

DRAFT REVISIONS 3050 Anti-Bullying, Cyberbullying, Harassment, Hazing and Retaliation Policy

Rule/Law: Utah Code 53G-9-601 through 608; Utah Code 53G-8-205 through 210; Utah Code 53G-9-702; Board Rules R277-613 and R277-609

Approved: Jan. 18, 2024, revised Nov. 14, 2024

I. Purpose

Bullying, cyberbullying, hazing, abusive conduct, and retaliation of students and employees are prohibited, are against federal, state and local policy, and are not tolerated by the Edith Bowen Laboratory School (EBLS). EBLS is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, EBLS has in place policies, procedures, and practices designed to reduce and eliminate bullying, cyberbullying, abusive conduct, retaliation, and hazing—including civil rights violations or actions based on a student’s or employee’s actual or perceived race, color, national origin, sex, disability, religion, religious clothing, gender identity, sexual orientation, or other physical or mental attributes—as well as processes and procedures to deal with such incidents. Bullying, cyberbullying, abusive conduct, retaliation, and hazing of students and/or employees by students and/or employees will not be tolerated in EBLS.

II. Director Role and Designees

In the case where the director is not able to carry out their responsibilities as outlined in this policy, the assistant director or another trained designee shall have the authority to carry out those responsibilities.

III. Definitions

- A. “Abusive conduct” means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine:
 - 1. Is intended to cause intimidation, humiliation, or unwarranted distress;
 - 2. A single act does not constitute abusive conduct,
- B. “Action Plan” means the response to a substantiated incident of bullying, cyberbullying, abusive conduct, retaliation, and hazing as described in this policy
- C. “Bullying” means student bullying or staff bullying (defined below).
- D. “Civil rights violation” means violations as outlined in the following federal laws:
 - 1. Title VI of the Civil Rights Act of 1964, including discrimination on the basis of race, color, or national origin;
 - 2. Title IX of the Education Amendments of 1972, including discrimination on the basis of sex; or
 - 3. Section 504 of the Rehabilitation Act of 1973,
 - 4. Title II of the Americans with Disabilities Act of 1990
- E. “Cyberbullying” means 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.

- F. "Disruptive student behavior" means the same as that term is defined in Utah Code Subsection 53G-8-210(1)(a) and includes:
- a) The grounds for suspension or expulsion that are described in Utah Code Section 53G-8-205; and
 - b) Behavior that interrupts or interferes with the learning of another;
 - c) Frequent or flagrant willful disobedience, defiance of proper authority;
 - d) Use of foul, abusive, or profane language while engaged in school-related activities;
 - e) Illicit use, possession, or distribution of controlled substances or drug paraphernalia, and the use, possession, or distribution of an electronic cigarette as defined in Utah Code Section 76-10-101, tobacco or alcoholic beverages contrary to law;
 - f) 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 Utah law;
 - g) Willful destruction or defacing of school property;
 - h) Behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students, school personnel, or the operation of the school (Utah code §53G-8-202); or
 - i) Possession or use of pornographic material on school property.
- G. "Hazing" means a school employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:
1. Endangers the mental or physical health or safety of a school employee or student;
 - a) 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;
 - b) 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
 - c) 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
 2. Is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for in a school or school-sponsored team, organization, program, club, or event; or

3. Is directed toward a school employee or student whom the individual who commits 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 individual who commits the act also participates.
 4. The conduct described in this Subsection F constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.
- H. "Parent" means a student's parent or guardian.
- I. "Restorative practice" is an accountability practice, as mentioned in the LRBI manual. It means helping students take responsibility for and repair harmful behavior that occurs within the school community.
- J. "Retaliation" means an act or communication intended:
1. As retribution against a person for reporting bullying, cyberbullying, hazing, abusive conduct, and retaliation; or
 2. To improperly influence the investigation of, or the response to, a report of bullying, cyberbullying, hazing, abusive conduct, and retaliation.
- K. "School employee" means an individual working in the individual's official capacity as:
1. A school teacher;
 2. A school staff member;
 3. An administrator, or;
 4. An individual who is employed, directly or indirectly, by EBLS or who works on the EBLS campus.
- L. "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 student or employee involving an imbalance of power, that:
1. Creates an environment that a reasonable person would find hostile, threatening, or humiliating; and
 2. Substantially interferes with a student's or employee's educational or professional performance, opportunities, or benefits.
 3. "Staff bullying" does not mean instances of:
 - a) Ordinary teasing, horseplay, argument, or peer conflict;
 - b) Reasonable correction of behavior by a school employee, or;
 - c) Reasonable coaching strategies and techniques by a school employee who is a coach.
- M. "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 employee or student involving an imbalance of power, that:
1. Creates an environment that a reasonable person would find hostile; and/or
 2. Interferes with a student's educational performance, opportunities, or benefits.

