



## Davis School District Policy and Procedures

**Subject:** 5S-401 Safe and Orderly Schools Policy  
**Index:** Student Services  
**Revised:** April 30, 2008

### 1. PURPOSE AND PHILOSOPHY

- 1.1 To require student conduct that produces a proper learning environment and respect for the personal, civil, and property rights of all members of the school community;
- 1.2 To require student responsibility for learning and behavior in all grades;
- 1.3 To require parents and guardians of all District students to assume proper legal responsibility for their students' behavior, and to cooperate with school authorities in encouraging student self-discipline and discouraging behavior that is disruptive to the District's educational program.
- 1.4 To foster a District and community-wide expectation of good citizenship for students, and a sense of responsibility in the school community for school rules and standards of behavior.
- 1.5 To comply with state and federal laws requiring suspension or expulsion for certain types of student behavior.
- 1.6 To foster open, timely communication and effective collaboration between all Davis County agencies serving youth.

### 2. POLICY

#### 2.1 Safe School Environment

It is the policy of the Davis School District to promote a safe and orderly school environment for all students and employees. Accordingly, the District holds all students, employees, and other adults to the highest standards of behavior on school grounds and during school-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated and any individual who engages in such activity will be subject to school disciplinary action, prosecution, or both.

#### 2.2 Discrimination Prohibited

It is the policy of the Davis School District to provide equal educational and employment opportunity for all individuals. Therefore, the District prohibits all discrimination on the basis of race, color, religion, sex, age, national origin, disability, or veteran status. Complaints of discrimination or unfair application of this policy should be filed promptly with the individual's principal or supervisor or the Office of the Superintendent.

### 3. DEFINITIONS

#### 3.1 Suspension

For purposes of this policy, suspension is a temporary (10 consecutive school days or less) interruption of District services and activities. A student who is suspended may, at the principal's discretion, have access to homework, tests, and other schoolwork through a home study program, but will not be allowed to attend classes or participate in any school or District activities during the period of suspension.

#### 3.2 Expulsion for Regular Education and 504 Students

For purposes of this policy, expulsion means removal from the school of attendance for a period longer than ten (10) consecutive school days. Recognizing that students who commit violent or disruptive acts may pose safety problems for the community as well as schools, the Davis School District will work with parents to provide alternative educational placement and programs for students, where appropriate and feasible. However, the Board retains the authority to exclude the student from all District schools, programs, or activities for the period of expulsion. In cases of total expulsion from the District, the legal obligation of complying with state compulsory education laws becomes the sole responsibility of the student's parents or legal guardian.

#### 3.3 Change of Placement for Students with Disabilities under IDEA

For purposes of removals of a student with a disability from the student's current educational placement, a change in placement occurs if the removal is for more than ten (10) consecutive school days; or, the student is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. Any "Change of Placement" requires compliance with the procedures outlined in Section 9 of this policy.

### 4. GROUNDS FOR SUSPENSION, EXPULSION, OR CHANGE OF PLACEMENT

#### 4.1 A student may be suspended or expelled from school for any of the following reasons:

- 4.1.1 frequent, flagrant, or willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting, gang activity, noncompliance with school dress code, harassment, including sexual, racial, or religious harassment, the use of foul, profane, vulgar or abusive language, or other unreasonable and substantial disruption of a class, activity, or other function of the school;
- 4.1.2 willful destruction or defacing of school property;
- 4.1.3 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;
- 4.1.4 possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in [Utah Code Ann. § 32A-1-105](#);
- 4.1.5 possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, or tobacco, as defined by [Utah Code Ann. § 76-10-101](#);
- 4.1.6 possession, distribution, control, use, sale, or arranging for the sale of

contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations.

4.1.7 inappropriate use or possession of an electronic communication device.

Electronic communication devices shall not be used in class, and they may be confiscated by school officials if used in class or in any other way that substantially disrupts the educational environment.

4.1.8 criminal activity or other serious violation involving weapons, drugs, or the use of force which threatens harm or causes harm to the school or school property, to a person associated with the school, or property associated with any such person, regardless of where it occurs.

4.2 A student shall be suspended or expelled from school (or considered for a change in placement if a student with a disability) for any violations listed under Section 4.1 of this policy if the violation is serious or persistent.

4.3 Off-campus Conduct

A student may be suspended or expelled for behavior 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.

4.4 Weapons - Mandatory Expulsion for One Year, [U.C.A. § 53a-11-904\(2\)\(b\)](#); 20 U.S.C.A. § 7151.

4.4.1 Any student who, in a school building, in a school vehicle, on District property, or in conjunction with any school activity, (a) possesses, controls, uses, or threatens use of a real weapon, explosive, noxious or flammable material; or (b) actually uses or threatens to use a look-alike or pretend weapon with the intent to intimidate another person or to disrupt normal school activities; shall be expelled from all District schools, programs, and activities for a period of not less than one year, subject to the following:

[a] Within forty-five (45) days after the expulsion the student shall appear before a member of the District Case Management Team, accompanied by a parent or legal guardian; and

[b] The Case Management Team shall determine:

- (i) what conditions must be met by the student and the student's parent for the student to return to school;
- (ii) if the student should be placed on probation in a regular or alternative school setting consistent with UCA § 53A-11-907, 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
- (iii) if it would be in the best interest of both the school district and the student to modify the expulsion term to less than a year giving highest priority to providing a safe school environment for all students.

