

3220 Safe Schools & Student Discipline Policy

Approved: Jan. 19, 2023

Rule/Law:

Utah Code Ann. § 53G-8-101 to 802 Discipline and Safety
20 U.S.C. 751 - Gun Free School Act;
R277-608 - Prohibition of Corporal Punishment in Schools
R277-609 - Standards for School Discipline Plans
R277-613 – Bullying, Cyber-Bullying, Hazing, Retaliation, and Abusive Conduct

Purpose: The purpose of this policy is to outline the steps that guarantee all the school is a safe environment for all present

I. Rationale:

Edith Bowen Laboratory School is committed to fostering an environment in the public schools for students, staff, community, neighbors and visitors which is safe, conducive to the learning process, and free from unnecessary disruption. A safe school environment includes the school and grounds during school hours, school-provided transportation and school sponsored activities and events. The following policy and guidelines have been created for this purpose in accordance with Utah State Law (Utah Code Ann. § 53G-8-101 et seq.).

II. Definitions:

- A. School-sponsored activity or event means an activity, meeting, or location sanctioned or supported by the school, including transportation of students in university-owned/leased vehicles, or parent volunteer drivers with proper background checks and vehicle driving records with insurance.
- B. Exclusion means the removal of a student from a school program, but not necessarily from all education services, and includes:
 - 1. Suspension: a mandatory interruption of attendance or participation in a specific school or program for a period of 10 days or less.
 - 2. Expulsion: termination of attendance or participation in a school or program for a period in excess of 10 school days by the governing board (Utah Code Ann. § 53G-8-206(3)).
 - 3. Change in Placement: Alternative placement of a student for disciplinary or for other legitimate purposes.

- C. Student means an individual who is enrolled in a public school within the state of Utah and any grade from kindergarten through grade 12 (Utah Code Ann. § 53E-3-524(1)(f)).
- D. Imminent danger means the appearance of threatened and impending injury which would lead a reasonable and prudent person to attempt an instant defense; something which is threatening to happen at once, something close at hand, something which is close, although not yet touching, or on the point of happening. [Black's Law Dictionary]
- E. Habitually disruptive behavior means frequent or repeated flagrant willful disobedience, defiance of proper authority, or repeated disruptive behavior, including the use of foul, profane, vulgar or abusive language.
- F. Gang means a group of people who form an allegiance and engage in a range of anti-social behaviors that may include violent or other unlawful activity. These groups may have a name, turf, colors, symbols, or distinct dress, or any combination of the preceding characteristics.
- G. Remedial discipline plan means a written plan developed by the school in consultation with the student to be disciplined and the parent/legal guardian which may include any combination of the following or any other action discussed by the parties:
 - 1. exclusion of the student from school for a pre-determined time or until certain conditions are met;
 - 2. specific behavior standards for the student which, when met by the student, allow for designated rights or privileges;
 - 3. in-school suspension;
 - 4. community service;
 - 5. restitution for damage or harm.
- H. Proactive intervention strategy means a preventive strategy intended to stop or deter problem behaviors before they occur. A proactive or preventive strategy anticipates problem behaviors and uses a predetermined set of consequences (positive or negative) to intervene.
- I. Parent means parent or legal guardian.

III. **Proactive Strategies for Improving Student Behavior and Limiting the Exclusion of Students from School:**

- A. Each school shall provide parents/legal guardians and students with a written mission statement for the school that should be included in a school procedures handbook and provided to parents/legal guardians.
- B. School administrators, teachers and staff shall use proactive intervention strategies that anticipate problem behaviors before they occur. These strategies may include:
 - 1. a set of objective rules for the whole school that:
 - a) are clear and specific;
 - b) are stated positively;
 - c) are written and posted in various entry ways and areas in the school;



- d) are reviewed frequently;
 - e) are included in a school procedures handbook;
 - f) have been discussed with faculty, students and parents/legal guardians and revised as appropriate; and
 - g) are reviewed by teacher(s), in advisory or homeroom periods or in a school assembly at least annually.
2. feedback systems that consistently inform students of their school wide behavior. These systems shall:
- a) include positive feedback for student behaviors;
 - b) inform parents/legal guardians of individual progress; and
 - c) be accurate and frequently updated.

