

# Middle School Handbook

2021-22



**SALT LAKE CITY**  
**SCHOOL DISTRICT**  
*Your Best Choice*

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## **Vision Statement**

Excellence and Equity: every student, every classroom, every day

## **Mission Statement**

Salt Lake City School District cultivates a love of learning in a diverse and inclusive school community, committed to educational excellence and integrity. In collaboration with families and community, we hold high expectations for all students, respond effectively to individual needs, and provide a safe, healthy environment in which every student can learn the academic, problem-solving, and social skills required for success in college, career, and life.

## **Academic Performance**

We expect each student to become

- A complex thinker and problem solver
- An effective communicator
- A cooperative group participant and leader
- A contributor to the community
- A quality worker and producer
- A self-directed learner

Students are expected to demonstrate high standards of academic performance. This means students will be responsible for their own work. Cheating on any assignment, tests or quizzes will not be tolerated. Plagiarism, copying verbatim without acknowledgment of the source, or copying from another students work will not tolerated. Teachers will disclose their classroom policies regarding these issue.

## **After School Programs**

Students have the opportunity to participate in after school activities. Parents must register students and sign permission forms before a child can participate. Fees are charged for students to participate, but fee waivers are available to qualifying families. To participate your child must: 1) Be enrolled as a student in the school at which s/he seeks to attend the After School Program; 2) Be able to remain engaged in educational activities; and 3) Be able to follow directions. The same school rules and expectations of behavior that are in effect during the regular school day apply during the After School Program. Please be aware that: 1) Any child may be removed from the program if his/her behavior threatens his/her welfare or the welfare of others; and 2) Any child may be removed from the program if fee payments are not current (unless waived). Please contact Community Education at (801) 578-8236 for more information

## **Alternative Language Services**

The district identifies potential English Language Learners through the registration process. The registration card asks:

- What language is used most often by your student?
- What is the language most often used at home?
- What language did the student first learn to speak?
- What language do you prefer for school to home communication?

If *English* is the answer for all four questions, the student does not qualify for Alternative Language Services. If the answer to any question is a language other than English, the student will be assessed for English proficiency. If a student's test results indicate that s/he is a non- or limited-English speaker, reader or writer, s/he qualifies for Alternative Language Services. If a student qualifies for Alternative Language Services, the school will notify parents in the parents' preferred language. Types of Alternative Language Services offered by the district include English language development instruction and bilingual instruction. Parents have the right to decline Alternative Language Services for their student. For more information contact Alternative Language Services at (801) 578-471 or visit the district website at <https://www.slcschools.org/departments/teaching-and-learning/alternative-language-services/>.

## Attendance

Because of the Salt Lake City School District's commitment to quality education, we are concerned when a child misses school for any reason. The process of education requires a continuity of instruction, class participation, learning experience, and study. Frequent absences of students from day-to-day classroom experiences disrupt the educational and the instructional process.

Utah's Compulsory Education Requirements ([Utah Code Ann. §53G-6-201 et seq.](#)), require that "every school age child (ages 6-18) be enrolled in school and attend regularly." Parents and students are responsible for regular attendance. Students may be excused from school attendance for valid and legitimate reasons: **illness, medical appointment, family emergencies, death of family member or close friend, observance of religious holidays and family activity or travel (approved and arranged in advance with the principal).**

When a student is absent, a parent/guardian should call the school. If no contact is made, the student is required to bring a note from the parent/guardian to the office upon returning to school.

In the Salt Lake City School District:

1. **After Five (5) or more days of UNEXCUSED absences** (or equivalent class periods) within a school year, a **First Truancy Notification** will be issued requesting parent's help with their student's attendance.
2. **After ten (10) or more days of UNEXCUSED absences** (or equivalent class periods) within a school year, a **Second Truancy Notification** will be issued. Parents must schedule a conference with school officials to attempt to resolve the student's attendance issues.

If you have questions about your child's attendance, including excused and unexcused absences, please contact the school where your child is enrolled. Your support and cooperation are appreciated.

## Bell Schedules

Bell schedules are posted in teachers classrooms, in the office at the school, and on our website.

## Board of Education Policies and District Administrative Procedures

All board policies and district administrative procedures referenced in this handbook are available on the district's website at <https://www.slcschools.org/board-of-education/policies/>.

The appendices to this handbook also contain valuable information that the district is required to provide to you. The appendices contain the following information:

- Appendix A - Board Policy C-1: Family and Community Engagement  
C-1: Administrative Procedures, Family and Community Engagement
- Appendix B - Board Policy G-3: Wellness

- Appendix C - G-3: Administrative Procedures, Wellness  
Board Policy G-6: Child Nutrition Food Service Management
- Appendix D - G-6: Administrative Procedures, Child Nutrition Food Service Management  
Board Policy G-19: Discrimination, Harassment, and Retaliation Prohibited  
G-19.A: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited
- Appendix E - G-19.B: Administrative Procedures, Sexual Harassment Prohibited – Title IX  
Board Policy G-20: Bullying, Cyber-bullying Hazing, and Abusive Conduct Prohibited  
G-20: Administrative Procedures, Bullying, Cyber-bullying Hazing, and Abusive Conduct Prohibited
- Appendix F - Board Policy I-10: Educational Equity and Advocacy  
I-10: Administrative Procedures, Educational Equity and Advocacy
- Appendix G - Board Policy I-11: Religion in the Curriculum – Annual Notice  
I-11: Administrative Procedures, Religion in the Curriculum  
I-11: Annual Notice, Religion in the Curriculum
- Appendix H - Board Policy I-18: Acceptable Student Use of Internet, Computers, and Network Resources  
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- Appendix K - Board Policy S-5: Dress and Grooming  
S-5: Administrative Procedures, Dress and Grooming
- Appendix L - Board Policy S-11: Student Electronic Devices in Schools  
S-11: Administrative Procedures, Student Electronic Devices in Schools

## **Bullying, Cyber-bullying and Hazing Prohibited**

The district is committed to providing a safe learning environment to all district students that is free from bullying, cyber-bullying, and hazing. Such behaviors are prohibited and must be reported immediately to a teacher, administrator or the principal. Please see Appendix A for a copy of the district’s G-20: Administrative Procedures, Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited.

## **Bus Pass**

School bus passes are available for students who qualify. Check with the school secretary to see if you are eligible for busing. Students must have their bus I.D. card upon boarding the bus. A fee will be charged to replace a bus pass.

## **Change of Address or Telephone Numbers**

Parents are responsible for providing the school with the correct address and phone number for their student. Any change must be reported to the office immediately. If you move, please bring in proof of your new residency. Phone numbers for working parents must also be kept current. Current, up-to-date contact information is essential in case of an emergency.

## **Classroom Expectations**

Each teacher develops and shares classroom expectations with students, parents, and the administration. These expectations will follow the school wide Positive Behavior Intervention Strategies (PBIS) Plan. The classroom expectations will be discussed, displayed, and/or distributed to students.

For safety purposes: No backpacks are allowed in the classroom at any time. Students must leave their backpacks in their lockers.

## **Closed Campus**

The board of education has approved, as policy, the practice of having a closed campus. This means students are not allowed to leave campus during the school day. In addition, students are not allowed to go off school property for lunch unless s/he is being checked out from school by a parent or legal guardian. If a student leaves campus without authorization, s/he will be subject to disciplinary action.

## **Clubs and Organizations**

Becoming involved in at least one club greatly enhances your school experience. Every club has its own requirements as well as a social program which affords an opportunity to get acquainted with students who have interests similar to yours. All students are welcome to participate. Students may also start clubs as long as they have a faculty sponsor and obtain official approval. Clubs should be an extension of normal school activities. All clubs are subject to approval by the school administration.

## **Commons/Lunchroom Expectations**

- When students finish eating, they are responsible for cleaning up their table, and putting appropriate items in the recycle bin.
- Students will be orderly passing to and from the cafeteria.
- Students will use appropriate inside voices.
- Students should keep all food and drinks in the cafeteria.

## **Custodian/Guardianship**

The school is to be notified of any custody or guardianship changes which results in either the student or the guardian living outside school boundaries. In most divorce cases, divorced parents continue to have equal rights, such as access to information where their student is concerned. If you have a court order that limits the rights of one parent in matters such as custody or visitation, please bring a copy of the signed court order to the office. Unless your court order is on file with us, we must provide equal rights and access to both natural parents.

## **Disclosure Document**

Each teacher is required to send home a document disclosing the curriculum, expectations, homework policy, and grading policy for his/her class. In the beginning of each school year and/or semester, you will receive a disclosure document from your child's teachers.

## **Discrimination Prohibited**

No student shall be subjected to discrimination in any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs and services including its policies, complaint processes, program accessibility, and accommodations. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

Please see Appendix B for a copy of the district's G-19: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited.

## **Donations**

Your donations to the school are gladly accepted. Gifts may be given to specific classrooms or programs through the Salt Lake Education Foundation. For every accepted donation, you will be given an IRS approved receipt for tax purposes. For more information about donations, please call 801.578.8268 or visit the Salt Lake Education Foundation website at [www.sledfoundation.org](http://www.sledfoundation.org).

## **Dress and Grooming**

Students, teachers, and staff are expected to dress in a manner that demonstrates they respect themselves and the learning environment. Please see Appendix C for a copy of the district's S-5: Administrative Procedures, Dress and Grooming.

In the interest of encouraging positive school spirit, maintaining a disciplined and focused educational environment, promoting student safety, each school will have a dress code governing student dress at school while participating in school sponsored activities.

School administrators will apply their school's dress code uniformly and consistently to all students regardless of gender. Students will not be ridiculed, humiliated, or embarrassed for a dress code violation. If a dress code violation requires the imposition of discipline, the student will receive all applicable due process before the imposition of any consequence. Dress code enforcement actions should minimize the potential loss of educational time and the disruption to the student's day. Parents may be called to bring the student a suitable change of clothing.

The following would be in violation of the dress code:

- Clothing that does not cover undergarments.
- Clothing that does not provide opaque coverage of an individual's buttocks, genitals, and breasts.
- Clothing must have a top and bottom, or be an appropriate one-piece outfit. Shirts and dresses must have fabric in the front covering the abdomen, on the sides and under the arms, and in the back covering the upper and lower back.
- Clothing or jewelry that displays obscene, profane, vulgar, or pornographic words or images; that advertises or promotes racism, violence, hate groups, or the illegal use of drugs, alcohol, or tobacco products; or contains language, images, or symbols of sexual/sexist nature.