[c] For purposes of this policy, the term "firearm", "explosive", and "noxious or flammable material" include but are not limited to: guns, starter pistols, cap guns, bombs, bullets and ammunition, fireworks, gasoline or other

flammable liquids, mace, pepper spray, matches, and lighters.

4.4.2 Students with Disabilities under IDEA and Section 504

Whenever a student receiving special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act is determined to have carried a weapon to school or a school function the procedures outlined in Section 9 of this policy must be followed.

4.5 Drugs and Controlled Substances - Mandatory Suspension or Expulsion [U.C.A. § 53A-11-904\(2\)\(a\)](#).

4.5.1 A student shall be suspended or expelled from his/her school of attendance for any of the following reasons:

- [a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in a school building, in a school vehicle, on District property, or in conjunction with any school activity.
- [b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at school or a school function.
- [c] misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at school only in amounts not to exceed the recommended daily dose including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup and mouthwash.

4.5.2 Students with Disabilities Section 504

Any student identified as being disabled under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act who currently is engaging in the illegal use of drugs or alcohol shall be suspended or expelled to the same extent as non-disabled students for the possession, use, control, distribution, sale, or arrangement of the sale of illegal drugs, alcohol, or controlled substances on District property or in conjunction with any school activity.

4.5.3 Drug Testing

- [a] Any student who is reasonably suspected of violating section 4.5 may be subject to a drug test for cause, arranged and paid for by the District.
- [b] Any student who has been suspended or expelled for a violation of section 4.5 may be required to provide a clean drug test and evidence of drug assessment and drug counseling programs as a condition of re-admission to school. Testing and counseling required as a condition of re-admission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent or guardian.
- [c] Students who refuse to submit to required drug testing and counseling programs, or to cooperate with District officials with respect to the sharing of appropriate information, may be expelled from the District.
- [d] Any student who is suspended or expelled for violation of section 4.5 may

be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive once, he/she may be transferred to an alternative placement. If the student tests positive a second time, he/she may be expelled from all District programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all District programs or activities.

4.5.4 Students with Disabilities under IDEA.

Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, the procedures outlined in Section 9 of this policy must be followed.

4.6 Gangs

A “gang” as defined in this policy means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one its primary activities the commission of criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.

4.6.1 Gang Activity and Apparel Prohibited

Students who engage in any form of gang activity on or about school property, or at any school activity may be suspended or expelled under the terms of this policy. For the purposes of this policy, “gang activities” include, but are not limited to any of the following.

- [a] Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other thing which is evidence of membership in or affiliation with any gang;
- [b] Committing any act or omission or using any speech, either verbal or non-verbal, (flashing signs, gestures, hand shakes, etc.) that demonstrates membership in or a affiliation with a gang ;
- [c] Soliciting others for membership in a gang;
- [d] Requesting any person to pay for “protection”, claiming “turf”, or otherwise intimidating, bullying, retaliating against, threatening, or harassing any person;
- [e] Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;
- [f] Committing any illegal act;
- [g] Encouraging or inciting another person to act with physical violence upon any other person or cause damage to property.

4.6.2 Confiscation of Gang Items

Subject to the search and seizure provisions of this policy, gang paraphernalia, apparel, or weapons may be confiscated by school officials at any time.

4.6.3 Consultation with Law Enforcement Authorities

School officials shall consult with local law enforcement authorities and gang detectives whenever they have questions regarding gang-related clothing, apparel, or other gang activity.

**4.7 Bullying**

- 4.7.1 It is the intent of the Davis School District to respond to school-related bullying incidents by implementing prevention efforts where victims of bullying can be identified and assisted, and perpetrators educated, in order to create safer schools that provide a positive learning environment. Students who engage in any form of bullying on or about school property, or at any school activity may be suspended or expelled under the terms of this policy.
- 4.7.2 “Bullying” as defined in this policy means aggressive behavior that is intended to cause harm or distress; exists in a relationship in which there is an imbalance of power; and may be repeated over time.
- 4.7.3 Each school shall develop a bullying prevention program using a prevention program approved by the District's Student Services Department as a model.
- 4.7.4 The school bullying prevention program shall also include training as specified in [Utah Administrative Code R277-609-3](#), student assessment of the prevalence of bullying in school, and adequate adult supervision.
- 4.7.5 The school bullying prevention program shall be clearly written and consistently enforced.

**5. AUTHORITY TO SUSPEND OR EXPEL**

**5.1 Authority to Suspend and Duration of Suspension for Regular Education Students**

The site administrator has the authority to suspend a regular education student for up to ten (10) school days per incident. In considering whether to suspend a student, the site administrator shall consider all relevant factors, including but not limited to, the severity of the offense, the student's age, disability, academic status and disciplinary record, parental capabilities, and community resources. Principals and Assistant Principals are prohibited from suspending for longer than ten (10) school days, expelling, or otherwise changing student placement. When ever such action is contemplated or desired, the principal or assistant principal shall make a referral to the District’s Case Management Team (CMT).

