order, or unless the student's parent/guardian has authorized such disclosure.