- Headwear that does not allow the student's face to be visible and/or interferes with the line of sight to any student or staff.
- Bare feet or unsafe footwear.
- Gang symbols: any article of clothing, badge, sign, lettering, hairdo, jewelry, emblem, symbol, or adornment, which is intended by the students, or is recognized or acknowledged by students or the Metro Gang Task Force to designate a gang symbol or to signify affiliation with, participation in, or approval of a gang. (See, S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited.)

## Emergency Plan/Drills

Fire, earthquake, and other emergency drills are held at regular intervals as required by law and to ensure student safety. Instruction in safety procedures is given by the teachers in all classrooms at the beginning of the school year and reviewed periodically. It is essential that, when the signal is given, everyone in the building obeys orders promptly and clears the building by the required routes as quickly as possible.

Each school has an appropriate and designated Emergency Plan, and each year parents will be provided with essential information about their child's school's plan, such as evacuation locations, etc. Please contact the main office or Principal if you have any question about the school's plan.

## Fees

Each year, the board of education approves a reasonable fee schedule for chargeable items. Fee waivers are available for those who qualify. The fee waiver application and notice procedures are confidential and are designed to avoid stigmatizing, embarrassing, imposing an undue burden on, or drawing undue attention to students or families applying for or receiving fee waivers. Fee waiver forms are available at the school office, and verification of income will be required with all fee waiver applications. Fees associated with yearbooks are not waivable. Schools may withhold official copies of report cards, transcripts or diplomas if fines or other charges for lost or damaged school property have not been resolved. (See, Board Policy S-10: Student Fees and Fee Waivers, and its accompanying administrative procedures.)

## Field Trips

Students must have permission to participate in any off-campus field trip. There may be a small fee for entrance to specific events, which is waivable for qualifying students. Students are to be transported to and from school-sponsored activities on district-operated vehicles, or chartered buses. With special permission, parents and teachers may transport students to and from school-sponsored activities. Students accompanied by a teacher may ride or walk to and from an activity if permission has been given by the principal and parents in advance, and appropriate procedures have been followed.

## Fund Raisers

Each school may conduct no more than **two** fund raising activities per year that involve students. All school related fund raisers must be recommended by the principal and approved by the SIC and SCC. Fundraisers that involve the sale of food products should comply with the board's Wellness policy (Board Policy G-3: Wellness). No funds are to be collected, raised, or gathered on behalf of any charity without prior approval from the superintendent or designee. Each school may conduct no more than one school-wide fund raising activity for charitable purposes per year. Fundraising responding to special needs or emergencies that affect members of the school community may be conducted by the Parent Teacher School Association with the permission of the principal and concurrence of the SCC.

## Gifts, Treats and Outside Activities

Treats for birthdays, special days, etc. should not be brought to school.

## Hall Expectations

- No yelling, running, or pushing in the hallways.
- Avoid loitering in groups during the passing periods. Large groups of students inhibit the free flow of traffic, which creates an unsafe hallway environment.
- Walk with purpose and direction to class. There is no reason for a student to have unexcused tardies.
- Use stairs and handrails accordingly.
- Get teacher permission and use a hall pass when not in class. Teachers must always give permission for a student to be out of class. Students who have permission to be out of class will carry an approved hall pass.

## Items Not Allowed at School

The district is not responsible for lost or stolen personal belongings brought to school. Parents will be notified in advance if students are allowed to bring prohibited items for a specific, pre-approved activity, and how the items are to be removed from school property after the conclusion of the activity. The following items are prohibited, and if brought to school by students, may be confiscated:

- **Sports equipment** such as hard balls, bats, etc.
- **Electronic equipment** such as radios, recorders, CDs, CD players, iPods and other mp3 players. Please see Appendix D for a copy of the district's S-11: Administrative Procedures, Student Electronic Devices in Schools.
- **Pets** that are not approved service animals. Animal Control will have to be called if pets follow students to school and remain at the school.
- **Weapons** such as knives, firearms, matches, guns, darts, bullets, arrows, caps, firecrackers, stars. Please see Appendix E for a copy of the district's S-3: Administrative Procedures, Student Conduct and Discipline.
- **Food** such as gum, candy, snacks (unless required for health purposes), bottled soda pop.
- **Money** except for specific school reasons such as school pictures or other school endorsed activities.
- **Inappropriate reading materials.**

## Language

Students and parents are expected to use appropriate language while at school. Profanity and the use of obscene gestures are inappropriate, whether directed toward the staff or other students. Students who fail to observe these rules will be subject to disciplinary action.

## Lockers

Each student will be assigned a locker at the beginning of the year and will be held responsible for it the entire year. For security purposes, each student should keep his or her combination confidential. Students may not share lockers. Valuables should not be brought to school. The school cannot be held responsible if items are stolen. **The school and student maintain joint control and possession**

**of locker, and lockers are considered district property. Utah law permits school officials to check students' lockers.** Students are expected to keep lockers clean and protected from dents, scratches, marks, or any action that prevents the locker from functioning properly. Fines will be assessed for damage to lockers. Students should contact the office if there is a problem with their assigned locker.

## **Parent-Teacher-Student Association (PTSA)**

The PTSA, an organization which involves teachers, parents, and students, is an excellent example of what can be accomplished by parents, staff, and students working together to promote learning. A fundamental strength of any school is a high level of parent involvement. Parents are welcome and encouraged to join the PTSA with a minimal membership fee. Your support is needed to organize special events, help with fund-raising for school related activities, and to be available on occasion to donate your time, talents and expertise.

## **PowerSchool**

PowerSchool is the district's online portal that a student and his/her parents can log into and see all of the student's educational information in one place: grades, assignments, scores, attendance, schedules, and school bulletins. Parents will need to create an account with a username and password in order to access the system; students will be given a user ID and password at their schools. The district encourages students and parents to regularly check PowerSchool for important information.

## **Registering for School**

Except in certain special circumstances (homelessness, military transfer, etc.), the following documents are required before a child can be registered in school:

1. **Birth Certificate.** Parents of children born in Utah may obtain their child's birth certificate from the Utah Department of Health, Office of Vital Records and Statistics, 288 North 1460 West (PO Box 141012), Salt Lake City, UT 84114-1012, (801)538-6105. The certificates may be ordered online, by mail, or in person. Appropriate identification is required. The cost is \$18. Information is online at <https://vitalrecords.utah.gov/certificates/order-a-vital-record-certificate>. Birth certificates for a child born outside of Utah may usually be obtained from the department of health in the state in which the child was born. Information is online at National Center for Health Statistics website, "Where to Write for Vital Records" - <http://www.cdc.gov/nchs/w2w.htm>.
2. **Immunizations** - These are required by law for a child entering school unless an authorized exemption has been provided and approved.
3. **Proof of residence.** Please bring two pieces of documentation confirming your permanent residence. Examples of acceptable documentation include: a copy of a lease agreement, utility bill, or mortgage coupon.
4. **Payment of any outstanding school fees that have not be waived.**
5. **Previous school documentation, if applicable.**

## **Report Cards and Progress Reports**

Grades are computed each quarter and report cards are mailed or sent home with the student. In addition, mid-term reports are completed each term to let students and parents know of students' progress. Parent/Teacher conferences are held mid-first quarter and mid-third quarter. Specific questions should be directed to your child's teachers or to the school principal.

## **Resource and Special Education**

Students with disabilities whose academic performance is below grade level may need specialized instruction in order to make progress in school and benefit from the general education program. In order to determine if a student qualifies for services, students must be evaluated and found eligible under federal and state guidelines. If your student is eligible for special services, an individualized education program (IEP) or 504 Plan will be developed for each student. For more information about special education and 504 services in the Salt Lake City School District, please call (801) 578-8483 or visit the district website at <https://www.slcschools.org/departments/educational-equity-and-student-support/special-education-and-504/>.

## **Respect for Property**

Students are responsible for the proper care of all equipment, supplies, and furniture supplied by the school and are expected to show respect for school and community property and for the personal property of others. Students who deface, damage, or destroy school property will be expected to pay for repairs or replacement costs for the items.

## **Special Accommodations for Parents/Visitors**

In compliance with the Americans with Disabilities Act, individuals visiting the school who need reasonable physical or language accommodations during a meeting should notify the school secretary at least three working days prior to the meeting. Examples of the kind of accommodations the district regularly makes are: providing interpreters and large print documents, allowing service animals to accompany visitors, arranging special seating, etc.

## **School Choice**

The Salt Lake City School District offers a wide array of programs and services in order to meet the needs of every child and offer a variety of choices to every parent. The district offers traditional schools and programs, charter schools, language immersion programs, extended learning programs, and much more. For more information about the district's school choice offerings, visit the district website at [www.slcschools.org/departments/educational-equity-and-student-support/student-services/school-choice/](http://www.slcschools.org/departments/educational-equity-and-student-support/student-services/school-choice/).

## **School Meals Program**

All district schools participate in the Federal School Breakfast and Lunch Program. Parents may obtain information about the district's school lunch and breakfast program and apply for free and reduced meal benefits at <https://www.slcschools.org/departments/business-administration/child-nutrition/> or by contacting the child nutrition department by phone at (801)974-8380 during regular school hours. All information provided in your application will be kept confidential. Also, no student receiving free or reduced price meals will be stigmatized, embarrassed, or discriminated against in any way.

Each student will have their own lunch account. Parents, who have not qualified for free or reduced-price meals, are responsible for ensuring that their child has money in his or her meal account. Meals can be paid for electronically using [MyPaymentsPlus](#), or parents can pay at the school's main office with cash or check. Please be sure to check your students' lunch account often to avoid negative balances. The district's child nutrition program is subject to federally mandated cost principles which require the district to collect on all outstanding debts. Accordingly, the district will use all reasonable collection

efforts, including the use of a collection agency, in order to ensure that parents, who have not qualified for free or reduced-price meals, pay for their students' school meals.