**5.2 Authority to Suspend and Duration of Suspension for Students with Disabilities**

The site administrator has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement. A school need not provide services during periods of removal of ten (10) days cumulative or less if services are not provided to a student without disabilities who has been similarly removed.

**5.3 Authority to Expel and Duration of Expulsion**

The Board of Education or the District's Case Management Team may expel a student for violations under this part for a fixed or indefinite period, provided that indefinite expulsions shall be reviewed by the Case Management Team and the conclusions reported to the Board, at least once each year.

5.3.1 Parental Responsibility

If a student is expelled for a period longer than ten (10) days, the student's parent or legal guardian is responsible for undertaking an alternative education plan which will ensure that the student's education continues during the period of expulsion. The parent or guardian shall work with designated school officials to determine how the student's education will continue through private education paid for by the parents, an alternative program offered by the school or District, or other alternatives which will reasonably meet the educational needs of the student. Costs of educational services which are not provided by the District are the responsibility of the student's parent or guardian.

5.3.2 The parent or guardian and designated school officials may enlist the cooperation of the Division of Family Services, the juvenile court, law enforcement, or other appropriate government agencies in determining how to meet the educational needs of the student.

5.3.3 The District shall contact the parent or guardian of each student under age sixteen (16) who has been expelled from all District programs and services at least once a month to determine the student's progress.

5.4 Authority to Institute Change of Placement for Student with Disabilities

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the Davis School District Special Education Policy Manual and State of Utah Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

**6. ALTERNATIVES TO EXPULSION, OR CHANGE OF PLACEMENT FOR FREQUENT OR FLAGRANT DISRUPTIVE BEHAVIOR [U.C.A. §53A-11-906](#)**

A continuum of intervention strategies shall be available to help students whose behavior in school repeatedly falls short of reasonable expectations. Prior to expelling or changing the placement of a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made at the school level to implement a remedial discipline plan to allow the student to remain in his or her school of attendance.

6.1 Before referring the student to the District Director of Student Services for expulsion, or change of placement under this section, school staff should demonstrate that they have attempted some or all of the following interventions:

- 6.1.1 Talking with the student;
- 6.1.2 Class schedule adjustment;
- 6.1.3 Phone contact with the parent or legal guardian;
- 6.1.4 Informal parent/student conferences;
- 6.1.5 Behavioral contracts;

- 6.1.6 After-school make-up time;
- 6.1.7 Short-term in-school suspension (ISS);
- 6.1.8 Short-term at-home suspensions;
- 6.1.9 Resource team involvement and assistance;
- 6.1.10 Appropriate evaluation;
- 6.1.11 Home study;
- 6.1.12 Alternative programs;
- 6.1.13 Law enforcement assistance as appropriate.

6.2 Parental Attendance with Student [U.C.A. §53A-11-906\(1\)-\(2\)](#).

As part of a remedial discipline plan for a student, a school may require the student's parent or guardian, with the consent of the student's teachers, to attend class with the student for a period of time specified by a designated school official. If the parent or guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the provisions of school and District discipline policies.

**7. DUE PROCESS FOR SUSPENSIONS OF 10 DAYS OR LESS**

The following procedure shall apply to all students facing suspension of ten (10) school days or less:

- 7.1 The school administrator shall notify the custodial parent or guardian of the student of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the custodial parent or guardian to meet with a designated school official to review the suspension.
- 7.2 The school administrator shall also notify the non-custodial parent, if requested in writing, of the suspension and expulsion of, or denial of admission to their student.
  - 7.2.1 Section 7.2 does not apply to the portion of school records which would disclose any information protect under a court order.
  - 7.2.2 The custodial parent is responsible to provide the school a certified copy of any court order under subsection 7.2.1.
- 7.3 School administrators shall document the charges, evidence, and action taken.
- 7.4 The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.
- 7.5 If the student denies the charges, the student shall be provided with an explanation of the evidence and an opportunity to present his/her version of the incident to school administrators.
- 7.6 In general, the notice and informal conference shall precede the student's removal from school.
- 7.7 If, in the judgement of the administrator, notice is not possible because the student poses a danger to a person or property or an on-going threat of disrupting the academics process, he/she may be removed immediately. However, in such cases, the necessary notice and hearing shall follow as soon as possible.

**8. DUE PROCESS FOR EXPULSIONS**

- 8.1 If the principal or assistant principal desire or contemplate expelling a student for longer than ten (10) school days, he/she shall submit a Safe Schools referral to the Case Management Team (CMT) on the Case Management Team's referral forms.
- 8.2 Prior to sending the referral to the CMT, but in no instance longer than ten (10) days after the suspension began, the school administrator shall meet with the custodial parent or guardian to discuss the charges against the student and the proposed discipline.  
8.2.1 The school administrator shall also notify the non-custodial parent, if requested in writing, of the possible suspension or expulsion as outline in section 7.2 of this policy.
- 8.4 Notice to Student and Parent/Guardian
- If the Case Management Team determines, after considering the totality of the circumstances, that a student should be expelled for longer than ten (10) school days, Student Services shall send written notice by certified mail, return receipt requested, to the student's parent or legal guardian, which includes all of the following elements:
- 8.4.1 a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;
- 8.4.2 the penalty being imposed (duration of expulsion);
- 8.4.3 a statement that a due process hearing may be requested in writing within ten (10) working days of receipt of the notice;
- 8.4.4 a statement that, if a hearing is requested, the Superintendent has the authority to appoint an impartial Hearing Officer(s), who may be an employee of the District;<sup>1</sup>
- 8.4.5 a statement that the expulsion is taking effect immediately and will continue for the stated period unless a hearing is requested in a timely manner and the Hearing Officer determines otherwise.
- 8.4.6 the mailing date of the notice;
- 8.4.7 a statement that, if a hearing is not requested within ten (10) working days after receipt of the notice, the District's decision to expel the student will be final, and the parent's right to oppose the District's decision will be waived.