IV. Provisions Governing the Conduct of Students:

- A. Students shall:
- 1. be given notice of applicable rules of conduct;
 - 2. comply with applicable rules of conduct as well as all federal, state and local laws and ordinances; and
 - 3. be civil and respectful to other people and obey persons in authority at the school.
- B. A student may be suspended or expelled from Edith Bowen Laboratory School for any of the following reasons:
- 1. frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language;
 - 2. willful destruction or defacing of school property;
 - 3. 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;
 - 4. possession, control, or use of an alcoholic beverage as defined in Utah Code Ann. § 32B-1-102;
 - 5. behavior proscribed under Subsection (C) of this policy which threatens harm or does harm to the school or school property, to a person associated with the school, or property associated with that person, regardless of where it occurs; or
 - 6. possession or use of pornographic material on school property.
- C. A student shall be suspended or expelled from Edith Bowen Laboratory School for any of the following reasons:
- 1. any serious violation affecting another student or a staff member, or any serious violation occurring in a school building, in or on school property, or in conjunction with any school activity, including:
 - a) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;

- b) the actual or threatened use of a look-alike weapon with intent to intimidate another person or to disrupt normal school activities; or
 - c) the sale, control, or distribution of a drug or controlled substance as defined in Utah Code Ann. § 58-37-2, an imitation controlled substance defined in Utah Code Ann. § 58-37b-2, or drug paraphernalia as defined in Utah Code Ann. § 58-37a-3; or
 - 2. the 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.
- D. A student who commits a violation of Subsection (IV)(C) of this policy involving a real or look alike weapon, explosive, or flammable material shall be expelled from school for a period of not less than one year subject to the following:
 - 1. within 45 days after the expulsion the student shall appear before the student's local school board superintendent, the superintendent's designee, chief administrative officer of a charter school, or the chief administrative officer's designee, accompanied by a parent; and
 - 2. the superintendent, chief administrator, or designee shall determine:
 - a) what conditions must be met by the student and the student's parent for the student to return to school;
 - b) if the student should be placed on probation in a regular or alternative school setting consistent with Utah Code Ann. § 53G-8-208, and what conditions must be met by the student in order to ensure the safety of students and faculty at the school the student is placed in; and
 - c) if it would be in the best interest of both the school and the student, to modify the expulsion term to less than a year, conditioned on approval by the local school board or charter school governing board and giving highest priority to providing a safe school environment for all students.
- E. A student may be denied admission to Edith Bowen Laboratory School on the basis of having been expelled from Edith Bowen Laboratory School or any other school during the preceding 12 months.
- F. A suspension or expulsion under this section is not subject to the age limitations under Utah Code Ann. § 53G-6-204(1).
- G. Edith Bowen Laboratory School shall prepare an annual report for the state board on:
 - 1. each violation committed under this section; and
 - 2. each action taken by the school against a student who committed the violation.

V. Extracurricular and Cocurricular Activities



- A. Students and staff involved with extracurricular and cocurricular activities are prohibited from engaging in the following conduct while in the classroom, on school property, during school sponsored activities, or regardless of the location or circumstance, affecting a person or property described in Utah Code Ann. § 53G-8-203(1)(e)(i) through (iv):
 - 1. the use of foul, abusive, or profane language while engaged in school related activities;
 - 2. the illicit use, possession, or distribution of:
 - a) a controlled substance or drug paraphernalia;
 - b) a tobacco product, an electronic cigarette product, or a nicotine product as those terms are defined in Section 76-10-101; or
 - c) an alcoholic beverage; and
 - 3. hazing, demeaning, or assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under state law.
- B. School employees who reasonably believe that a violation of this section may have occurred shall immediately report that belief to the school principal.
- C. Failure of a person holding a professional certificate to report as required constitutes an unprofessional practice.
- D. School response to a violation of this policy shall be in accordance with Utah Code Ann. § 53G-8-211.