3. "Student bullying" does not mean instances of:
 - a) Ordinary teasing, horseplay, argument, or peer conflict;
 - b) Reasonable correction of behavior by a school employee, or;
 - c) Reasonable coaching strategies and techniques by a school employee who is a coach.

N. "Volunteer" means a non-employee with access to students in connection with a school assignment or activity.

IV. Actions Required to Update Bullying Policies

A. In addition to the requirements of Utah Code Subsection 53G-9-605 (3), EBLS is required to:

1. Develop, update, and implement policies as required by Utah Code Section 53G-9-605;
2. Develop policy with the input from students, parents, teachers, school administrators, school staff, or law enforcement agencies;
3. Post a copy of the policy on the EBLS website;
4. Create and implement an action plan for each incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation in accordance with Utah Code § 53G-9-605.5; See section VII for more details.
5. Annually collect a signed statement via registration from:
 - a) School employees, and
 - b) Students who are at least eight years old, and
 - c) Parents of enrolled studentsthat they have received this policy as per Utah Code Subsection 53G-9-605 (3)([g]h); and
6. Use the bi-annual School Climate Survey to assess students about the prevalence of bullying, cyberbullying, hazing, abusive conduct, and retaliation in EBLS:
 - a) Specifically, locations where students are unsafe, and additional adult supervision may be required, such as playgrounds, hallways, bathrooms, locker rooms, and lunch areas.

V. Training

A. All students, school employees, coaches, and volunteers at EBLS will receive annual training from a qualified professional regarding bullying, cyberbullying, abusive conduct, hazing, and retaliation. This training is in addition to the required suicide training (detailed below) and complements that training. This training will address:

1. Bullying, cyberbullying, hazing, abusive conduct, and retaliation based upon the students' or employees' identification as part of any group protected from discrimination under the following federal laws:
 - a) Title VI of the Civil Rights Act of 1964, including discrimination based on race, color, or national origin;
 - b) Title IX of the Education Amendments of 1972, including discrimination based on sex; or

- c) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, including discrimination based on disability; and
 2. Training on civil rights violations will include compliance with reporting requirements when civil rights violations are reported.
 3. Bullying, cyberbullying, hazing, abusive conduct, and retaliation, including training and education specific to bullying based upon students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, religious clothing, gender identity, sexual orientation, or other physical or mental attributes or and conformance or failure to conform to stereotypes; and
 4. Awareness and intervention skills, such as social skills training.
 5. Awareness of consequences for students and/or employees violating the policy
- B. A licensed educator shall supervise volunteers and ensure that each volunteer is trained in the above areas. Volunteers shall report to their supervisor if the volunteer witnesses or is notified of a bullying, cyberbullying, hazing, abusive conduct, or retaliation incident among students or if the volunteer has reason to suspect such an incident. Volunteers shall not engage in bullying activities themselves and must follow policy requirements; otherwise, they may be asked to leave EBLs.
- C. EBLs will implement a youth suicide prevention program for students as described in Utah Code Section 53G-9-702.
- D. All licensed educators must complete 2 hours of professional development in youth suicide prevention training once every license renewal cycle.
- E. The Director shall maintain training participant lists and/or signatures and provide them to the board upon request.

VI. Prohibitions

- A. A school employee or student shall not engage in bullying a school employee or student:
1. On school property;
 2. At a school-related or sponsored event;
 3. On a school bus;
 4. At a school bus stop, or
 5. While the school employee or student is traveling to or from a location or event described above in Subsection A (1) – (4).
- B. A school employee or student shall not engage in hazing or cyberbullying of a school employee or student at any time or in any location.
- C. A school employee or student shall not engage in retaliation against:
1. a school employee;
 2. a student; or
 3. an investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, abusive conduct, and retaliation.

- D. A school employee or student shall not make a false allegation of bullying, cyberbullying, hazing, abusive conduct, or retaliation against a school employee or student.
- E. A parent or student shall not engage in abusive conduct toward any school employee or volunteer
- F. Improper Sharing of Recording of Incident Prohibited—No student may share a recording of an incident or of abusive conduct in a way that would impact or encourage future incidents or abusive conduct, or intending to impact or encourage future incidents or abusive conduct. Students who violate this prohibition violate this policy and are subject to disciplinary action up to and including expulsion, consistent with policy 3220 “Safe Schools & Student Discipline Policy.” This restriction does not prevent a student from sharing a recording of an incident or of abusive conduct with a teacher or administrator as part of reporting the incident or abusive conduct or in response to a request from a teacher or administrator for the recording.
- G. Any bullying, cyberbullying, hazing, abusive conduct, and retaliation that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws. It is subject to compliance regulations from the Office for Civil Rights.