Please see Appendix F for a copy of the district's G-6: Administrative Procedures, Child Nutrition Food Service Management.

## Science Safety Code of Conduct

### General Safety Rules

1. **Act responsibly** in the lab at all times. Fooling around, misusing materials, engaging in pranks, etc. is prohibited.
2. **Follow all written and verbal instructions** carefully. Ask for clarification if you do not understand instructions.
3. **No student is allowed** to work in laboratory without an instructor present.
4. **Dress appropriately for lab work.** No loose or baggy clothing, sandals, flip-flops or high heels. Tie long hair back. Use an apron if instructed by your teacher.
5. **Clear area** before beginning lab work. Backpacks, jackets, books, water bottles, etc. need to be put away. Only lab materials and equipment should be on a lab table.
6. **No food or beverages are allowed in the laboratory.** Do not taste lab materials. Do not use laboratory glassware as containers for food or beverages.
7. **Know location and procedures** for using first aid and safety equipment such as first aid kit, eye wash, chemical shower, fire extinguisher, and fire blanket.
8. **Do not enter chemical preparation room or storage area** unless directed by instructor.
9. **Do not touch any equipment or lab materials** until instructed to do so. Use materials only as instructed.
10. **Do not use broken or damaged equipment or glassware.** Report damage immediately.
11. **Do not touch your face, eyes, or mouth** while using science materials.
12. **Wear eye protection** anytime heat, chemicals, and/or glassware is used or when directed by instructor.
13. **Stay at your assigned lab station.** Do not wander around the room and disrupt other lab groups.
14. **Report all accidents, injuries or spills immediately to instructor,** regardless of how minor they seem.
15. **Use extreme caution when using sharp tools** (scalpels, scissors, etc.) by keeping sharp tools pointed away from the body during use or storage.
16. **Use two hands to carry a microscope** (one hand under the base, the other on the arm.)
17. **Handle all glassware with care.** Use a hot pad or tongs to pick up hot glassware. If glass breaks, notify your teacher for instructions before cleaning it up.
18. **Use heat sources only as instructed.** Never touch a flame or leave a hot plate or lit lamp unattended.
19. **Treat preserved specimens with respect** and dispose of properly.
20. If your lab involves work with **live animals** (including insects), **wear gloves and handle animals with care.** Notify teacher right away of any bites, scratches, etc.
21. **Follow instructions** for cleanup and directions about where to put waste materials.
22. **Wash your hands with soap and water** after performing all experiments.

## **Student Discipline Procedures and Guidelines**

A copy of Board Policy S-3: Student Conduct and Discipline, and its accompanying administrative procedures are included as Appendix E in this handbook. Any new student registering after general distribution shall be given a copy during registration.

## **Student Supervision**

Adult supervision will be provided when students are (1) in school; (2) riding on district provided transportation; (3) at school for necessary limited intervals before (especially between the time bused students are brought to the school and the time school begins) and after school; or (4) engaging in school-sponsored activities. During school hours, or while engaging in school-sponsored activities, students will be released only pursuant to directions of custodial parents/guardians or other authorized persons.

## **Student Visitors**

Students from other schools may not be at the middle school during regular school hours. This includes waiting for students to be dismissed as well as being in the building or on the grounds while school is in session. Individuals who violate these rules may be reported to the police as trespassers.

## **Title IX**

### **Sexual Harassment Prohibited Under Title IX**

Salt Lake City School District takes its obligations under Title IX very seriously; Title IX of the Education Amendments of 1972 (20 USC §1681) states: *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.* Ensuring equity in district programs and activities also includes undertaking the investigation of complaints of sexual harassment.

Recently, the U.S. Department of Education put forth new Title IX regulations on how school districts must investigate sexual harassment complaints. The district's process is provided in Board Policy G-19: Discrimination, Harassment, and Retaliation Prohibited and its accompanying administrative procedures. For students, the primary point of contact for sexual harassment concerns is the Deputy Title IX Coordinator at your school site. Contact information for the Deputy Title IX Coordinator will be available on the school's main web page and in the school's front office. Tina Hatch, Compliance Officer/Title IX Coordinator, has been designated to address Title IX concerns for the district. She can be reached at (801) 578-8388 or [tina.hatch@slcschools.org](mailto:tina.hatch@slcschools.org). You also have the right to contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

A copy of Board Policy G-19: Discrimination, Harassment, and Retaliation Prohibited and its accompanying administrative procedures is available at the following link: <https://www.slcschools.org/board-of-education/policies/g-19/g-19-policy>. Hard copies may be obtained in your school's main office.

## **Transportation Eligibility and Expectations**

The following rules govern the use of district transportation services:

- All students who ride the bus are expected to behave in a courteous and respectful manner while waiting to board the bus.
- Students are to be on time at the designated bus stop and are to wait until the bus comes to a complete stop before attempting to board.
- Students are expected to conduct themselves in a courteous and cooperative manner on the bus at all times.
- While on the bus, the students are under the authority of, and directly responsible to, the bus driver. Loud and boisterous talking or laughing is prohibited on the bus while students are being transported.
- Students are to be properly seated while the bus is in motion and are prohibited from waving hands out of the windows of the bus.
- Students are not permitted to have friends ride the bus with them nor are students living outside the bused area permitted to ride the bus.

Questions regarding transportation of students should be directed to Transportation Services at (801) 974-8345.

## Traveling to School

Students will be held responsible for their conduct going to and from school, especially if that conduct affects the school climate, classroom instruction, or student and staff welfare and safety. Students are to behave properly and show respect for school and community property. Students may be held responsible for any property they damage or deface traveling to or from school.

## Volunteering

Parents and community members are invited and encouraged to participate in the school program as volunteers. Volunteers are needed in all areas of the school. Please remember that if you will have unsupervised access to students, you must pass a nationwide criminal background check before you volunteer. To become a volunteer contact the school office. We appreciate the countless hours that parents and community volunteers give to our school each year.

Parents and community members can help in a variety of ways. Please contact your school for more information.

## Visitors

Parents are welcome anytime. Any person entering a school must check in at the office and receive a visitor pass or a badge. **If you desire more than to just visit, such as a conference with your child's teachers or the principal, please call ahead to schedule a convenient time to meet.** Parents need to respect teacher's time prior to school each day as teachers are preparing for students' arrival. All other individuals - brother, sisters, relatives or former students - are not to visit the classrooms without proper permission from the office.

## Wheels

Non-motorized transportation to school is encouraged. However, students are prohibited from riding wheeled equipment - bikes, scooters, skateboards, "heelies", roller blades, etc. - on school grounds. Any wheeled equipment must be walked/carried while on school grounds and properly stored. The school/district is not responsible for lost or stolen items. Students who violate these rules may be

prohibited from bringing wheeled equipment to the school in the future at the discretion of the school principal.

# **Appendix A**

*Board Policy C-1: Family and Community Engagement*

*C-1: Administrative Procedures, Family and Community Engagement*

# Board Policy C-1: Family and Community Engagement



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## REFERENCES

[Administrative Procedures for Board Policy C-1](#)  
[20 U.S.C. §638 34 C.F.R., 200.28\(c\), Every Student Succeeds Act](#)  
[Utah Code Ann. §53G-7-1202, School Community Councils](#)  
[Utah Code Ann. §53G-4-402, Local School Boards Powers and Miscellaneous Duties](#)  
[Utah Code Ann. §53F-9-201, Uniform School Fund](#)  
[Utah Admin. Code R277-477, Distribution of and Administration of the School LAND Trust Program](#)  
[Utah Admin. Code R277-491, School Community Councils](#)  
[Shared Governance Guide](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes the importance of parent, family, and community involvement and engagement in the academic success and social-emotional well-being of students. To that end, community members, volunteers, business partners, elected officials, and district employees are encouraged to support families in promoting student success.

The purpose of this policy is to engage parents and families as partners in supporting and advocating for students regardless of their racial or ethnic identity, educational background, gender, gender identity, disability, linguistic ability, or socioeconomic status.

The board understands that regular, meaningful two-way communication builds trust between the district and parents, families, individuals, businesses, community groups, and local leaders. Communication must always be clear, accurate, consistent, and use a variety of methods and languages for all families and community members to become active participants in the school community.

The board respects parents and families as valuable advocates and decision makers in improving learning opportunities for their students through the development, implementation and annual evaluation of the goals of the student achievement plan; Student Success Plan; the School-Parent Compact; and this policy and its accompanying administrative procedures. As part of an annual evaluation, the district will obtain parent and family feedback on the effectiveness of the district's parent and family engagement strategies in order to identify and address any remaining barriers to their engagement. The School Community Council and other advisory councils are important forums to be utilized by parents in making decisions regarding the needs and priorities of their schools.

The district and schools will provide opportunities to build the capacity of parents and families to understand state academic achievement standards, state and local assessments, and Title I requirements. Parents should also be assisted with understanding how to best navigate the school system.

District employees are encouraged to engage in partnerships with families that honor and recognize their existing knowledge and unique cultural aspects. All district employees shall strive to create and sustain a culture that welcomes, invites, and promotes family engagement. The district will collaborate with community, educational, and business partners to develop and support Title I parent involvement strategies and initiatives.