VI. Procedures for Incidents Involving Weapons, Drugs, Alcohol, or Imminent Danger to People or Property:

- A. The school principal or designee shall determine if the student's behavior created imminent danger to people or property or if the student's behavior, despite intent, was in violation of the school's weapons or drug-free policy.
- B. If the student's behavior created imminent danger or violated the school's weapons or drugs and alcohol policy, following personal notification to the student and student's parent/legal guardian, the student shall be suspended according to the procedure outlined below:
 - 1. immediate student suspension:
 - a) the student is suspended until the parent/legal guardian is able to conference with school administrators;
 - b) the student shall be prohibited from trespassing on all school property;
 - 2. the school may only release the suspended student to the student's parent/legal guardian or other adult designated by the parent or legal authority;
 - 3. in unlawful or dangerous situations, the student may be released to law enforcement personnel.

4. a school or school administrator shall make earnest efforts to contact a parent/legal guardian to schedule a conference with the student, the student's parent/legal guardian, and the school administrator within 24 hours of the exclusion;
 - a) during the conference, the administrator shall:
 - (1) review the alleged conduct by the student and present the evidence;
 - (2) give the student an opportunity to respond and present relevant information or explanations;
 - (3) determine whether or not the allegations are true by a preponderance of the evidence, and make a recommendation for action which may include;
 - (4) if true, the following options are available:
 - (a) discontinue or continue the exclusion (suspension or expulsion) for a specific length of time;
 - (b) develop a remedial discipline plan for the student required under Utah Code Ann. § 53G-8-203(1)(c), which outlines the requirements for reinstatement in the class, or school, and the school or administration's evaluation of alternatives to excluding the student from school;
 - (c) outline expectations for parents/legal guardians and the school in the student's discipline plan and potential reinstatement: i.e. supervision, a behavior contract, continued participation in extracurricular school activities, on-going educational services for the student, take-home or independent study assignments, mandatory school contact or evaluation.
 - (d) advise the student and the parent about the student's rights and obligations and the procedures for appeal of an adverse decision.
5. at the conclusion of any exclusionary period, a conference will be held with the student and the student's parent/legal guardian at which time a behavior contract will be developed by parents/legal guardians, student, school personnel, and other appropriate individuals.

C. The administrator shall document the disciplinary action taken.

VII. **Procedures for Incidents NOT Involving Weapons, Drugs, Alcohol, or Imminent Danger to People or Property (usually handled at the school level):**

- A. An administrator shall provide the student an initial opportunity to explain his behavior prior to suspension. If the immediate suspension is justified the school should proceed.

- B. The school administrator shall investigate and document the charges and schedule a conference with the student and parent/legal guardian as soon as possible. The parent/legal guardian will be notified about the impending conference.
- C. During the conference, the administrator shall:
 - 1. explain the allegations or violation to the student;
 - 2. discuss the evidence and provide the student with a reasonable opportunity to respond and present any relevant information;
 - 3. take appropriate action consistent with findings made by the administrator after review of the evidence and the student's response, and with applicable school policies and state and federal law, including laws or regulations specific to students with disabilities;
 - 4. advise the student and the parent/legal guardian about the student's rights and obligations, and the procedures for appeal of an adverse decision;
 - 5. discuss alternatives to suspension with the student and parent/legal guardian for behavior that is neither violent, unlawful, or falls under weapons, imminent danger or drug and alcohol violations;
 - a) in school suspension or alternative programs;
 - b) parent/legal guardian supervision of student at school;
 - c) amended schedule;
 - 6. if the parent or legal guardian does not comply with the alternative to suspension requirements, the student shall be suspended in accordance with the conduct and discipline policies of the school;
 - 7. in the event of suspension or expulsion, the student shall be prohibited from trespassing on all school property and attending any school event or activity.