**8.5 Hearing Procedures**

If a hearing is requested in response to the Notice of Expulsion , the following procedures shall apply:

- 8.5.1 After receipt of the request, the District shall schedule a hearing as soon as possible but not later than ten (10) official school days following receipt of the request.
- 8.5.2 A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian of:
- [a] the name of the Hearing Officer;
  - [b] the date, place, and time of the hearing;
  - [c] the circumstances, evidence, and issues to be discussed at the hearing;
  - [d] the right of all parties to cross-examine witnesses subject to the Hearing Officers determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal;
  - [e] the right of all parties to appeal to the Superintendent within ten (10)

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<sup>1</sup> See V-I Oil Co.v. Department of Environmental Quality, 939 P. 2d 1192 (Utah 1997)

- working days following the decision if the parties disagree with the Hearing Officer's decision;
- [f] the right of all parties to examine all relevant records.

8.5.3 The Hearing Officer shall conduct the hearing on the record and shall:

- [a] ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the District;
- [b] consider all relevant evidence presented at the hearing;
- [c] allow the right to cross-examination of witnesses, unless the Hearing Officer determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;
- [d] allow all parties a fair opportunity to present relevant evidence; and
- [e] issue a written decision including Findings of Fact and Conclusions.

8.5.4 Hearing Rules

Formal Rules of Evidence do not apply to the Hearing and no discovery is permitted. However, the following rules will apply:

- [a] parties may have access to information contained in District files to the extent permitted by law;
- [b] hearings shall be closed to the press and the public;
- [c] documents, testimony, or other evidence submitted by the parties after the hearing, will not be considered by the Hearing Officer;
- [d] the Hearing Officer may excuse witnesses or parties, or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Hearing Officer.

8.6 Appeals

- 8.6.1 Within ten (10) working days following receipt of the hearing Officer's written decision, either party may appeal the decision, in writing, to the Superintendent of Schools.
- 8.6.2 Within ten (10) working days following receipt of the appeal, the Superintendent shall rule on the appeal or refer the appeal to the President of the Board of Education.
- 8.6.3 If the appeal is referred to the Board of Education, the Board may schedule, and hold, a hearing consistent with District policy.

## 9. DUE PROCESS FOR CHANGE OF PLACEMENT OF STUDENTS WITH DISABILITIES

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Davis School District Special Education Policy Manual and Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

9.1 Required Services During Suspension or Expulsion

9.1.1 504 and ADA Students

When a determination is made that the conduct of a 504 or ADA student is not a

manifestation of the student's disability, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from school without educational services.

9.1.2 IDEA

[a] **Less Than Ten (10) Consecutive School Days**

A school need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in that school year, if services are not provided to a student without disabilities who has been similarly removed.

[b] **Less Than Ten (10) Consecutive School Days BUT More Than Ten (10) Cumulative School Days in the School Year**

If a student with a disability under IDEA has been removed from his or her current placement for more than ten (10) school days in the same school year, during any subsequent days of removal, the school shall provide services to the extent necessary to enable the student to participate in the general curriculum and progress toward meeting the goals set out in the student's IEP.

- (i) School personnel, in consultation with the student's special education teacher, determine appropriate services.
- (ii) Services may be provided in an interim alternative educational setting determined by the IEP Team.

[c] **More Than Ten (10) Consecutive School Days**

If a student with a disability under IDEA is subject to a disciplinary change in placement that would exceed ten (10) consecutive school days, the school shall provide services to the extent necessary to enable the student to continue to participate in the general curriculum and to progress toward meeting the goals set out in the student's IEP.

- (i) The student's IEP Team determines the appropriate services.
- (ii) Services may be provided in an interim alternative educational setting determined by the IEP Team

9.2 Change of Placement Special Circumstances

An administrator may recommend and the District Case Management Team may remove a student with disabilities under IDEA to an interim alternative educational setting for not more the forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if:

- 9.2.1 The student carries a weapon to or processes a weapon at school, on school premises, or at a school function;
- 9.2.2 The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or
- 9.2.3 The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

9.3 Change Placement Due to Student's Serious Misconduct

An administrator may recommend and the District Case Management Team may remove a student with disabilities under IDEA to an interim alternative educational setting for longer than ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not be a manifestation of the student's disability pursuant to section 9.5 of this policy. School personnel may apply the relevant disciplinary procedures to the student with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities except for provision of services in paragraph 9.1.2 [c] of this policy.

9.4 Parental Notice

On the date on which the decision is made by the school administrator to recommend a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the administrator must notify the parents of that decision, and provide the parents the procedural safeguards notice required by law.