VII. Investigations

- A. EBLS will promptly and reasonably investigate allegations of bullying, cyberbullying, hazing, abusive conduct, and retaliation. The EBLS investigators (school Director, school counselor, and/or assistant Director) will be responsible for handling all complaints by students, parents, or employees alleging bullying, cyberbullying, or hazing. Complaints can be communicated to the investigators in person or through electronic means.
- B. Students have a limited expectation of privacy on the school’s Internet system, and routine monitoring or maintenance may lead to discovery that a user has violated school policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of the above policy will be confiscated for investigation and may be turned over to law enforcement.
- C. EBLS shall comply with State Board of Education Administrative Rule Subsection R277-613-4(1)(c) & 53G-9-605.5, by:
 - 1. Investigating allegations of incidents of bullying, cyberbullying, hazing, abusive conduct, and retaliation in accordance with this section; and
 - 2. The Director, Assistant Director, and School Counselor, in collaboration with teachers and staff relevant to the case, will investigate allegations of bullying, cyberbullying, hazing, abusive conduct, and retaliation, with adequate training in conducting an investigation.
- D. EBLS is required to investigate allegations of incidents described in Subsection (A)(1) by interviewing:
 - 1. The individual who claims to have been the recipient of prohibited conduct (the claimant)

2. The individual who is alleged to have engaged in prohibited conduct (the respondent).
 3. EBLs may also interview the following as part of an investigation:
 - a) Parents of the claimant and the respondent;
 - b) Any witnesses;
 - c) School staff familiar with the claimant
 - d) School staff familiar with the respondent, and
 - e) Other individuals who may provide additional relevant information.
 4. An individual who investigates an allegation of an incident shall inform the individual being interviewed that:
 - a) To the extent allowed by law, the individual is required to keep all details of the interview confidential; and
 - b) Further reports of bullying may become part of the investigation.
- E. The confidentiality requirement in Subsection (B)(2) does not apply to:
1. Conversations with law enforcement professionals;
 2. Requests for information pursuant to a warrant or subpoena;
 3. A state or federal reporting requirement; or
 4. Other reporting required by this rule.
- F. In investigating this section, EBLs may:
1. Review disciplinary reports of involved students; and
 2. Review physical evidence, consistent with search and seizure law in schools, which may include:
 - a) video or audio;
 - b) notes;
 - c) email;
 - d) text messages;
 - e) social media; or
 - f) graffiti.
- G. The director shall:
1. Ensure that all administrators complete the required investigator training as provided by USBE;
 2. Oversee the implementation of an action plan after an investigation is completed;
 3. Monitor implementation of the policy; and
 4. Act as a liaison to USBE.

VIII. Action Plan

- A. EBLs shall create and implement an action plan for each substantiated incident of bullying, cyberbullying, hazing, abusive conduct, and retaliation.
- B. In accordance with Section 53G9-605.5, the Action Plan shall include:
 1. A communication plan designed to keep each parent updated on the implementation of the action plan;
 2. With respect to the student or school personnel to whom the incident was directed (claimant) and in direct coordination with the student's parent:
 - a) A tailored response to the incident that addresses the student's needs;

- b) A mechanism to consider consequences or accommodations the student or school personnel may need regarding decreased exposure or interactions with the ~~individual student~~ who caused the incident;
 - c) Notification of the consequences and plan to address the behavior of the ~~individual student~~ who caused the incident;
 - d) Supportive measures designed to preserve the student's or school personnel's access to educational services and opportunities; and
 - e) To the extent available, access to other resources that the parent requests for the student (or school personnel requests for themselves); and
3. With respect to the student or school personnel who caused the incident (the respondent) and in direct coordination with the student's parent:
- a) A range of tailored and appropriate consequences, making a reasonable effort to preserve the student's or school personnel's access to educational services and activities;
 - b) A process to determine and provide any needed resources related to the underlying cause of the incident;
 - c) Supportive measures designed to preserve the student's or school personnel's access to educational services and opportunities while protecting the safety and well-being of other students; and
 - d) A process to remove the ~~individual student~~ from school in an emergency situation, including a description of what constitutes an emergency.
4. A school or LEA may not include in an action plan a requirement that the student or school personnel to whom the incident was directed change the student's:
- a) Educational schedule or placement; or
 - b) Participation in a school-sponsored sport, club, or activity.
 - c) A school or LEA shall establish an appeals process for a student who causes an incident, or for the student's parent, to appeal one or more consequences included in an action plan.
 - d) If, after a school or LEA attempts to involve a parent in the development and implementation of an action plan, the parent chooses not to participate, the school or LEA may proceed with the action plan without the parent's involvement.