VIII. School-Level Hearings:

- A. A school administrator may refer any matter to the school's governing board for hearing if the administrator deems it advisable.
- B. If the student or parent/legal guardian does not concur with the school disposition of student misconduct involving weapons, drugs, alcohol, or imminent danger or for student exclusion for a second or subsequent offense not involving weapons, drugs, alcohol, or imminent danger:
 - 1. the parent/legal guardian may appeal the decision by submitting a written request to the school principal within 10 days after receiving notice of the decision;
 - 2. the principal or review committee shall schedule the appeal hearing within 20 days of receiving the parent's/legal guardian's request for hearing and shall provide the parent/legal guardian with notice of the procedures to be followed in the hearing;
 - 3. the principal or review committee shall conduct the appeal hearing at the appointed time and place. The school and the student may each be represented by an advocate of its choice;



4. at the appeal hearing, each party may make statements, question witnesses, and present relevant facts and evidence. The review committee procedures may allow for additional witnesses or affidavits to be presented;
5. the appeal hearing's conclusion(s) that affect a student's school attendance shall be decided within two school days following the hearing;
6. all other issues shall be disposed of in writing within 30 days of the conclusion of the appeal hearing;
7. these time periods may be waived upon agreement by both parties to the hearing;
8. the recommendation of the review committee will be submitted to the governing board if the recommendation to expel the student is upheld;
9. expulsion of a student may only be conducted by the governing board;
10. school review committee appeal of an exclusion is the final administrative remedy. If students or parents/legal guardians are dissatisfied with the administrative determination, they may appeal to a court of law.

IX. Responsibility of Parent or Legal Guardian for Suspended or Expelled Student:

- A. If a student is suspended or expelled from Edith Bowen Laboratory School for more than 10 school days, the parent is responsible for undertaking an alternative education plan which will ensure that the student's education continues during the period of suspension or expulsion.
- B. The parent shall work with school officials to determine how that responsibility might best be met through private education, an alternative program offered by or through the school, or other alternative which will reasonably meet the educational needs of the student.
- C. The parent and school official may enlist the cooperation of the Division of Child and Family Services, the juvenile court, or other appropriate state agencies to meet the student's educational needs.
- D. Costs for educational services which are not provided by the school are the responsibility of the student's parent.
- E. Edith Bowen Laboratory School shall maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the individual student's cumulative folder.
- F. Edith Bowen Laboratory School shall contact the parent of each suspended or expelled student at least once each month to determine the student's progress.
- G. As required by Utah Code Ann. § 53G-8-208(5)(a), this policy applies to students with disabilities to the extent permissible under applicable law or regulation.
- H. If application of any requirement of this part to a student with a disability is not permissible under applicable law or regulation, Edith Bowen Laboratory School shall implement other actions consistent with the conflicting law or regulation which shall most closely correspond to the requirements of Utah Code Ann. § 53G-8-208.