9.5 Manifestation Determination

- 9.5.1 Within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, a school administrator serving as the LEA, the parent, and relevant members of the student's IEP team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine:
- [a] if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
  - [b] if the conduct in question was the direct result of the District's failure to implement the IEP.

9.5.2 The conduct must be determined to be a manifestation of the student's disability if the school administrator serving as the LEA, the parent and relevant members of the student's IEP team determine that a condition in either paragraph 9.5.1[a] or 9.5.1[b] was met.

9.5.3 If the conduct is determined to be a manifestation due to the school's failure to implement the student's IEP, the school must take immediate steps to remedy those deficiencies.

9.5.4 **Determination that Behavior was a Manifestation of Disability**

If it is determined by the relevant members of the IEP Team that the behavior was a manifestation of the student's disability, the IEP team must —

- [a] Either:
  - (i) Conduct a functional behavioral assessment, unless one has already been conducted before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or
  - (ii) If a behavioral intervention plan already has been developed, review the plan and modify it, as necessary, to address the behavior; and

- [b] Unless the conduct was a “Special Circumstance” as defined in section 9.2 of the policy, return the student to the placement from which the student was removed, unless the parent and LEA agree to a change in placement as part of the modification of the behavioral intervention plan.

9.5.5 **Determination That Behavior Was Not a Manifestation**

If the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student’s disability pursuant to section 9.5 of this policy. School personnel may apply the relevant disciplinary procedures to the student with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities except for provision of services in paragraph 9.1.2[c] of this policy.

9.6 Appeal of Placement or Manifestation Determination

9.6.1 The parent of a student with a disability who disagrees with any decision regarding a disciplinary change in placement or the manifestation determination or if the school believes that maintaining the current placement of the student is likely to result in injury to the student or others, may appeal the decision by requesting an expedited due process hearing as provided for in state and federal law.

9.7.2 When an appeal has been made by either the parent or a school official, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the suspension or expulsion, whichever occurs first, unless the parent and the school official agree otherwise.

**10. SITE-BASED SAFE SCHOOLS MEASURES**

10.1 Closed Campus

School Community Councils may authorize and implement “closed campus,” under which students are prohibited from leaving school grounds during the school day without authorization from the school attendance office.

10.2 Peer Mediation

School community councils may authorize and implement peer mediation programs, in which students are taught and encouraged to use mediation and other conflict resolution methods to peacefully resolve disputes.

10.3 Physical Restraint

A school employee may, when acting within the scope of employment, use and apply physical restraint or force as may be reasonable and necessary under the following circumstances:

- 10.3.1 To protect any person from physical injury;
- 10.3.2 To take possession of a weapon, other dangerous objects or controlled substances in the possession of a student;
- 10.3.3 To restrain or remove a student from a situation when that student is violent or disruptive, or is a danger to him/herself or others, or

- 10.3.4 To protect property from serious damage.
- 10.3.5 When an employee exercises physical restraint on a student, the employee shall write a report outlining the incident and the reasons for the use of physical restraint within three (3) days following the incident. This report shall be filed with the principal, who then is responsible for sending a copy of the report to the Superintendent. The original of the report shall be kept in the employee's file.

10.4 Corporal Punishment

School employees may not inflict or cause the infliction of corporal punishment upon a student.

10.5 After-School Detention

- 10.5.1 Teachers and other school officials shall make reasonable attempts to notify a parent or legal guardian before detaining a student after school.
- 10.5.2 If detention is necessary for the student's health or safety, an exception may be made to the notice requirement.

**11. TRANSFER AND ALTERNATIVE PLACEMENT FOR REGULAR EDUCATION STUDENTS**

Students do not have a right to placement at their neighborhood school. Therefore, any regular education student who is expelled from his/her school of attendance and transferred to another school or referred to Student Services for alternative placement because of disciplinary violations shall continue to receive educational services provided by the District and may not invoke due process procedures to challenge the District's decision, unless the student will be out of school for more than ten (10) school days as a result of the expulsion and transfer.

**12. EXTRA-CURRICULAR ACTIVITIES**

Participation in inter-scholastic athletics, cheerleading, and other extra-curricular activities is not a constitutionally protected civil right. Therefore, students who are suspended, or expelled may lose the privilege of participation during the period of suspension/expulsion and may not be allowed to invoke due process procedures to challenge the denial of extracurricular participation.

**13. DENIAL OF ADMISSION BASED ON PRIOR EXPULSION [U.C.A. §53A-11-904\(3\)](#)**

A student may be denied admission to a Davis District public school if he or she was expelled from that or any other school, in or out of the District, during the preceding twelve (12) months.

**14. INVESTIGATIONS**

Whenever a site administrator has reason to believe that school rules or policies have been broken, he or she shall proceed with an investigation. However, if the site administrator believes that laws have been broken or child abuse has occurred, he/she shall request appropriate authorities to conduct the investigation.