IX. Actions Required if Prohibited Acts are Reported

- A. Each reported complaint will include:
- 1. The name of the claimant;
 - 2. The name of the respondent (if known);
 - 3. The date and location of incident(s); and
 - 4. A statement describing the incident(s), including names of witnesses (if known).

- B. A report of bullying, cyberbullying, hazing, abusive conduct, and retaliation may be made anonymously, but EBLS will not take formal disciplinary action based solely on an anonymous report.
1. If, during the course of an investigation, evidence is discovered that suggests the potential for a violation of students' civil rights (i.e., Title IX, Section 504), the investigation will continue under the appropriate requirements as defined in the state & federal guidelines.
- C. Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties may include, but are not limited to:
1. Use a discipline plan consistent with State Board of Education Administrative Rule R277-609.
 2. Use accountability practices as used and defined in the USBE LRBI Manual.
 3. Notify the involved students' parents of the restorative justice practice and obtain consent from the involved student(s)' parents before including the claimant in the process.
 - ~~4. Support involved students through trauma informed practices.~~
 5. Use student suspension or removal from a school-sponsored team or activity, including school-sponsored transportation.
 6. Use student suspension or expulsion from school, or lesser disciplinary action.
 7. Use employee suspension or termination for cause or lesser disciplinary action consistent with Utah Code Section 53G-11-512.
 8. Use employee reassignment.
 9. Take other actions against the student or employee as appropriate; and
 10. Use a grievance process required under Subsection 53E-9-605(3)(f) consistent with the LEA's established grievance process for employees (see Section IX).
- D. The school will notify a parent if the parent's student threatens suicide, or if the student is involved in an incident of bullying, cyberbullying, abusive conduct, hazing, or retaliation.
1. EBLS will produce and maintain a record that verifies that the parent was notified of the incident or threat.
 2. EBLS will not disclose the record described in D(1) to anyone unauthorized to receive it and will not use the record for purposes not allowed under the law.
 3. EBLS will maintain a record of implementation of the action plan.
 4. Parents will be provided with materials and information to support this situation as needed.
- E. Compliance with the Office for Civil Rights when Civil Rights Violations Occur:
1. The school is responsible for identifying bullying, cyberbullying, and hazing incidents about which it knows, or reasonably should have known, when they involve a protected class. The school must take immediate and appropriate action to investigate or otherwise determine what occurred.
 2. These duties are the school's responsibility to investigate, regardless of whether a person makes a complaint, requests that the school take action, or identifies the bullying, cyberbullying, or hazing as a form of discrimination.

3. If it is determined that the bullying, cyberbullying, or hazing occurred as a result of the student-claimant's membership in a protected class, the school shall take prompt and effective steps reasonably calculated to:
 - a) end the bullying, cyberbullying, or hazing
 - b) eliminate any hostile environment,
 - c) assess prevalence in school culture, physical facilities, and systemic practices to prevent its recurrence.
- F. Actions must also include, as appropriate:
1. procedures for protecting the claimant and other involved individuals from being subjected to:
 - a) further bullying, cyberbullying, or hazing, and
 - b) retaliation for reporting the bullying, cyberbullying or hazing;
 2. prompt reporting to law enforcement of all acts of bullying, cyberbullying, hazing, or retaliation that constitute suspected criminal activity;
 3. procedures for a fair and timely opportunity for the accused to explain the accusations and defend his/her actions before student or employee discipline; and
 4. procedures for providing due process rights under Utah Code Section 53G-11-501 (licensed staff) and local employee discipline policies before employee discipline or Utah Code Section 53G-8-202 and local policies (students) before long-term (more than 10-day) student discipline.

X. Annual Reporting of Allegations of Bullying, Cyberbullying, Hazing, and Retaliation

- A. EBLs is required by Utah Code Subsection 53E-3-401 (3) and State Board of Education Administrative Rule R277-613 to report the following annually, on or before June 30, to the Superintendent in accordance with the Superintendent's submission requirements:
1. A copy of this policy is required in Section R277-613-4.
 2. Implementation of the signed statement requirement described in Utah Code Subsection 53G-9-605 (3)(g).
 3. Verification of training of school employees relating to bullying, cyberbullying, hazing, retaliation, and abusive conduct described in Utah Code Section 53G-9-607.
 4. Incidents of bullying, cyberbullying, hazing, abusive conduct, and retaliation.
 5. The number of incidents described in Subsection (4) required to be reported separately under federal law, including the reporting requirements in:
 - a) Title VI of the Civil Rights Act of 1964;
 - b) Title IX of the Education Amendments of 1972; or
 - c) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990; and
 - d) the number of incidents described in Subsection (4) that include a student who was bullied, cyber-bullied, hazed, or retaliated against based on the student's actual or perceived characteristics, including disability, race, national origin, religion, or sex, gender identity, or sexual orientation.