The district will set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United State Codes, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

# C-1:Administrative Procedures

## Family and Community Engagement

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### REFERENCES

[Board Policy C-1](#)

[Shared Governance Guide](#)

[Board Policy S-3: Student Conduct and Discipline](#)

[Administrative Procedures for Board Policy G-3: Wellness](#)

[Administrative Procedures for Board Policy I-8: Student Progress and Academic Achievement](#)

[Administrative Procedures for Board Policy I-14: Student Planning, College and Career Readiness, School Counseling, and Work-Based Learning](#)

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### PROCEDURES FOR IMPLEMENTATION

#### I. Build the Capacity of Families

- A. The district and schools will provide opportunities to build the capacity of parents and families to understand state academic achievement standards, state and local assessments, and Title I requirements. Parents should also be assisted with understanding how to best navigate the school system.
  1. Schools will create opportunities for families to learn how the school system works including aspects related to:
    - a. the role of the principal, counselor and other school staff;
    - b. how to volunteer at school and what to do when there;
    - c. supports and interventions for students who are struggling; and
    - d. federal programs like Special Education, 504, Title IV, and other programs that support students and their families.
  2. Throughout the school year, schools will create opportunities for families to learn about the Utah Core Standards, and interpret their student’s state and school assessment results. Schools must provide materials and tutorials for families that teach strategies on how to support student learning in both academic and social skills.
    - a. The district and Title I schools will provide training opportunities to families in order to help improve parents’ ability to participate in their student’s achievement and to be involved in their student’s learning.
    - b. Principals and the Title I coordinator, in coordination with various district administrators, will provide parents with assistance and training on topics including:
      - i. Positive Behavior Intervention System/Multi-Tiered Systems of Support Plan found in various student handbooks;
      - ii. various state and local academic assessments, including alternative assessments; iii. the parent and family engagement requirements of the Every Student Succeeds Act (ESSA); and
      - iv. strategies for monitoring their student’s progress and working with educators to improve their student’s achievement.
    - c. Title I schools must hold an annual Title I meeting to explain the program and inform parents of their right to be involved in their children’s education.
      - i. Title I schools must offer additional meetings at different times of the day throughout the school year.
      - ii. Schools should provide information to parents in classroom newsletters, at regularly scheduled parent meetings, and School Community Council (SCC) meetings in a manner that allows parents to access and understand the information. Methods to increase accessibility and understanding include the use of translated documents, language interpreters, and visual supports.
      - iii. Teacher and paraprofessional qualifications will be provided to parents, as appropriate.
      - iv. Parents have the right to file complaints with the district’s Title I coordinator regarding the district’s compliance with Title I.

#### II. Shared Governance

- A. The board retains overall legal responsibility for governing the district but may delegate decisions, subject to periodic review and appropriate accountability.
- B. The board delegates to school sites and departments the right to make decisions following the shared governance process. Site-based decisions must conform to all applicable state and federal laws, rules and regulations, and the district’s Student Achievement Plan, policies, procedures, guidelines, and contractual obligations, including negotiated employee agreements.
- C. SCCs are a critical component of the shared governance process.
  - 1. SCCs should involve parents in the academic achievement of their children, work to improve school performance, and implement parental involvement strategies and activities in the school.
  - 2. SCCs should strive to achieve greater parental participation.
  - 3. SCCs will include elected staff, community, and parent representatives who will share the responsibility of helping each school to provide quality learning opportunities leading to high levels of student achievement.
  - 4. SCCs should refer to the district’s Shared Governance Guide for specific details regarding decisions and responsibilities allocated to SCCs.
- D. Principals must ensure that they communicate with their SCCs about any issues that involve long term contractual obligations for the school, including new construction proposals, potential lease opportunities with outside third parties, etc.

**III. Provide meaningful input on the Student Achievement Plan (SAP), Excellence and Equity Plan (EEP), also known as School Improvement Plan (SIP), and School-Parent Compacts (for Title 1 schools)**

- A. Parents must provide meaningful input into the district’s SAP, their school’s EEP/SIP, and/or their school’s School-Parent Compact.
  - 1. The district and schools may choose to hold informal meetings to inform parents about the purpose of the specific plan under consideration, and the vision and mission of the district or school.
  - 2. Parents should be given adequate time to become familiar with written information and any drafts of plans before meaningful feedback can be offered.
- B. Title I schools must create a written parent and family engagement plan that is distinct from the board’s Family and Community Engagement Policy.
  - 1. School plans must address the particular parent involvement needs of the individual school.
  - 2. Schools must update these plans annually to meet the changing needs of parents and schools.
- C. Title I schools must create a school-parent compact with meaningful participation of parents and families, and all schools are encouraged to do the same.
  - 1. The compact identifies how parents, school staff, and students will share the responsibility for improved student academic achievement.
  - 2. In outlining how student academic achievement will be improved, the compact must include:
    - a. the school’s role, including a description of:
      - i. academic goals to meet the Utah Core Standards;
      - ii. ways teachers will provide high quality curriculum and instruction and how teachers will help parents understand what that looks like in class;
      - iii. ways teachers will support parent participation in learning activities; and iv. dates for back to school nights, conferences and other parent meetings and activities.
    - b. the family’s role, including a description of ways parents will be responsible for supporting their children’s learning; and
    - c. the student’s role, including a description of specific ways students will be responsible for their learning.
  - 3. The compact must address the importance of two-way communication between teachers and parents on an ongoing basis.
  - 4. The compact must be renewed and updated annually.

**IV. Review of these procedures**

- A. The Title I coordinator will conduct an annual evaluation process of the content and effectiveness of these procedures.
  - 1. This process should identify barriers to increased participation by parents, with particular attention to parents who are economically disadvantaged, have limited English proficiency, are disabled, have limited literacy, or have a racial or ethnic minority background.
  - 2. This process should also identify what families need in order to help with their children’s learning, and what strategies will support successful school-home interactions.

3. The Title I coordinator will use stakeholder input surveys, family and community forum discussions, the district's parent advisory committee, and SCC members to conduct this evaluation.
4. Findings of the annual evaluation will be shared with schools, families, and the community, used to inform planning of the parent and family engagement plan, and used to make suggested revision to these procedures.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United State Codes, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

## **Appendix B**

*Board Policy G-3: Wellness*

*G-3: Administrative Procedures, Wellness*

# Board Policy G-3: Wellness

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## REFERENCES

[Administrative Procedures for Board Policy G-3](#)

[42 U.S.C. §1751, Healthy Hunger-Free Kids Act of 2010, 7 C.F.R. §220](#)

[42 U.S.C. §1751 et seq., National School Lunch Program, 7 C.F.R. §210](#)

[42 U.S.C. §1773, National School Breakfast Program, 7 C.F.R. §220](#)

[42 U.S.C. §1786, Child Nutrition and WIC Reauthorization Act, 7 C.F.R. §246](#)

[National Standard for Physical Education](#)

[Board Policy G-6, Child Nutrition Food Service Management](#)

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## THE POLICY

The Salt Lake City School District Board of Education is committed to the optimal development of every student. The board recognizes that positive, safe, and health promoting learning environments are necessary in order for students to have the opportunity to achieve personal, academic, developmental, and social success. To that end, the district adheres to all applicable federal wellness laws to ensure environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day. All school-based activities will be consistent with this policy and the accompanying administrative procedures. District staff are also encouraged and supported to make healthy lifestyle choices.

The purpose of this policy is to provide a school environment that enhances learning and development of lifelong wellness practices.

The district will set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

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## REFERENCES

# Wellness

[Board Policy G-3](#)

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## DEFINITIONS

These definitions are provided for the purposes of these administrative procedures.

**School campus:** All areas of the property under the jurisdiction of the school that are accessible to students during the school day.

**School day:** The period from the midnight before, to 30 minutes after the end of the official school day.

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## PROCEDURES FOR IMPLEMENTATION

### I. *Student Wellness*

- A. Each school will create and maintain a positive school environment that promotes the physical and mental health of its students.
  1. Promoting the health and wellness of the whole student must include elements that focus on physical education and activity, nutrition environment and services, health education, family engagement, community involvement, and social and emotional climate.
    - a. For information on family engagement and community involvement, see Board Policy C-1: Family and Community Engagement and its accompanying administrative procedures.
    - b. For information on creating a positive social and emotional climate, see the board policies and administrative procedures for: G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited; G-21: Youth Suicide Prevention Programs; I-10: Educational Equity and Advocacy; and S-3: Student Conduct and Discipline.

### II. *Nutrition Promotion*

Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias.

- A. The district will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through:
  1. implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques](#); and
  2. ensuring 100% of foods and beverages promoted to students meet the United States Department of Agriculture (USDA) Smart Snacks in School nutrition standards. **III. Nutrition Education**

The district will teach, model, encourage and support healthy eating by all students.

- A. Sequential and interdisciplinary nutrition education will be provided and promoted as follows:
  1. each school will ensure that core health is taught in grades K-12; and
  2. through the use of flyers, newsletters, posters, and/or discussions in various classes, schools will encourage students to adopt healthy eating habits throughout the day, both in and out of school.

B. Schools will provide nutrition education that:

  1. is designed to provide students with the knowledge and skills necessary to promote and protect their health;
  2. is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
  3. includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;

4. promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
  5. emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
  6. links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
  7. teaches media literacy with an emphasis on food and beverage marketing; and
  8. includes nutrition education training for teachers and other staff.
- C. The district will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:
1. Relationship between healthy eating and personal health and disease prevention
  2. Food guidance from [MyPlate](#)
  3. Reading and using Food and Drug Administration's (FDA) nutrition fact labels
  4. Eating a variety of foods every day
  5. Balancing food intake and physical activity
  6. Eating more fruits, vegetables and whole grain products
  7. Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
  8. Choosing foods and beverages with little added sugars
  9. Eating more calcium-rich foods
  10. Preparing healthy meals and snacks
  11. Risks of unhealthy weight control practices
  12. Accepting body size differences
  13. Food safety
  14. Importance of water consumption
  15. Importance of eating breakfast
  16. Making healthy choices when eating at restaurants
  17. Eating disorders
  18. [The Dietary Guidelines for Americans](#)
  19. Reducing sodium intake
  20. Social influences on healthy eating, including media, family, peers and culture
  21. How to find valid information or services related to nutrition and dietary behavior
  22. How to develop a plan and track progress toward achieving a personal goal to eat healthfully
  23. Resisting peer pressure related to unhealthy dietary behavior
  24. Influencing, supporting, or advocating for others' healthy dietary behavior

#### IV. *Physical Education and Physical Activity*

Adequate physical education will be provided and physical activity connected to students' lives outside of physical education will be promoted as follows:

- A. Each school will ensure the physical education core is taught in grades K-12.
  1. Dodgeball is not an appropriate physical education activity for students, and therefore is prohibited.
- B. Physical education activities will be encouraged in other content areas, in the home and the broader community.
- C. Physical education instructors at the elementary level will be district certified.
  1. Each elementary physical education instructor will participate annually in the following certification programs:
    - a. elementary physical education teaching methods, 24 hours per year; and
    - b. current first aid and CPR certification, which includes training on how to properly use an automated external defibrillator (AED).
- D. Physical education instructors at the secondary level will be certified according to state standards.
- E. Enrollment in secondary physical education courses will not exceed the number of students that space and equipment can safely accommodate indoors, even if a greater number of students could be accommodated outside.
- F. Schools will provide adequate equipment and supplies for all students to safely and fully participate in structured physical education activities.
- G. Time allotted for physical education instruction and physical activity will be consistent with national standards, which are 150 minutes per week for grades one-six, and 225 minutes per week for grades 7-12.