14.1 General Investigation Guidelines for School Administrators

School administrators have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. School administrators shall conduct investigations

according to the following general guidelines:

- 14.1.1 Administrators shall conduct investigations in a way that does not unduly interfere with school activities.
- 14.1.2 Administrators shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties write separate statements concerning the incident under investigation.
- 14.1.3 Administrators shall advise students suspected of wrongdoing orally or in writing of the nature of the alleged offense;
- 14.1.4 Students must be provided an opportunity to give their version of the incident under investigation, however, refusals to respond or provide information should be respected;
- 14.1.5 When questioning students as part of an investigation, school staff should have another adult present whenever possible.
- 14.1.6 Administrators shall accommodate students with disabilities and young children unable to write their own statements through use of tape recorders, scribes, etc.
- 14.1.7 All students involved in the investigation shall be instructed that retaliation is prohibited. Any act of reprisal against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing is strictly prohibited and subject to disciplinary action.
- 14.1.8 When the investigation is completed and if it is determined that disciplinary action may be in order, due process requirements must be met. Specifically, the student must be given proper notice of the charges against him/her and the disciplinary action being recommended, as well as a fair opportunity to present his or her version of the facts.

#### 14.2 Coordination with Law Enforcement

School administrators have the responsibility and the authority, within their respective jurisdictions, to determine when the help of law enforcement officers is necessary, as outlined in this policy and Utah State law.

- 14.2.1 The school administration may invite law enforcement officials to the school to:
  - [a] conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity;
  - [b] maintain a safe and orderly educational environment; or
  - [c] maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.

#### 14.2.2 Investigation of Criminal Conduct

During an investigation for violation of school rules, it may become evident that the incident under investigation may also be a violation of criminal law. If the school official has reason to suspect that a criminal act has been committed and in the opinion of the administrator law enforcement should be notified, the following procedure should be followed:

- [a] The principal shall request that law enforcement officers conduct an investigation during school hours and question students who are potential witnesses to the alleged criminal behavior.
- [b] The school official shall inform the student's parent or legal guardian as soon as possible that the student may have committed a criminal act and that law enforcement authorities will be involved in the investigation.

- [c] Unless circumstances dictate otherwise, questioning of the student by school officials shall not begin or continue until the law enforcement officers arrive.
- [d] Reasonable attempts shall be made to contact the student's parents or legal guardian who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.
- [e] The administrator shall document the contact or attempted contact with the student's parents or legal guardian. If the administrator cannot contact the student's parent or guardian, or if the parent or guardian is unable to be present with the student for questioning, the administrator shall be present and document generally what occurs during the interview.
- [f] Because a student is deemed to be in the custody of law enforcement while being interviewed by a school resource officer or other law enforcement official, the student shall not be questioned by the school resource officer or other police unless or until he/she has received Miranda warnings from the officer.
- [g] If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.

14.2.3 Investigation Initiated by School Resource Officers and other Law Enforcement Authorities School officials shall cooperate with school resource officers and other law enforcement authorities who are carrying out official duties such as investigating crimes, serving subpoenas, etc.

- [a] When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation on school grounds during school hours.
- [b] Such a need will ordinarily be shown if delay in police investigation might result in danger to a person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. In such cases:
  - (i) The officers shall be required to get prior approval of the principal or other designated person before beginning an investigation on school premises.
  - (ii) The administrator shall document the circumstances warranting the investigation as soon as practical.
  - (iii) Alleged criminal behavior related to the school environment brought to the principal's attention by law enforcement officers shall be dealt with under the provisions of Section 14.1
  - (iv) Law enforcement officials investigating school-related or student-related crimes may not have access to student education records, aside from directory information, unless they have a subpoena or court order, permission from parent or guardian, or serve as a designated School Resource Officer.
  - (v) Directory information is limited to a student's name, home address, date of birth, phone number, class schedules and parents' address and phone numbers for use in case of emergency.

14.2.4 Release of Student to Law Enforcement Official

- [a] Students may not be released to law enforcement authorities voluntarily by school officials unless the student has been placed under arrest or unless the parent or legal guardian and the student agree to the release.
- [b] When students are removed from school for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent or legal guardian immediately except in cases of child abuse and neglect. Such effort shall be documented.
- [c] The principal shall immediately notify the District Superintendent's office of the removal of a student from school by law enforcement authorities.
- [d] Where it is necessary to take a student into custody on school premises, the law enforcement officer shall to contact the school principal and relate the circumstances necessitating such action.
- [e] Whenever the need arises to make arrests or take students into custody on school premises, the principal shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made.
- [f] When possible, the principal shall have the student summoned to the principal's office before the student is taken into custody.
- [g] When a student has been taken into custody or arrested on school premises without prior notification to the principal, the school staff present shall encourage the law enforcement officers to tell the principal of the circumstances as quickly as possible. If the officers decline to tell the principal, the school staff members present shall immediately notify the principal.

#### 14.2.5 Quelling Disturbances of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which a school administrator has found to be unmanageable by school personnel, and has the potential of causing harm to students and other persons, or to property. Such circumstances include situations where a parent or member of the public exhibits undesirable or illegal conduct on or near school grounds, or at a school event, and who refuse to abide by an administrator's directive to leave the premises.

#### 14.2.6 Coordination of Policies with Law Enforcement Authorities

School administrators shall meet at least annually with local law enforcement authorities to discuss the District's Safe and Orderly Schools Policy and rules on law enforcement contacts with the school District. Law enforcement authorities shall be asked to inform their staffs about the terms of the Safe and Orderly Schools Policy.