XI. Employee Grievance Process for Incident of Abusive Conduct

- A. For purposes of this policy, “abusive conduct” means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.
 1. A school employee who has experienced an incident of abusive conduct and is not satisfied with initial efforts to resolve the issue may submit a written grievance to the school employee’s Director within thirty (30) calendar days of the incident.
 2. The written grievance described in Subsection (1) shall include:
 - a) The date of the incident;
 - b) Circumstances of the incident; and
 - c) The signature of the school employee submitting the grievance to the Director.
 3. Within ten (10) business days of receiving the written grievance, the Director shall meet with the school employee to discuss the grievance and possible resolutions.
 4. Within ten (10) business days after the meeting described in Subsection (3), the Director shall respond to the school employee in writing explaining the Director’s position and offer options for substantive resolution of the complaint.
 5. If the response by the Director described in Subsection (4) does not satisfactorily resolve the issue, the school employee may appeal the Director’s response as described in USU Policies 321 and 325.

XII. Additional Notes

- A. Those who engage in conduct prohibited under this policy (bullying, etc) will be subject to disciplinary action under Policy 3220.
- B. This policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution. However, if off-campus speech that may constitute a bullying, cyberbullying, or hazing incident creates a substantial disruption to the school environment, under *Tinker v. Des Moines*, 393 U.S. 503 (1969), EBLS may take disciplinary action against the student who initiated the speech. Factors that EBLS may consider in determining whether a substantial disruption has occurred are:
 1. whether there is a verbal or physical confrontation over the incident at school;
 2. whether there is likely to be a verbal or physical confrontation based on evidence of a prior relationship between the claimant and the student who initiated the speech;
 3. whether any part of the speech that gave rise to the incident was repeated at school;
 4. whether students are discussing the incident during class or if it otherwise is disrupting school work;
 5. whether there is a widespread whispering campaign or rumor sparked by the off-campus incident that disrupts the school environment and students’ abilities to focus on school;

6. whether administrators who dealt with the incident were pulled from their ordinary tasks to address the incident and how much time it took out of an administrator's day to do so;
7. whether speech similar to the off-campus speech in this incident has occurred in the past and has resulted in violence or near violence at school;
8. whether there is a negative effect on classroom activities as a result of the off-campus incident; or
9. whether the speech was violent or whether there is a history of violence from the student/s who initiated the speech. (Note: the First Amendment does not protect true threats if it advocates "imminent" violence or unlawful conduct. Thus, a message that threatens physical harm, even if it isn't meant to be serious, may not be protected by the First Amendment, and EBLS may discipline the person who utters such a message.)

DRAFT REVISIONS 3220 Safe Schools & Student Discipline Policy

Approved: Jan. 19, 2023

Rule/Law:

Utah Code Ann. § 53G-8-101 to 805 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, cyberbullying, Hazing, Retaliation, and Abusive Conduct

Purpose: This policy aims to create a secure, orderly, and positive learning environment free from violence, harassment, and disruption.

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.). This policy incorporates Utah State Board of Education Rule R277-609. Disciplinary practices outlined in this policy must be consistent with that rule.

School officials have the authority to discipline students for off-campus speech and behavior that causes or threatens a substantial disruption on campus or during school activities, including violent altercations, or a significant interference with a student's educational performance and involvement in school activities. If after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code Section 53G-8-205 and, loss of participation in extracurricular activities, and/or probation. If after an investigation, a school employee is found to have violated this policy, the employee shall be disciplined by appropriate measures up to, and including, termination.

II. Definitions:

- A. "Disruptive Student Behavior" is any behavior that prevents the ability of instructors to teach or students to learn, including behaviors that are grounds for suspension or expulsion, as well as behavior that does not warrant removal. (Utah Code § 53G-8-210) See section XV below.
- 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. "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]
- D. An "infraction" is a violation of school rules or behavioral expectations that disrupts the learning environment or school operations but does not rise to the level of a suspendable or expellable offense under Utah Code § 53G-8-205. Infractions may include, but are not limited to:
1. Disruptive or disrespectful behavior
 2. Failure to comply with classroom or school expectations
 3. Inappropriate language or conduct
 4. Minor misuse of technology
 5. Repeated tardiness or unexcused absences
- 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. "Qualifying minor" means a school-age child who:
1. is at least nine years old; or
 2. turns nine years old at any time during the school year.
- H. "Multi-Tiered Systems of Supports" means 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.
- I. "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.
- J. "Parent" means parent or legal guardian.
- K. "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.
- L. "Restorative Practices" means helping minors take responsibility for and repair harmful behavior that occurs within the school community.
- M. "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.
- N. "Student" means an individual who is enrolled at EBLs