- X. **Students with Disabilities: (This represents current Federal Law while Utah Rules and Regulations are currently under revision. Existing Utah Special Education Rules and Regulations must be referenced prior to disciplinary action.)**
- A. Students with disabilities are those individuals who qualify for special education and related services under Public Law 105-17, the Individuals with Disabilities Education Act (IDEA), and/or under Section 504 of the Rehabilitation Act Amendments of 1973 and/or under the Americans with Disabilities Act of 1990.
 - B. All students with disabilities enrolled in Edith Bowen Laboratory School are accountable for the same standards of behavior as non-disabled students unless their Individualized Educational Program (IEP) teams have determined that their disabilities prevent adherence to these standards and have agreed upon altered standards on their IEP's. Because students with disabilities represent a protected class of individuals, the following general provisions and/or protections apply:
 - 1. Suspension of students with disabilities for fewer than ten (10) days - School administration may order the removal of a student with a disability for up to 10 consecutive days for any violation of school rules for which students without disabilities would be removed. During this type of removal, the provision of educational services is not required.
 - 2. Suspension of students with disabilities for more than ten (10) days - Students may be suspended for more than 10 cumulative days per school year for separate instances for which nondisabled students would be suspended. However, such suspension must not constitute a pattern of removal and/or a change of placement. Factors such as the length of each removal, total amount of time the student is removed and proximity of removals to each other may lead to a conclusion of placement change. Regardless, beginning with the 11th cumulative day of removal, general and special education services must be provided to the student while on suspension.
 - a) Weapons and Controlled Substance Violations
 - (1) If a student with a disability carries a weapon to school or a school function, or knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or at a school function, school administration may order the removal of the student from school. When such a removal is contemplated, it constitutes an imminent change of placement and parents/legal guardians must be notified and provided with a copy of their procedural safeguards under IDEA.
 - b) Manifestation Determination
 - (1) The student's IEP team must meet as quickly as possible following the violation to conduct a manifestation determination. This procedure uses evidence from the student's psychoeducational evaluation(s), school conduct and



classroom performance to help identify whether or not the student's misbehavior was a function of his/her disability.

(a) Violation Related to Student's Disability

The student's IEP team must meet to determine an interim alternative educational setting (IAES) to which the student may be removed for up to 45 school days. The team must also conduct a functional behavioral assessment (FuBA) and develop a behavior intervention plan (BIP) if these have not already been accomplished. If a FuBA and BIP have already been completed, the IEP team will review these and make revisions as appropriate. The purpose of the BIP is to reduce or eliminate the likelihood that the behavior causing the removal from school will recur in the interim alternative educational setting and in the student's school upon his/her return. In an IAES, the student must receive services which allow him/her to progress in the general curriculum and to advance appropriately toward meeting the goals specified on his/her IEP.

(b) Violation Not Related to Student's Disability

If the manifestation determination procedure indicates that the weapons or drug violation was not related to the student's disability, the student may be removed from school on the same basis as would a student without a disability. However, during this removal, the school must provide services necessary to enable the student to progress in the general curriculum and appropriately advance toward meeting the goals set forth in his/her IEP.

(c) Dangerousness

A due process hearing officer may order the removal of a student to an interim alternative educational setting (IAES) for up to 45 days if in an expedited due process hearing, s/he determines that the school has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or others, considers the appropriateness of the student's current placement, considers that the school has made reasonable efforts to minimize the risk of harm in the student's current placement, determines that the IAES proposed by the school in concert with the student's

special education teacher meets requirements of addressing the student's behavior and offering services so that the student can progress in his/her general and special education programs.

School may continue to seek school removal of a student deemed dangerous by petitioning a court of local jurisdiction. This is often referred to as a "Honig Injunction." The federal Office for Special Education Programs (OSEP) affirmed in DOE Q & A Document, Question 3, 64 Fed. Reg. 12415 (March 12, 1999) that at any time, school officials may seek to obtain a court order to remove a student with a disability from school or to change a student's current educational placement if they believe that maintaining the student in the current educational placement is substantially likely to result in injury to the student or others.

School officials can report crimes committed by students with disabilities to appropriate law enforcement authorities to the same extent they do for crimes committed by nondisabled students.

2. In School Suspension - An in school suspension would not be considered a part of the days of suspension previously addressed as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive the services specified on his or her IEP and continue to participate with nondisabled students to the extent they would have in their current placement.
3. Behavioral Interventions - any behavioral intervention to be used with a Edith Bowen Laboratory School student with disabilities must meet the requirements set forth by the Utah State Board of Education Special Education Rules.

XI. Student Restorative Discipline

- A. EBLS recognizes that effective discipline is carried out within a restorative model wherein student interpersonal relationships, personal dignity, mutual respect, understanding, and restitution are the top priorities. EBLS also recognizes that a restorative model of discipline must be included in a Multi-Tiered System of Supports (MTSS) for students.
- B. Definitions
 1. Restorative Discipline: the discipline of student behavior where interpersonal relationships, personal dignity, mutual respect, understanding, conferencing,

and restitution are the disciplinary strategies instead of punishment and retribution.