- H. All elementary students will be allowed a minimum of 15 minutes of recess each school day, not to include scheduled lunch time.
  - 1. Daily recess periods can be structured to be a part of the physical education instructional time and will not be systemically used as a behavioral consequence or punishment.

V. *Other School Based Activities*

All school-based activities will be consistent with these procedures as follows:

- A. After-school programs will encourage physical activity and the formation of healthy habits.
- B. District wellness policy guidelines will be considered when planning all school-based activities, such as school events, field trips, dances, assemblies, etc.
- C. Hosting wellness clinics, health screenings, and enrolling eligible children in Medicaid and other state health insurance programs will be pursued at each school site to support the health of all students.

VI. *Foods and Beverages Sold to Students*

All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, and snack or food carts.

A. Nutrition Standards for All Foods on Campus

All foods and beverages made available to students on campus will be consistent with the current standards for all foods sold in school as required by the Healthy, Hunger-Free Kids Act of 2010 as follows:

- 1. Foods sold in school must either:
  - a. be a "whole grain-rich" grain product;
  - b. have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food;
  - c. be a combination food that contains at least ¼ cup of fruit and/or vegetable; or
  - d. if water is the first ingredient, the second ingredient must be one of the food item in paragraphs V.A.1.(a), (b), or (c) above.
- 2. Foods sold in school must also meet the following nutrient requirements:
  - a. calorie limits - snack items ≤ 200 calories; entrée items ≤ 350 calories;
  - b. sodium limits – snack items " 200 mg sodium per item; entrée items ≤ 480 mg;
  - c. fat limits - total fat: " of calories; saturated fat: < 10% of calories; trans-fat: zero grams; and
  - d. sugar limits - ≤ 35% of weight from total sugars in foods.
- 3. Other nutrition requirements:
  - a. Accompaniments such as cream cheese, salad dressing, and butter must be included in the nutrient profile as part of the food item sold. This helps control the amount of calories, fat, sugar, and sodium added to foods by accompaniments, which can be significant.
  - b. Classroom snacks will feature healthy choices.
  - c. Food and beverage information displayed in the school cafeteria will be consistent with established nutrition standards.
  - d. No school activities, events, or parties will interfere with student access to a nutritionally balanced lunch or breakfast.

B. Nutrition Standard for Beverages All Schools May

Sell 1. All schools may sell:

- a. plain water (with or without carbonation);
  - b. unflavored low fat milk;
  - c. unflavored or flavored fat free milk and milk alternatives permitted by the National School Lunch Program/School Breakfast Program;
  - d. 100% fruit or vegetable juice; and
  - e. 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.
- 1. Allowable portion sizes:
    - a. There is no portion size limit for plain water.
    - b. Elementary schools may sell up to 8-ounce portions of the milk and juice beverages listed above.
    - c. Middle schools and high schools may sell up to 12-ounce portions of the milk and juice beverages listed above.

- d. High schools may sell:
  - i. no more than 20-ounce portions of the following “no calorie” and “lower calorie” beverage options:
    - a) calorie-free, flavored water (with or without carbonation); and
    - b) other flavored and/or carbonated beverages that are labeled to contain “ 5 calories per 8 fluid ounces or “ 10 calories per 20 fluid ounces; and
    - c) no more than 12 -ounce portions of beverages with “ 40 calories per 8 fluid ounces, or “ 60 calories per 12 fluid ounces.

## VII. *Celebrations and Rewards*

- A. All foods offered on the school campus should meet or exceed the USDA Smart Snacks in School nutrition standards, including foods offered:
  - 1. during celebrations and parties;
    - a. the child nutrition department can provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas;
  - 2. by parents as classroom snacks; and
  - 3. as rewards and incentives.

## VIII. *Fundraising*

- A. Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day.
  - 1. A special exemption is available for the sale of food and beverage items that do not meet the nutrition standards in connection with infrequent school-sponsored fundraisers that are conducted during the school day. The number of such fundraisers may not to exceed three per school campus per school year.
    - a. No specially exempted fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service.
    - b. Career and technical education classes may petition for additional exceptions.
  - 2. Schools should encourage the use of non-food fundraisers and those promoting physical activity (such as walk-a-thons, jump-rope-a-thon, fun runs, etc.).
  - 3. Fundraisers that occur after the school day may sell foods and beverages that do not meet the nutrition standards outlined in these procedures.

## IX. *Eating Environment*

The school environment will be safe, comfortable, pleasing, and allow ample time and space for eating meals; and food and/or physical activity will not be used as a reward or punishment as follows: A. Students will be encouraged to start each day with a healthy breakfast.

B. Students will be provided adequate time to eat breakfast and lunch at school, at least 10 minutes for breakfast and 20 minutes for lunch, from the time the student is seated.

C. Lunch periods will be scheduled as near the middle of the school day as possible. Lunch periods will not be scheduled at the end of a shortened school day.

D. Elementary schools will schedule recess before lunch or implement a structured schedule that ensures that children are not pressured to eat and run.

E. School cafeteria areas will provide enough serving lines to ensure that students spend no more than seven minutes waiting in line for a school meal.

F. School employees, student government, and community members will be encouraged to reward student behavior with non-food items instead of food items. Student input is recommended at the secondary level.

G. Bus routes and school schedules will be coordinated to allow students ample time before class to participate in the National School Breakfast program.

H. Students in pre-kindergarten through grade 12 will be responsible for cleaning up after themselves at breakfast and lunch. Students will put away trays and dispose of garbage properly to keep the school environment clean.

## X. *Food and Beverage Marketing in Schools*

A. The district permits advertising and marketing of only those foods and beverages that are permitted to be sold on the school campus, consistent with the board’s wellness policy and these procedures.

- B. Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards.
- C. Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:
1. brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container;
  2. displays, such as on vending machine exteriors;
  3. corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards;
    - a. Immediate replacement of these items are not required; however, schools must replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.
  4. corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the district;
  5. advertisements in school publications or school mailings; and
  6. free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.
- D. As the child nutrition department, school athletic departments, and/or purchasing department review existing contracts and consider new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by these procedures.

*XI. Child Nutrition Operation*

Child nutrition programs will be accessible to all students and must comply with federal, state, and local requirements (see, Board Policy G-6: Child Nutrition and Food Service Management). The child nutrition department will develop a coordinated and comprehensive outreach, promotion and pricing plan to ensure maximum participation in the federal school meal programs, e.g. school lunch, school breakfast, after-school snack, and summer foodservice.

*XII. Food Safety/Food Security*

All foods made available on school campuses by the child nutrition department will adhere to food safety and security guidelines including compliance with federal, state, and local food safety and sanitation regulations. Food provided outside of child nutrition services becomes the responsibility of school administration, with oversight of the School Community Council (SCC). Access to the food service operation is to be limited to child nutrition staff and authorized personnel only.

*XIII. Implementation and Evaluation*

The superintendent or designee will appoint a district wellness committee to regularly monitor the overall effectiveness of the board policy and these administrative procedures, and recommend policy and/or procedural modifications that will positively impact student health. The SCC will be designated to oversee the implementation and evaluation of the board wellness policy and these administrative procedures at each school site as follows:

- A. District wellness committee: The district wellness committee will include parents, students, director of the child nutrition department, district healthy lifestyles specialist, school health professionals, and representatives of the school board, school administrators, teachers, classified employees, and the public. The purpose of the district wellness committee is as follows:
1. regularly monitor the overall effectiveness of the board wellness policy;
  2. highlight areas in need of future change; and
  3. recommend policy and/or administrative procedure modifications that will positively impact student health.
- B. SCC: The school administrator or designee, with oversight of the SCC, will ensure that these administrative procedures are enforced at the school site as follows:
1. One or more persons at the school will be designated and charged with the operational responsibility for ensuring that the school follows these procedures and the accompanying board policy.
  2. Annually, every school employee shall review and agree to adhere to these administrative procedures and the accompanying board policy.
  3. The compliance of the school with these procedures will be evaluated annually by the onsite designee, and a written record of compliance will be provided to the SCC for evaluation.

4. A copy of the approved written record of compliance will be submitted by the school to the superintendent, or designee, and the board of education prior to the end of each school year.
5. An annual report of the goals and progress toward implementation of these procedures will be included in the equity and excellence plan, also known as the school improvement plan.

#### *XIV. Annual Notification of Policy*

- A. The district will inform families and the public each year of basic information about these procedures and the accompanying board policy. The district will make this information available via the district website and/or district-wide communications.
- B. The district will provide as much information as possible to families about the school nutrition environment. This will include a summary of any district events or activities related to wellness policy implementation.
- C. Annually, the district will also publicize the name and contact information of the district employee(s) leading and coordinating the wellness committee, as well as information on how the public can get involved with the committee.

#### *XV. Triennial Progress Assessments*

- A. At least once every three years, the district will evaluate compliance with the wellness policy and these procedures in accordance with state and federal law.
- B. The position/person responsible for managing the triennial assessment is the district's director of child nutrition programs. The director can be reached at 801.974.8365.
- C. The district's wellness committee, in collaboration with individual schools, will monitor schools' compliance with the wellness policy and these procedures.
- D. The district will actively notify households/families of the availability of the triennial progress report.

#### *XVI. Recordkeeping*

- A. The district will retain records to document compliance with the requirements of the wellness policy in the Child Nutrition Department, Beardsley Place, 995 West 2480 South, Salt Lake City, Utah 84119, and/or on the district's website. Documentation maintained in this location will include but will not be limited to:
  1. the written wellness policy and these administrative procedures;
  2. documentation demonstrating that these procedures and the accompanying policy have been made available to the public;
  3. documentation of efforts to review and update the wellness policy and these procedures; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the district wellness committee;
  4. documentation to demonstrate compliance with the annual public notification requirements;
  5. the most recent assessment on the implementation of the wellness policy and these procedures; and documentation demonstrating that the most recent assessment has been made available to the public.