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

- A. EBLs shall provide parents/legal guardians and students with a written mission statement included in the Parent Handbook and shared on the website.
- 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 and students at an assembly at least annually
 - g) Shared with parents/legal guardians at back-to-school night and revised as appropriate, with parents notified through weekly emails; and
 - h) Are reviewed by teacher(s), in homeroom classrooms.
 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.
- C. During an annual Governing Board meeting, the school administration will report on compliance with this policy.
- D. All students at EBLs shall be provided access to the least restrictive environment (LRE) possible that does not predictably threaten serious bodily injury to educators, school staff, or other students.
 1. The LRE should not interfere substantially and/or materially with the instruction of the other students in the classroom
 2. The LRE should provide an environment for all teachers, staff, and students that does not allow for repeated:
 - a) Verbal or physical sexual harassment, or
 - b) Sexual assault

IV. Provisions Governing the Conduct of Students:

For additional guidance related to the discipline of students with disabilities (as defined under the Individuals with Disabilities in Education Act) see section X.

- A. Students shall:
 - 1. Comply with applicable school rules as well as all federal, state and local laws and ordinances; and
 - 2. Be civil and respectful to others and obey those in authority at the school.
- B. Infractions are considered minor violations and are typically addressed through school-based interventions, restorative practices, or other corrective measures rather than formal disciplinary removal, per Utah Code § 53G-8-211 and Utah Administrative Rule R277-609. Infractions are documented according to school policy and communicated to parents or guardians. When patterns of infractions occur, the school will implement additional supports or interventions to address underlying concerns and promote positive student behavior. Repeated minor infractions may escalate to disruptive behavior and be subject to those consequences (see section V).
- C. 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.
- D. A student shall be suspended or expelled from Edith Bowen Laboratory School for any of the following reasons (see Utah Code §53G-8-205):
 - 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 use of violence or sexual misconduct;
 - c) the actual or threatened use of a look-alike weapon with intent to intimidate another person or to disrupt normal school activities; or
 - d) 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.
 3. The act of making a false report of an emergency at a school (Subsection 76-9-105.5(2)(b))
- E. 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 may appear before the school Director or Governing Board, accompanied by a parent, to request a possibility of readmission at the conclusion of the expulsion.
- F. A student may be denied admission to Edith Bowen Laboratory School based on having been expelled from Edith Bowen Laboratory School or any other school during the preceding 12 months.
- G. A suspension or expulsion under this section is not subject to the age limitations under Utah Code Ann. § 53G-6-204(1).
- H. The school Director shall prepare an annual report for the state board in accordance with the reporting requirements of R277-484. The Director will notify the board that the report has been made:
1. Each violation committed under this section; and
 2. Each action taken by the school against a student who committed the violation.

V. Disruptive Student Behavior

- A. Disruptive student behavior includes:
1. The grounds for suspension or expulsion that are described in Utah Code Section 53G-8-205; and
 2. Behavior that interrupts or interferes with the learning of another;
 3. Frequent or flagrant willful disobedience, defiance of proper authority;
 4. Use of foul, abusive, or profane language while engaged in school-related activities;
 5. Illicit use, possession, or distribution of controlled substances or drug paraphernalia, and the use, possession, or distribution of an electronic cigarette as defined in Utah Code Section 76-10-101, tobacco or alcoholic beverages contrary to law;
 6. 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 Utah law;
 7. Willful destruction or defacing of school property;

8. Behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students, school personnel, or the operation of the school (Utah code §53G-8-202); or
 9. Possession or use of pornographic material on school property.
- B. Teachers will document disruptive behavior by completing an office referral form.
- C. The Director or their designee will issue notices of disruptive student behavior.
- D. Notices will be recorded on a students' school record.
- E. Notice will be issued to the parent or guardian of the student who:
1. Engages in disruptive behavior that does not result in suspension or expulsion, three times during the school year; or
 2. Engages in disruptive behavior that results in suspension or expulsion once during the school year.
- F. Following the issue of notice:
1. The student and parent will meet with the Director, Assistant Director, or School Counselor to discuss disruptive behavior.
 2. A plan will be developed to correct the behavior. This can include consequences or other accountability practices.
 3. Following the meeting, the plan will be emailed/mailed to the parent.
- G. Habitual Disruptive Behavior:
1. Notice will be issued to a student who:
 - a) Engages in disruptive behavior that does not result in suspension or expulsion, at least six times during the school year
 - b) Engages in disruptive behavior that does not result in suspension or expulsion, at least three times during the school year, AND engages in disruptive behavior that results in suspension or expulsion, at least once during the school year
 - c) Engages in disruptive behavior that results in suspension or expulsion at least twice during the school year
 2. Habitual disruptive behavior notices can only be given by the Director, or their designee.
 3. A student who has received a habitual disruptive behavior notice may not be referred to juvenile court.
 4. Within five days after the day on which a habitual disruptive student behavior notice is issued, a representative of the school district or charter school shall provide documentation, to a parent of the qualifying minor who receives the notice, of the efforts made by a school counselor or representative under Subsection (3)(c).
 5. A meeting will be held with parents and administration to reevaluate the plan and ~~will may~~ result in additional consequences such as: a behavior contract, in-school suspension, out-of-school suspension, or expulsion.
- H. The student or parent of the student who was issued the notice of disruptive behavior can contest the notice by arranging for a meeting with the Director or their designee.

- I. The administrative or counseling team will provide parents with a list of resources to help address their student's disruptive behavior.
- J. Additional support can be provided by the counseling team with approval from the parents.

V. Extracurricular and Co-curricular Activities

- A. Extracurricular activities include all after-school activities that are not directly connected to classwork. These include: school musical, maker space, after-school club, orchestra, honor choir, etc.
- B. Co-Curricular Activities include those directly tied to the curriculum. These include field programs, science fairs, spelling bees, etc.
- C. 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.
- D. School employees who reasonably believe that a violation of this section may have occurred shall immediately report that belief to the school Director.
- E. Failure of a person holding a professional certificate to report as required constitutes an unprofessional practice.
- F. 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 Director or designee shall determine whether the student's behavior created imminent danger to people or property, or whether the student's behavior, despite intent, violated the school's weapons or drug-free policy. Such determination may take the form of conducting an evidence-based threat assessment.
- B. If the student's behavior created imminent danger or violated the school's weapons, drugs, and alcohol policy (see section IV), following personal notification to the student and the student's parent/legal guardian, the student shall be suspended, with the possibility of expulsion, according to the procedure outlined below:
 - 1. Immediate student suspension:

- a) The student is suspended until the parent or legal guardian can confer 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 (suspension or expulsion);
 - a) During the conference, the administrator shall:
 - (1) Review the alleged conduct by the student and present the evidence;
 - (2) Allow the student 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 appealing 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:

- A. An administrator shall provide the student with an initial opportunity to explain his behavior before 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, nor 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 school's conduct and discipline policies.
 - 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's 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 Director within 10 days after receiving notice of the decision.
 - 2. The Director or review committee shall schedule the appeal hearing within 20 days of receiving the parent's/legal guardian's request for a hearing. It shall provide the parent/legal guardian with notice of the procedures to be followed in the hearing.

3. The Director 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 their 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 review committee's recommendation will be submitted to the governing board if the recommendation to expel the student is upheld.
9. Expulsion of a student may only be ~~executed~~~~conducted~~ by the governing board.
10. The school review committee's 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.

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 implementing an alternative education plan to ensure the student's education continues during the 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 another alternative that 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. The school will make reasonable efforts to continue providing educational services for suspended students. Parents are financially responsible only if they voluntarily select services outside those provided by the school.
- E. Edith Bowen Laboratory School shall maintain a record of all suspended or expelled students through the Student Information System (SIS)
- F. Edith Bowen Laboratory School administration shall contact the parent or guardian of each suspended student at least once each month to determine the student's progress.
- G. As required by Utah Code Ann. § 53G-8-208(5)(a) and R277-750, this policy applies to students with disabilities to the extent permissible under applicable law or regulation, including the application of:
 1. Individuals with Disabilities in Education Act (IDEA) procedural safeguards;

2. Child Find practices in accordance with IDEA and/or Section 504 of the Rehabilitation Act of 1973;
 3. Individualized Education Program (IEP) development, review, and revision; and
 4. Established school discipline procedures.
- 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 that shall most closely correspond to the requirements of Utah Code Ann. § 53G-8-208.
- I. When a student is suspended from school, a reintegration plan shall be established for the student's return to school in coordination with the student's parent and the administrative team. (Utah Code § 53G-8-203(4)(b) (2025), Utah Code § 53G-8-213 (2025))

X. Students with Disabilities:

- 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 in their IEPs. 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, the total amount of time the student is removed, and the 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, the 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 that 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 outlined in his/her IEP.

(c) 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.

3. 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

allowed 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.