### 15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

Utah law requires that whenever any person, including any school employee, has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, he/she shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Family Services.

15.1 The Director of Student Services shall distribute annually to all school employees copies

of the District's procedures for reporting suspected child abuse or neglect and the District's Child Abuse-Neglect Reporting Form.

- 15.2 If there is reason to believe that a child may have been subjected to abuse or neglect, an oral report shall be made immediately by the school employee reporting the abuse/neglect with a written report to follow within 24 hours.
  - 15.2.1 When making the oral report, always have the person you notify identify himself/herself. The notified person's name shall be entered on the written report.
  - 15.2.2 A copy of the written report shall be put in a Child Abuse-Neglect file at the District's Student Services Office and another copy shall be placed in a separate file to be maintained by the principal, for all reported cases of suspected child abuse or neglect.
  - 15.2.3 The Child Abuse-Neglect Reporting form shall not be placed in the student's personal file.
  
- 15.3 It is not the responsibility of principals or other school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection.
  - 15.3.1 Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.
  - 15.3.2 To determine whether or not there is reason to believe that abuse or neglect has occurred, professional school employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.
  - 15.3.3 Interviews with the child or suspected abuser shall not be conducted by administrators or school District employees.
  - 15.3.4 Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency.
  - 15.3.5 Principals, school District employees, Division of Family Services and law enforcement personnel are required to preserve the anonymity of those making the initial report and any others involved in the subsequent investigation.
  - 15.3.6 Investigations are the responsibility of the Division of Family Services.
    - [a] Principals or other school District employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.
    - [b] School officials shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.
  - 15.3.7 Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune from any civil or criminal liability that otherwise might arise from those actions.

**16. SEARCHES OF PERSON OR PROPERTY**

Given the school's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for all students and staff, the Board recognizes that school officials must have the authority to conduct reasonable searches of students and student property. School officials engaging in searches of students and property shall abide by the following guidelines:

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the school, lockers are solely school property and may be searched at any time by school officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings in Section 16.2 of this policy.

16.1.2 Searches of Students, Student Property, and Student Vehicles

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) or vehicle may be conducted whenever the student's conduct creates a reasonable suspicion that a particular school rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Circumstances warranting a search include those in which school officials have reasonable suspicion that the student or student property is concealing weapons, drugs, alcohol, tobacco, unsafe contraband, pagers or lost/stolen/misplaced items.

16.2 Searches of Personal Belongings and Vehicles

16.2.1 Personal belongings and vehicles may be searched by school officials whenever school officials have reasonable suspicion to believe a student is concealing evidence of a policy violation or criminal activity and the items being searched are capable of concealing such evidence. The student may be asked to open personal belongings and vehicles, and to turn over personal property for search by a school official. All searches of student property by school officials shall be witnessed by an objective third party (such as another administrator, teacher, or police officer) to observe that the search is not excessively intrusive.

16.2.2 All contraband discovered in a search by school officials shall be immediately confiscated and turned over to law enforcement officers if school officials have reason to believe the contraband is related to the commission of a criminal act.

16.3 Searches of Person

16.3.1 School officials shall make sure the search meets the following guidelines:

- [a] The search shall be conducted in a private area of the school by a school official of the same sex as the student being searched;
- [b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., administrator, teacher, police officer);
- [c] School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband;
- [d] Under no circumstances may school officials require students to remove any other items of clothing or touch students in any way during the search.
- [e] If this limited search does not turn up suspected contraband and school officials have reasonable suspicion that the student is concealing

contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.

[f] In general, all questioning and searching of students conducted by law enforcement officers shall proceed according to the investigation guidelines in Section 14 of this policy.

16.4 Canine Searches (See Davis School District Policy 5S-106: Drug Detecting Canines in School)

16.5 Documentation of Searches

School officials shall thoroughly document the details of any search conducted of a student's property or person. Documentation shall be made at the time of the search, or as soon as possible thereafter, and shall include the following:

16.5.1 The time, place and date of the search;

16.5.2 The reasonable suspicion giving rise to the search (what did school officials suspect to find during the search);

16.5.3 The name and title of individuals conducting and observing the search;

16.5.4 A statement about evidence that was found or not found as a result of the search;

16.5.5 A statement about who took possession of contraband (i.e., police, school, etc.);

16.5.6 Information regarding the attempts of school officials to notify parents about the search.

**17. RECORDS--INTERAGENCY COLLABORATION 20 U.S.C. §1232g(h)(i)-(2); [U.C.A. 53A-11-1001-1004.](#)**

17.1 Superintendent and Principal Notification by Juvenile Court and Law Enforcement Agencies

17.1.1 Within three (3) days of being notified by the Juvenile Court that a juvenile has been adjudicated or of being notified by a law enforcement agency that a juvenile has been taken into custody or detention for a violent felony, defined in [UCA § 76-3-203.5](#), or an offense in violation of [Title 76, Chapter 10, Part 5 Weapons](#), the superintendent shall notify the principal of the school the juvenile attends or last attended.

17.1.2 Upon receipt of the information, the principal shall make a notation in a secure file other than the student's permanent file; and, if the student is still enrolled in the principal's school, the principal shall notify staff members who should know of the adjudication, arrest or detention.