## **Appendix C**

*Board Policy G-6: Child Nutrition Food Service Management*

*G-6: Administrative Procedures, Child Nutrition Food Service Management*

# Board Policy G-6: Child Nutrition Food Service Management



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## REFERENCES

[Administrative Procedures for Board Policy G-6](#)  
[Richard B. Russell National School Lunch Act, 42 U.S.C. 1571, et seq.](#)  
[Child Nutrition Act of 1966, 42 U.S.C. 1771, et seq.](#)  
[Emergency Food Assistance Act, 7 U.S.C. 7501, et seq.](#)  
[Code of Federal Regulations, Chapter 7](#)  
[Utah Code Ann. §26A-1-121, Standards and Regulations Adopted by Local Board](#)  
[Utah Code Ann. §53A-19-201, School Lunch Program](#)  
[Utah Code Ann. §53A-19-301, School Breakfast Program](#)  
[Utah Admin. Code R277-719, Standards for Selling Foods Outside of the Reimbursable Meal in Schools](#)  
[Utah Admin. Code R277-720, Child Nutrition Programs](#)  
[Utah Admin. Code R392, Health Disease Control and Prevention, Environmental Services Board Policy G-3, Wellness](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes that a poor diet negatively impacts students' health, and their ability and motivation to learn. To that end, the board has developed and implemented an efficient and effective food service program to provide students with healthy and nutritious foods, and promote long-term healthy eating habits. The district's child nutrition department will work closely with school administrators to provide nutritious meals with variety, appeal, and value for all students in a caring, safe and nurturing environment.

The purpose of this policy is to ensure that every school operates a food service program that provides students with access to the varied and nutritious foods they need to stay healthy and learn. The child nutrition program will not discriminate against, nor physically segregate, any student because of his or her inability to pay the full price of a meal or milk. Schools must ensure that students eligible to receive free or reduced price meals, or whose meal accounts have a low balance or are delinquent, are not easily identifiable or subject to ridicule, or embarrassment. The child nutrition program is an essential educational and support program, and budget neutrality or profit generation will not take precedence over the nutritional needs of the district's students.

The district participates in the National School Lunch Program, School Breakfast Program, Nutrition Education and Training Program, Summer Food Service Program, and other food distribution programs according to its permanent agreement with the Utah State Board of Education. When feasible, the district will sponsor additional food service programs, e.g., After School Snack Program, Fresh Fruit and Vegetable Program, Community Eligibility Provision, Breakfast in the Classroom, catering, vending, etc., to support student education.

The district will set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Whitney Banks, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

# G-6: Administrative Procedures

## Child Nutrition Food Service Management



### REFERENCES

- [Board Policy G-6](#)
- [Eligibility Manual for School Meals](#)
- [Income Eligibility Guidelines](#)
- [Free and Reduced Price School Meals Family Application](#)
- [Medical Statement to Request Special Meals, Accommodations, and Milk Substitutions](#)
- [G-3: Administrative Procedures, Wellness](#)
- [Salt Lake City School District's Child Nutrition Department Procurement Procedures for School Food Authorities](#)

### DEFINITIONS

- Alternative Breakfast Service Model:** A method of serving breakfast to a student after the instructional day begins.
- Automated Meal Payment System:** The district's web-based system, [MyPaymentsPlus](#), which allows parents to deposit funds into their students' meal accounts. The system has the capability to inform participating parents of account balances and payments and notify parents when account balances drop below a certain level.
- Collection Efforts:** Using a collecting agency or other means in order to collect unpaid meal balances.
- Delinquent Account:** A student's meal fund account that does not have adequate funds to cover the meal charges.
- Free Meal:** A meal served to a student whose parents have qualified, based on federal standards, to have their child receive free meals. A free meal, by definition, is served at no cost to the student.
- Meal Charging:** Allowing students who do not have sufficient funds in their account to receive a full meal, with parents or other sources paying for these meals at a later time.
- Non-Program Foods:** A meal or food component which does not meet the U.S. Department of Agriculture regulations and may not be claimed for payment from the U.S. Department of Agriculture. Examples include adult meals, second meals, extra milk, separate meal components, non-enrolled children meals, classroom snacks, school community events, etc.
- Parent:** A student's parent, legal guardian, or person acting as the parent for school purposes.
- Paid Meal:** A meal served to a student whose parents have not qualified for free or reduced price meals. The parent must pay the lunch price charged by the district.
- Point of Service:** The place in each school's food service area where paying for meals and counting of reimbursable meals occurs.
- Reduced Price Meal:** A meal served to a student whose parents have qualified, based on federal standards, to have their child receive a reduced price meal. While the federal regulations allow the district to charge the parent up to \$0.40 per lunch and/or \$0.30 per breakfast, the district has elected to waive the charge to parents for reduced price meals.
- Reimbursable Meal:** A meal which meets the U.S. Department of Agriculture regulations and may be claimed for payment from the U.S. Department of Agriculture.
- Traditional Breakfast Service Model:** A method of serving breakfast to a student before the instructional day begins.

### PROCEDURES FOR IMPLEMENTATION

#### School Meals

All reimbursable meals shall meet the minimum nutrition standards as required by the U.S. Department of Agriculture's (USDA) National School Lunch and Breakfast Program and 2010 Healthy Hunger-Free Kids Act regulations.

This requirement does not apply to medically authorized special needs diets.

The child nutrition department will comply with the USDA's disability requirements for modified diets when a student has a documented disability and the state-approved [Medical Statement to Request Special Meals, Accommodations, and Milk Substitutions](#) form has been completed.

The child nutrition department may comply with requests for non-disability medical conditions. Accommodations will be made on a case-by-case basis upon receipt of a completed request form.

Parents should coordinate with their child's school nurse and the district's dietician when making a request for special meals or accommodations.

The district's school lunch menus are available online at <https://www.slcschools.org/departments/business-administration/child-nutrition/school-menus/>

The price for a paid meal shall comply with the federal Paid Lunch Equity guidelines and be ratified by the board.

The price for non-program foods must be sufficient to cover the full cost of the food, labor, equipment and program operations in accordance with federal regulations.

#### School Breakfast Program

Unless an undue hardship waiver is obtained from the Utah State Board of Education, all district schools that participate in the National School Lunch Program must participate in the School Breakfast Program.

Alternative breakfast service models, in which breakfast is served to students after the instructional day begins, shall be implemented at district schools by the following deadlines:

1. Beginning in the 2021-2022 school year a district school in which 70% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
2. Beginning in the 2022-2023 school year a district school in which 50% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
3. Beginning in the 2023-2024 school year a district school in which 30% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.

The schools affected by Section B above may also choose to use a traditional breakfast service model in addition to the required alternative breakfast service model (i.e., schools may choose to serve breakfast to students both before and after the instructional day begins).

### **Staff and Equipment**

The district will employ a child nutrition director who is properly qualified, certified and/or credentialed according to professional standards to administer the child nutrition department's programs and satisfy reporting requirements. All child nutrition personnel will have all necessary training in accordance with federal and state law, and program regulations. All food service workers handling open food must obtain and maintain a food handler's permit. All kitchen site managers must obtain and maintain ServSafe Certification and be a Registered Food Safety Manager with the Salt Lake County Health Department. All food service equipment and facilities must meet applicable local and state standards concerning health, safe food preparation, handling and storage, sanitation, and workplace safety. All equipment that is the responsibility of the child nutrition department should be left in the serving kitchen and should not be taken out on field trips, to faculty rooms, or to other areas of the school for special functions. Individuals or groups are not allowed to use school food services facilities or equipment without having an authorized child nutrition staff member present to maintain sanitation, proper equipment use, and security of equipment and inventory.

### **Procurement Procedures**

The child nutrition department shall follow the district's general procurement policies and procedures, but also the Salt Lake City School District's [Child Nutrition Department Procurement Procedures for School Food Authorities \(SFA Procurement Procedures\)](#).

If any conflict exists between the district's general procurement and the SFA Procurement Procedures, the SFA Procurement Procedures shall control.

### **Program Information**

The district will strive to maximize participation in the school meal program, which includes all eligible children qualifying and receiving free and reduced price meals, through outreach and a low-cost meal pricing plan.

Parents may obtain information about the district's school lunch and breakfast program and apply for free and reduced meal benefits at <https://www.slcschools.org/departments/business-administration/child-nutrition/> or by contacting the child nutrition department by phone at 801.974.8380 during regular school hours.

In conjunction with student registration, each school will provide information to parents regarding:

- the school meal programs offered;
- prices for student meals, adult meals and extra milk;
- payment options for meals, including, if applicable, the use of discretionary school funds to pay for meals;
- application procedures to qualify for free and reduced price meals; and
- delinquent meal account policies, including, if applicable, the school's use of a collection agency.

Schools will send reminders to parents of the payment options and program policy throughout the school year. Schools may use various reasonable and effective means of communication to contact parents, including but not limited to student handbooks, newsletters, announcements, lunch menus, e-mails, or telephone calls.

Parents are encouraged to apply online for free and reduced priced meals at <https://www.slcschools.org/departments/business-administration/child-nutrition/applications>. Parents may also elect to print out and submit a paper application to the kitchen manager or child nutrition department. Applications are available in a variety of languages at <https://www.fns.usda.gov/school-meals/translated-applications>. The school must provide paper applications for parents who do not have access to on-line forms.

If the student's family receives benefits from the Special Nutrition Assistance Program (SNAP), the Family Employment Program (FEP), or the Food Distribution Program on Indian Reservations (FDPIR), the household qualifies for meals at no charge. Once the school receives notice of the student's or family's eligibility based on participation in one of these programs, the family does not have to complete or submit a free and reduced price application. The child nutrition department will communicate in writing with the parents that their students are eligible for free meals. If a parent or

family qualifies under one of these programs and has not received such a letter before school starts, the parent should contact the child nutrition department at 801.974.8380.

The school may complete an application for free and reduced price meals on behalf of the parents, if school personnel have knowledge of the family's financial circumstances and the parents have given their permission. The school must notify the parents that an application has been completed on their behalf.

Families can apply for free and reduced price meals at any time during the school year.

The child nutrition program must maintain the confidentiality of the identities of participants in the free and reduced price program.