2. Multi-Tiered Systems of Supports: a framework for academic and behavioral concerns. The premise behind MTSS is that academic and behavioral problems are addressed through a systematic problem-solving model. This model includes a primary, secondary, and tertiary support system that increases in the intensity of intervention.
3. Emergency Safety Interventions: the use of seclusionary time out or physical restraint when a student presents an immediate danger to self or others [[Utah Compilation of School Discipline Laws and Regulations R277-609-2.\(3\)\(a\)](#)]
4. Physical Restraint: a personal restriction that immobilizes or significantly reduces the ability of a student to move the student's torso, arms, legs, or head freely. The length of the restraint and the amount of force used should be for the shortest duration and the least amount necessary to diffuse the emergency situation and ensure the safety of the student(s) and others. The use of prone, or face-down physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication is strictly prohibited. [[Utah Compilation of School Discipline Laws and Regulations 53G-8-301.3](#)]
5. Seclusionary Time Out: is the involuntary confinement of a student alone in an enclosed room when a student is prevented from leaving. [[USBE Least Restrictive Behavioral Interventions and Utah Compilation of School Discipline Laws and Regulations R392-200 and R710-4](#)]
 - a) Seclusionary time out, when used with a student, means all the following conditions are met:
 - (1) The student is placed in a safe enclosed area by school personnel;
 - (2) The student is purposefully isolated from adults and peers;
 - (3) The student is prevented from leaving, or the student reasonably believes that the student will be prevented from leaving, the enclosed area.
 - (4) Physical Escort: Physical escort is an intervention that "...limit(s) a person's movement by using body contact," and is, therefore, a conditional procedure. Several physical escorting procedures may be effectively used depending on:
 - (a) The program goals and objectives,
 - (b) The age of the student,
 - (c) The physical size and strength of the student,
 - (d) The physical size and strength of the staff member(s),
and

- (e) The student's behavioral and emotional history.
- 6. Physical escort is only done when safety is a concern. Physical escorts are categorized by their level of intrusiveness. The following types of physical escorting procedures may be used as part of a comprehensive program plan and are part of the annual Therapeutic Intervention and Manual Restrain in-service training:
 - a) Touch prompt to the back or shoulder (not regulated, but part of the hierarchy)
 - b) Physical Guidance
 - c) Physical Escort-Only allowed if sufficiently trained

C. Administrative Regulation

1. MTSS Framework: In order to maintain a safe, positive, and inclusive learning environment, each school principal shall work cooperatively with faculty members, parents, and students to establish safety measures, quality instruction, maintenance of relationships, and maintain a clean, well-maintained school environment. Principals will be required to identify how their respective schools' restorative disciplinary measures operate within an MTSS framework. Individual teachers will be responsible for maintaining high-quality positive behavior supports and instructional control in their classes and extracurricular assignments. All staff members will assist in maintaining discipline in other areas of the building and school grounds.
2. Safe Learning Environment: Teachers and other staff members will promote a safe learning environment for a continuum of student learners by establishing rapport with students and demonstrating qualities of honesty, fairness, and consistency in their dealings. Teachers are expected to help students develop and maintain respect for themselves, for others, and for school property. Teachers are expected to define clear expectations for the following domains of classroom behavior:
 - a) The amount of movement required for an instructional activity.
 - b) The types of conversations for the instructional activity.
 - c) How to ask for help during the instructional activity.
 - d) Definitions of what participation in the instructional activity looks like.
3. Instruction: Teachers will maintain effective control of the instructional situation in order to provide optimum learning opportunities for all students. It is the responsibility of the teacher to plan lessons carefully and engage in instructional activities that further student interest and engagement. It is the responsibility of the teacher to adopt a positive behavior support system in their respective classroom where explicit classroom behavioral expectations are reviewed and reinforced regularly.
4. Principal: The principal will work with faculty members to develop school-wide positive behavior supports where explicit school-wide behavioral expectations are reviewed and reinforced regularly.