17.1.3 Staff members receiving information about a juvenile's adjudication, arrest or detention may only disclose the information to other persons having both a right and a current need to know.

17.2 Student Discipline Records/Education Records

School officials may include appropriate information in the education record of any student concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other

members of the school community.

**17.2.1 Disclosure of Discipline Records to Other Educators**

School officials may disclose student discipline information described above to teachers and other school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

**17.2.2 Disclosure of Discipline Records to Other Agencies**

School officials shall not release personally identifiable student discipline records to other government agencies, including law enforcement agencies, unless the agency produces a subpoena or court order (need for standing court order from juvenile court), or unless the student's parent or guardian has authorized disclosure.

**17.3 Records of Other Agencies**

According to the Davis County Interagency Juvenile Record-Sharing Agreement (attached at time of adoption) and applicable state and federal laws, all Davis County agencies serving youth, including the Davis School District, Division of Family Services, law enforcement agencies, and the juvenile court system, should freely share appropriate information regarding juvenile delinquency and criminal activity.

**18. TRAINING**

- 18.1 All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy and the District's commitment to a safe and orderly school environment.
- 18.2 Administrative employees who have specific responsibilities for investigating and resolving safe schools violations shall receive yearly training on this policy and related legal developments.
- 18.3 Principals in each school and program directors shall be responsible for informing students, parents, and staff of the terms of this policy including the procedures outlined for investigation and resolution of violations.

**19. POLICY DISSEMINATION AND REVIEW**

- 19.1 Each school shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the District Department of Student Services. For each suspension or expulsion, the report shall indicate the student's race, gender, disability status, and age/grade, as well as the reason for the discipline, the length of the discipline, and a statement as to whether the student was referred to the Case Management Team.
  - 19.1.1 The Case Management Team shall compile all of the suspension/expulsion data submitted by the schools into a single report for the review of the Superintendent and Board of Education.
- 19.2 A summary of this policy shall be posted in a prominent place in each District facility. A summary of the policy shall also be published in student registration materials, student

- and employee handbooks, and other appropriate school publications as directed by the Director of Policy and Compliance.
- 19.3 This policy shall be reviewed as necessary with appropriate revisions recommended to the Board of Education.

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## DEFINITIONS

See Section 3

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## REFERENCES

### **Gun Free Schools Act; 20 U.S.C. §7151**

Requires school districts that receive federal financial assistance to have a policy requiring the expulsion from school for a period of not less than one year of any student who brings a weapon firearm, explosive or flammable material to school.

### **Individuals with Disabilities Education Act; 20 U.S.C. §1415(K); 34 C.F.R. §300.520-529.**

Student with a disability who carries a weapon to school or to a school function, or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be placed by school officials in an interim alternative educational setting, in accordance with State law, for not more than forty-five (45) days. A hearing officer may order a change in placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) days if the hearing officer determines that there is substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

### **Family Educational and Privacy Rights Act; 20 U.S.C. §1232g (h)(1)-(2), 34 C.F.R. §99.36**

Allows school districts to include appropriate information in the education record of any student concerning disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. Also allows school districts to disclose such information to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

### **Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§1400-1485.**

Assures all children with eligible disabilities a free appropriate public education and related services designed to meet their unique needs.

### **Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794.**

Prohibits discrimination on the basis of disability.

### **Rehabilitation Act of 1973, 29 U.S.C. §705 (20)(C)(iv)**

Stipulates that schools may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not disabled.

### **Americans with Disabilities Act (ADA), Title II, 42 U.S.C. §12132.**

Prohibits public entities from discriminating on the basis of disability.

[Utah Code Ann. § 53A-6-502](#) - Mandatory reporting of physical or sexual abuse of students.

[Utah Code Ann. § 53A-11-802](#) - Use of reasonable and necessary physical restraint or force.

[Utah Code Ann. §§ 53A-11-901 to 53A-11-907](#)- School Discipline and Conduct Plans

[Utah Code Ann. §§ 53A-11-1001 to 1004](#) - Notification by juvenile court and law enforcement agencies.

[Utah Code Ann. § 52A-11-404](#) - Immunity from liability.

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**Document History:**

**Adopted:** December 5, 1995 - Adoption of this policy repeals policy 5S-401 "Safe Schools Policy"

**Revised:** August 1, 2000 - Comply with the new IDEA regulations and eliminate repetitive language and the term exclusion.

**Revised:** October 16, 2001 - Legislative changes concerning weapons (Section 4.3); Case Management Team review of expulsion issues (section 4.3); Allows appropriate student use of cell phones in schools (Section 4.1.7); Notice to noncustodial parent of suspension (Section 7.2 et seq. and section 8.2.1).

**Revised:** August 25, 2004 - Technical change to reflect change in law made in 2004 Legislative Session revised Section 17.1 Notification by Juvenile Court and Law Enforcement Agencies

**Revised:** August 16, 2006 - Added section on bullying prevention as required by State Administrative Rule

**Revised:** February 20, 2007 - Section 4.1.7 changed cellular phone to electronic communication device

**Revised:** March 28, 2007 - Changes in Section 9 Due Process for Change of Placement of Students with Disabilities in accordance with changes in federal regulations.

**Revised:** April 30, 2008 - Non substantive change - added section on off-campus conduct (4.3)