## **Payments**

It is the parents' responsibility to ensure that their child has money in his or her meal account.

Meals can be paid for electronically using [MyPaymentsPlus](#) or at the school with cash or check. Payments for elementary and middle school students will be accepted at the school office. Payments for high school students will be accepted either by the kitchen manager or at the point of sale. Payments should clearly indicate the account to which the funds should be credited, e.g. if a parent has multiple children at one school, the payment must indicate which student's account should be credited and the amount to be credited to that student's account.

Personal checks will not be accepted from parents who have previously provided a check that was returned from their bank for any reason, including insufficient funds.

If a student qualifies for free or reduced price meals, no payments are due for the reimbursable meal. However, payment will be required for any additional food purchases beyond the reimbursable meal.

A school will credit meal payments from parents' to students' accounts before the meal period. Schools will apply payments to the purchase of the current day's meal first, and the payment to past-due accounts second.

The district's child nutrition program is subject to federally mandated cost principles which state that bad debts, including losses arising from uncollectable accounts, collection fees, and related legal costs, are unallowable. Accordingly, the district must use all reasonable collection efforts, including the use of a collection agency, in order to ensure that parents, who have not qualified for free or reduced price meals, pay for their students' school meals.

## **Identification of and Notification of Delinquent Accounts**

Schools will identify student accounts that do not have adequate balances to pay for student meals.

At the end of each day, each school's kitchen manager will run a negative balance report for the school site.

Before the final school bell rings, a report of all students who have a negative meal account balance of ten dollars (-\$10.00) or more will be provided to the school principal, and a copy of such report will be maintained in the kitchen office.

Parents will be notified weekly when their student's meal account is less than ten dollars (\$10.00), and every day when they have a negative account balance.

The district will use its in-house notification system, School Messenger, to notify all parents of low or delinquent meal accounts.

- i. Due to a high volume of free and reduced price school meal applications received at the beginning of each school year, the district will wait until a majority of the applications are certified and approved before activating the in-house notification system.

Parents using [MyPaymentsPlus](#) will also receive an automatic daily email notification until the account is replenished.

When a student's account balance is between \$10.00 and \$0.01, the parent will receive a once-a-week reminder of the low balance.

This low balance notification will be sent every Friday afternoon before 8:00 p.m.

This notification will be sent to parents of students who have purchased a meal in the past 30 days.

When a child's account balance is in the negative, parents will receive a daily notification until the account has been replenished.

This negative account balance notification will be sent every school day afternoon before 8:00 p.m.

This notification will be sent to the parents of students who have purchased a meal in the past 30 days, and whose student has a negative lunch account balance of -\$0.01 or more.

The child nutrition department will be responsible for notifying the parents by telephone or e-mail through School Messenger. School administrators should also work with the child nutrition department to collect on and notify parents about delinquent meal accounts. All notifications attempts will be documented.

All communication about payments in arrears should be directed to the students' parents. No district employee will ask students for meal payments nor ask them to remind their parents to send money for their meal accounts.

Parents who wish to change their notification settings or opt-out of district notifications, can do so in the parent portal.

If a student repeatedly has no money in his or her meal account, and no meals are sent from home for the student, school administrators and child nutrition department staff will consider the circumstances in the home, and may contact the district's student services department and/or the state's child protective services.

Parents are responsible for all collection fees attributable to the district's reasonable efforts to collect overdue meal accounts, including any fees associated with the use of a collection agency.

### **School Procedures for Serving Students with Insufficient or Negative Meal Account Balances**

The child nutrition department staff will exercise sensitivity and confidentiality in serving students with insufficient or negative meal accounts. No district employee will subject a student to embarrassment or ridicule based on the balance in his or her meal accounts.

If a student's meal account is inadequate to pay for a meal, the school will provide a full meal to the student, and parents will be notified that the school will use collection efforts to pay for the provided meals.

1. The board has made the decision to not deny food to a student and to not subject any student to embarrassment or ridicule related to their food purchases through the district's child nutrition program. This means that the child nutrition department staff will not deny or limit the purchase of food to any student, regardless of parent request. Parents will be charged for all food purchases their student makes, unless the student qualifies for free and reduced meals, in which case the parent will only be charged for food purchases beyond the reimbursable meal.

### **Discrimination Prohibited**

No person shall, on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, sexual orientation, or income, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any child nutrition program or activity.

There will be no physical segregation of, nor any discrimination against, any student because of his or her inability to pay the full price of the meal, or due to his or her eligibility for free and reduced price meals.

The names of the students eligible to receive free and reduced price meals shall not be published, posted, or announced in any manner, and there shall be no overt identification of any such students by any means.

No district employee may deny a meal benefit to any student as a disciplinary action.

Persons who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language) or program information in a language other than English should contact Bob Muench, the district's Translation Coordinator, at 801.578.8378 for assistance. Individuals who are deaf, hard of hearing, or have speech disabilities may contact the U.S. Department of Agriculture through the Federal Relay Service at 800.877.8339.

A complaint alleging discrimination in the district's implementation of the federal Food and Nutrition Service School Meal Programs (e.g., school breakfast and lunch, the fresh fruit and vegetable program, free and reduced lunch, etc.) shall be communicated to Kelly Orton, the Director of the Child Nutrition Department, by phone at 801.974.8380, in person at 999 West Beardsley Place, Salt Lake City, or by email to [Kelly.orton@slcschools.org](mailto:Kelly.orton@slcschools.org).

If the complaint is made verbally, the complaint will be transcribed.

All complaints will be forwarded to the Child Nutrition Programs Director at the Utah State Board of Education ("USBE").

3. The district's internal process for resolving discrimination complaints may be utilized but is not a prerequisite for filing a complaint with USBE. Please see [Board Policy G-19: Discrimination, Harassment and Retaliation Prohibited](#) and its accompanying administrative procedures for further information.
- G. To file a complaint of discrimination directly with the U.S. Department of Agriculture ("USDA"), complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866.632.9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: 202.690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

### **Refunds**

If a student has withdrawn from school, parents must submit a written request to the district's child nutrition department for a refund of any money remaining in their child's meal account.

If a student is graduating or leaving the district, parents should contact the district's child nutrition department for meal account balances, and to request a refund. Any unused balance can also be transferred to a sibling's account upon request. After one year, the district will make a good faith effort to contact the parents to refund the monies. If the district's attempts are unsuccessful, the unclaimed funds will then be remitted to the Utah Division of Unclaimed Property.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Whitney Banks, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

## **Appendix D**

*Board Policy G-19: Discrimination, Harassment, and Retaliation Prohibited*

*G-19.A: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited*

*G-19.B: Administrative Procedures, Sexual Harassment Prohibited- Title IX*

# Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited



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## REFERENCES

[Administrative Procedures for Board Policy G-19.A: Discrimination, Harassment, and Retaliation Prohibited](#)  
[Administrative Procedures for Board Policy G-19.B: Title IX Sexual Harassment Grievance Process Form G-19, G20, & Title IX: Complaint and/or Request for Investigation](#)  
[20 U.S.C. §1681-86, Title IX of the Education Amendments of 1972, 34 C.F.R. Part 106](#)  
[20 U.S.C. §7905, Boy Scouts of America Equal Access Act, 34 C.F.R. §108 et seq.](#)  
[29 U.S.C. §206\(d\), The Equal Pay Act of 1963](#)  
[29 U.S.C. §621 et seq., Age Discrimination in Employment Act of 1967, 29 C.F.R. §621-634](#)  
[29 U.S.C. §794, Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104 et seq.](#)  
[29 U.S.C. §2601, The Family Medical Leave Act of 1993, 29 C.F.R. §825](#)  
[32 U.S.C. §2000\(d\), Title VI Civil Rights Act of 1964, 34 C.F.R. §100 et seq.](#)  
[38 U.S.C. §4212 et seq., The Vietnam Era Veterans' Readjustment Assistance Act of 1974](#)  
[42 U.S.C. §2000\(e\), Title VII of the Civil Rights Act of 1964](#)  
[42 U.S.C. §6101-6107, Age Discrimination Act of 1975, 34 C.F.R. §110 et seq.](#)  
[42 U.S.C. §12101 et seq., ADA Amendments Act of 2008, 29 C.F.R. §1630](#)  
[42 U.S.C. §12111 et seq., Title II of the Americans with Disabilities Act of 1990 \(ADA\), 29 C.F.R. §35](#)  
[The Pregnancy Discrimination Act of 1978](#)  
[29 C.F.R. §1635, Title II of the Genetic Information Nondiscrimination Act of 2008](#)  
[October 26, 2010 Dear Colleague Letter](#)  
[May 6, 2011 Dear Colleague Letter](#)  
[May 26, 2011 Dear Colleague Letter](#)  
[December 2, 2011 Dear Colleague Letter](#)  
[Utah Code Ann. §34A-5-101 et seq., Utah Antidiscrimination Act](#)  
[Utah Code Ann. §71-10-1 et seq., Veteran's Preference](#)  
[Board Policy G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited](#)  
[Board Policy S-3: Student Conduct and Discipline](#)

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## THE POLICY

### **THIS POLICY MUST BE PUBLISHED ANNUALLY IN ALL STUDENT AND EMPLOYEE HANDBOOKS.**

The Salt Lake City School District Board of Education is committed to providing a working and learning environment free from harassment, discrimination, sexual harassment, and retaliation. The board values diversity among its students and employees. Accordingly, no otherwise qualified person shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to unlawful discrimination in any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status (Protected Classes).

These protections apply to students, employees, and other members of the public. The district is committed to providing equal access and equal opportunity in its programs, services, and employment including its policies, complaint processes, program accessibility, district facility use, accommodations, and other Equal Employment Opportunity matters. The district shall operate as an equal opportunity employer and will provide and safeguard the opportunity for all persons to seek, obtain, hold, and advance in employment within the district without discrimination. The district will also proactively recruit underrepresented groups, including women, minorities, people with disabilities, and eligible veterans. Employment decisions shall be based on job-related qualifications and competence.

The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups.

The district prohibits harassment, discrimination, sexual harassment, or retaliation against individuals who report allegations of discrimination, file a formal complaint, or participate in the investigative process. It is also a violation of this policy for any district employee to ignore harassment, discrimination, sexual harassment, or retaliation. Violations of this policy may result in discipline for both students and district employees.