4. Behavioral Interventions - any behavioral intervention to be used with an Edith Bowen Laboratory School student with disabilities must meet the requirements set forth by the Utah State Board of Education Special Education Rules.

X. Student Accountability Practices

- A. EBLs recognizes that effective discipline is carried out within a restorative model (an accountability practice as described in the Utah LRBI Manual, p. 36) 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.

XI. Gang-Related Activity

- A. 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 VI of this policy for disciplining students involved in gang-related activities.
- B. 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.
- C. 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.
- D. 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 a 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.

XII. Responding to reports received through the SafeUT Crisis Line

- A. The SafeUT Crisis line established by the State through the University Neuropsychiatric 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 § 53B-17-1202(1) (2024), Utah Code § 53B-17-1204(4) (2024))

- B. Response to SafeUT Crisis Line: 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(1)(i) (2025))

XIII. EBLs Discipline Plan Annual Review

- A. This policy shall be reviewed annually by the EBLs governing board after seeking input from administration, staff, students, and parents. The school director shall assist the board in gathering community input regarding the policy and report this information to the board as part of the annual review.

DRAFT Policy 3350 Emergency Safety Interventions (ESI)

Approved: TBD

Rule/Law:

Utah Code § 53G-8-302
Utah Admin. Rule R277-609
R277-608

Purpose: The purpose of this policy is to establish clear and consistent guidelines for the use of Emergency Safety Interventions (ESI) to protect the safety and dignity of all students and staff. ESIs shall only be used as a last resort when a student's behavior presents an imminent risk of harm, and never as a form of punishment or discipline.

I. Definitions:

- A. "Physical Restraint" means 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; Utah Code 53G-8-301.3]
- B. "Seclusion" means a seclusionary time out that is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, including:
 1. placing a student in a locked room; or
 2. placing a student in a room where the door is blocked by furniture or held closed by staff. (Policy 53G-8-301)

II. Administrative Regulation

- A. 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.
- B. 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.

- C. Director: The Director will work with faculty members to develop school-wide positive behavior supports where explicit school-wide behavioral expectations are reviewed and reinforced regularly.

III. Accountability Practices

- A. In situations where student behavior becomes disruptive to the extent that it interferes with the learning and teaching process, the Director or teacher may utilize reasonable accountability practices.
- B. 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](#).
- C. Students requiring discipline are to be dealt with professionally and objectively, without undue emotional displays.
- D. All student discipline may incorporate a restorative component, fostering belonging over exclusion, social engagement over control, and meaningful accountability over punishment.

IV. Physical Restraint and Physical Escort

- A. 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, such as physical restraint to control the student or students involved.
- B. Physical restraint and physical escort 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.
- C. Release Criteria: Physical restraint and physical escort time-out duration must be terminated:
 - 1. After the minimum time necessary to ensure safety or
 - 2. When the student is no longer a real, immediate, and capable threat to self, students, faculty, and staff.
 - 3. If a public education employee engages in physical restraint or physical escort of a student, the employee shall immediately notify:
 - a) the student's parent or guardian; and
 - b) school administration
 - 4. If the student is eligible for special education, the director of special education must be notified as well.
 - 5. In a reasonable amount of time following the use of physical restraint or physical escort, 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.

6. If a school employee physically restrains a student, the school or the school employee shall provide notice to parents and school administration within 15 minutes after use, in compliance with [R277-608-5\(5\)](#).
- D. Supervision: Teachers will provide adequate supervision and structure in their classes and during assigned extracurricular assignments.
- E. Modeling Behavior: Teachers have the responsibility to set and maintain high standards of behavior and act as role models to their students.
- F. 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.
- G. Key identified school employees may use reasonable and necessary physical restraint only in self-defense or as otherwise appropriate per State Code Section 53G-8-301(4)
 1. ESI may not be used in place of appropriate, less restrictive interventions.
 2. 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.
 3. Edith Bowen Lab School will not use seclusion as an Emergency Safety Intervention.
- H. 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:
 1. Touch prompt to the back or shoulder (not regulated, but part of the hierarchy)
 2. Physical Guidance
 3. Physical Escort-Only allowed if sufficiently trained
- I. Key Identified School Employees includes those who have received training in restraint in accordance with [Board Rule R277-608-4 \(2\)](#)

DRAFT REVISIONS 3010 After School Detention Policy

Approved: 20 April 2016

Rule/law: -53G-8-203

Purpose: The purpose of this policy is to clarify the reasoning behind not detaining students after school.

In compliance with Utah State Law, Edith Bowen Laboratory School has established a plan for after school detention. We will not utilize after school detention with students as it is not developmentally appropriate for grade school children.