D. Restorative Discipline Procedures

1. In situations where student behavior becomes disruptive to the extent that it interferes with the learning and teaching process, the principal or teacher may utilize reasonable restorative discipline procedures.
2. Student disciplinary action must be consistent with established state rules and regulations consistent with those rules and regulations found in the [Utah State Board of Education \(USBE\) Special Education Rules](#).
3. No employee may inflict cruel or irresponsible punishment upon a student or exercise other liberties prohibited by statutory law including any form of corporal punishment as defined under [§53A-11-801\(2\)](#) of the Utah Code.
4. Students requiring discipline are to be dealt with in a professional and objective manner, without undue emotional displays.
5. All student discipline must incorporate a restorative component fostering belonging over exclusion, social engagement over control, and meaningful accountability over punishment.

E. Physical Restraint, Seclusionary Time Out, and Physical Escort

1. When student behavior becomes disruptive to the extent that immediate measures must be taken to avoid personal injury or abuse to themselves or others, teachers, acting en loco parentis, may use emergency safety interventions; physically restrain to control the student or students involved or use seclusionary time out.
2. Physical Restraint, Physical Escort and Seclusionary Time Out in EBLs will follow these explicit steps:
3. Physical restraint, physical escort, and seclusionary time out initiation can only be provided by trained faculty and/or staff when student behavior has been deemed a real, immediate, and capable threat to student(s), faculty, and/or staff.
4. Release Criteria: Physical restraint, physical escort, and seclusionary time out duration must be terminated:
 - a) After the minimum time necessary to ensure safety or
 - b) When the student is no longer a real, immediate, and capable threat to self, students, faculty, and staff.
 - c) If a public education employee engages in physical restraint or physical escort of a student or the use of seclusionary time out, the employee shall immediately notify:
 - (1) the student's parent or guardian; and
 - (2) school administration
 - d) If the student is eligible for special education, the director of special education must be notified as well.
 - e) In a reasonable amount of time following the use of physical restraint, physical escort, or seclusionary time out, a formal process for debriefing the faculty and staff will take place in an effort to address

any concerns on behalf of the employees involved as well as procedures to help prevent the need for physical restraint again for the involved student.

- F. Supervision: Teachers will provide adequate supervision and structure in their classes and during assigned extracurricular assignments.
- G. Modeling Behavior: Teachers have the responsibility to set and maintain high standards of behavior and act as role models to their students.
- H. Continuum of Interventions: EBLs will continue to develop, use, and monitor a continuum of intervention strategies and restorative discipline to assist students, including students whose behavior in school falls repeatedly short of reasonable expectations, by
 - 1. teaching student behavior expectations,
 - 2. re-teaching behavior expectations,
 - 3. enlist effective, evidence-based interventions matched to student needs prior to an administrative referral.

XII. Gang-Related Activity:

- 1. School administrators and other school personnel designated by the administration shall have authority to identify student behavior as gang-related and may be allowed under school policy to treat such designated behavior as imminently dangerous to students and staff and follow the procedures outlined under Section V of this policy for disciplining students involved in gang-related activities.
- 2. In disciplining students under gang-related provisions, school administrators shall act consistently with and be sensitive to Constitutional protections of freedom of expression and freedom of association.
- 3. Students and parents/legal guardians should be given notice that courts have determined that the parameters of freedom of expression and freedom of association in a public school setting are different than in society generally.
- 4. Indices of gang-related behavior or association may include, but are not limited to:
 - 1. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, tattoo, badge, symbol, sign or other items which evidence membership in a gang;
 - 2. use of name associated with or attributed to a gang;
 - 3. designation of turf or an area for gang activities or occupation or ownership; or
 - 4. any combination of the preceding indices or activities.