The purpose of this policy is to promote working and learning environments that are free of discrimination, harassment, sexual harassment, and retaliation, and to affirm the district's commitment to non-discrimination, equity in education, equal opportunity for employment, and affirmative action.

Students or employees who believe that they have been subjected to unlawful discrimination, harassment, or retaliation should report the incident immediately to the school principal, department supervisor, or designee, as outlined in the G-19.A administrative procedures accompanying this policy. Complaints will be investigated with fairness and reasonable speed.

Individuals who believe that they have been subjected to sexual harassment should report the incident immediately to either a school's Deputy Title IX Coordinator or the district's Title IX Coordinator, Tina Hatch, as outlined in the G-19.B. administrative procedures which accompany this policy. All complaints will be investigated with fairness and reasonable speed.

Refer to Board Policy G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited, and its associated administrative procedures for guidance on those issues. Board Policy G-20 pertains to both students and employees. Board Policy S-3: Student Conduct and Discipline, and its associated administrative procedures describe student rights and responsibilities. Employees should consult the appropriate employee handbooks and/or negotiated agreements for a description of their rights and responsibilities.

#### Discrimination Prohibited Statement for publications and applications

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, sexual harassment, and retaliation: Tina Hatch, Compliance Officer/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

The district has set forth its specific processes for implementing this board policy through the accompanying [G-19.A](#) and [G-19.B](#) administrative procedures.

## G-19.A: Administrative Procedures Discrimination, Harassment, and Retaliation Prohibited



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### REFERENCES

[Board Policy G-19](#)

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### DEFINITIONS

**Complainant:** An individual or group of individuals making a complaint. A parent may file a complaint on behalf of their student.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

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**Compliance Officer:** The person designated to handle inquires and complaints regarding unlawful discrimination, harassment, sexual harassment, and retaliation: Tina Hatch, 440 East 100 South, Salt Lake City, Utah 84111, 801.578.8388.

**Complaint:** A claim by an aggrieved party or a witness that an individual has engaged in unlawful discrimination, harassment, and/or retaliation.

**Discrimination:** Conduct including words, gestures, and/or other actions that unfairly disadvantages individuals based upon protected characteristics such as their age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, and/or veteran status.

**Gender Identity:** Refers to one's internal sense of one's own gender. It may or may not correspond to the sex assigned to a person at birth, and may or may not be made visible to others.

**Genetic Information:** Information about an individual's genetic tests, the genetic tests of family members of an individual, and the manifestation of a disease or disorder in an individual's family members. This term also includes an individual's request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by an individual or any family member of the individual. This term does not include information about the sex or age of any individual.

**Harassment:** Unwelcome conduct that is demeaning or derisive of, or occurs substantially because of, the individual's age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, and/or veteran status, and that creates a hostile learning or work environment.

Harassment, based on one of the above listed categories, may include but is not limited to:

Intentional behavior directed at an entire group which is based on demeaning or derisive stereotypes, and is severe enough that it creates a hostile environment. Examples include offensive comments, slurs or jokes, physical gestures, and visual displays such as posters, etc.

Intentional, non-criminal behavior which is targeted at an individual or particular members of a group, which can be verbal, physical, or visual, and that is severe enough or pervasive enough that it adversely affects the individual's working or learning environment. Examples include negative or offensive comments, slurs or jokes, suggestions, and gestures directed at the personal traits or characteristics of an individual or group.

Harassing behavior which violates state or federal criminal statutes. Examples include criminal assault, sexual assault, rape, criminal mischief, stalking, arson, and trespass.

**Parent:** For the purposes of these administrative procedures and the corresponding board policy, "parent" means:

- A. a biological or adoptive parent;
- B. a legal guardian or other individual legally authorized to make educational decisions for the child;
- C. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- D. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- E. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- F. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

"Parent" does not include the state or any political subdivision of government.

**Pregnancy:** For purposes of the board's non-discrimination policies and the district's corresponding administrative procedures and practices, the term pregnancy includes childbirth, pregnancy-related conditions, breastfeeding, and medical conditions related to breastfeeding.

**Reprisal:** An unlawful use of position to avenge or punish an individual for their refusal to consent/submit to an inappropriate request and/or demand. Acts of reprisal may be overt or covert and may take many forms such as:

- A. open hostility to the individual, witnesses, or others involved;
- B. exclusion/ostracism of the individual, witnesses, or others involved, which includes behaviors ranging from overt to silent rejection;
- C. the creation, or continued existence, of a hostile work environment;
- D. individualized negative remarks that are repeated and malicious; and
- E. special attention to, assignment of alternative duties that are less desirable work assignments, or reductions in pay.

**Respondent:** The individual named in a complaint as having engaged in or being responsible for a discriminatory, harassing, or retaliatory act or omission.

**Retaliation:** Any form of sanction or adverse treatment, including but not limited to intimidation, reprisal, or harassment of any individual because that individual:

- A. has asserted, or assisted another individual to assert, a complaint in either a formal or informal manner with the district or with any state or federal agency; or
- B. has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to a complaint.

**Title VII Sexual Harassment (for complaints against employees that aren't covered by Title IX):** Unwelcome sexual advances, requests for sexual favors, or other verbal or written communications, or physical conduct of a sexual nature when:

- A. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, academic or professional pursuits, or participation in a district-sponsored program or activity;
- B. such conduct affects or has the purpose of unreasonably interfering with an individual's employment, education, or participation in a district-sponsored activity by creating an intimidating, hostile, or offensive working or learning environment; or
- C. such conduct amounts to a violation of state or federal criminal laws, including sexual assault, rape, etc.

Examples of sexual harassment include but are not limited to:

- A. subtly or overtly pressuring another for sexual activity, engaging in sexually motivated physical conduct, including unwelcome touching, pinching, blocking, or brushing against another's body;
- B. using obscene or sexually explicit language or making sexually explicit gestures;
- C. displaying, viewing, printing, or transmitting sexually offensive images, objects, or other materials;
- D. using sexually offensive language or slurs, teasing, joking, or making innuendos about gender-specific traits or characteristics;
- E. engaging in demeaning or derisive conduct based substantially on a person's gender, gender identity, or sexual orientation; and
- F. engaging in any behavior of a sexual nature, or "romantic contact," between a student and district employee.

Supervisor-Employee romantic relationships are not strictly forbidden by board policy, however;

- A. if a supervisor engages in a romantic relationship with an employee; and
- B. if the employee files a complaint of sexual harassment against the supervisor; then
- C. an automatic finding of sexual harassment against the supervisor will result.

## PROCEDURES FOR IMPLEMENTATION

*The procedures do not apply to sexual harassment complaints covered by Title IX; the procedures for Title IX sexual harassment investigations are outlined in G-19.B: Administrative Procedures, Sexual Harassment Prohibited – Title IX.*

The district prohibits unlawful discrimination, harassment, and retaliation on all district premises, during district sponsored activities, in all aspects of employment with the district, and by all district students and employees.

Any student who commits unlawful discrimination, harassment, or retaliation, or violates an individual's civil rights may be subject to discipline up to and including alternative placement. Any employee who engages in such behavior may be subject to discipline up to and including termination. The district will determine the appropriate remedy for each complaint.

Any request to stop the unlawful behavior outlined in these procedures must be complied with immediately. Individuals are encouraged to make such requests in order to resolve these situations if possible.

Supervisors are responsible for taking prompt necessary steps, including appropriate disciplinary action, to ensure and maintain a working and educational environment free of intimidation, coercion, discrimination, harassment, and retaliation.

The district will investigate all complaints of discrimination, harassment, and retaliation, and will take appropriate action to stop violations, prevent recurrence, and remedy any effects of violations. All complaints will be investigated by using the preponderance of the evidence standard. A preponderance of the evidence means that it is more likely than not that the testimony or other evidence on one side of a particular issue is true.

All district employees are required to cooperate in all proceedings conducted pursuant to these procedures. Failure or refusal to cooperate in, or interference with, any such investigation or proceeding will result in disciplinary action up to and including termination.

The following procedures are available to those who believe they have witnessed or are victims of unlawful discrimination, harassment, or retaliation.

At any point in the process, the Complainant, the Respondent, or any witness, may request assistance in order to ensure their due process rights are being protected. Examples of such requests include, but are not limited to, assistance filling out a complaint form or other necessary paperwork, and provision of translation or interpreter services. Assistance with what claims to assert, what defenses should be raised, what testimony to give, or other content issues will not be provided.

Nothing in these procedures may be construed to modify any person's rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

## **I. Duty to Report**

It is the duty of every student and every employee to report any violations of these procedures or the accompanying board policy. Failure to do so may result in disciplinary action.

## **II. Confidentiality**

- A. Every effort will be made to protect the confidentiality of all participants in complaint proceedings and investigations; however, absolute confidentiality cannot be guaranteed. In some instances the district's legal obligations, including the need to investigate allegations and take appropriate corrective action, will require the disclosure of certain information.
- B. In all cases, the person receiving the complaint should discuss confidentiality standards and concerns with the Complainant initially. The Complainant must be informed that a confidentiality request may limit the district's ability to respond to a complaint. If the Complainant continues to ask that their name not be revealed, all reasonable steps must still be taken to investigate and respond to the complaint consistent with the Complainant's request as long as doing so does not prevent the district from responding effectively to the complaint.
  1. Respondents are entitled to due process, thus, if a Complainant, who was the only other individual involved, insists that their name not be revealed, and the Respondent cannot respond to the charges without that information, disciplinary action against the Respondent may not be appropriate.

All individuals involved in a complaint or investigation should refrain from discussing the matter, except with those who have a legal need to know.

## **III. Submitting an Initial Complaint**

A Complainant may submit an initial complaint as follows:

Any complaint involving students must be immediately referred to the school principal.

Any district employee who receives a complaint from a student, which is covered by these procedures, shall inform the student of the employee's obligation to report the complaint to the principal, and then shall immediately notify the principal. Depending on the nature of the alleged behavior, a report to the appropriate licensing or law enforcement authority may be necessary.

Pursuant to state law, when a complaint involves allegations of child abuse, the complaint must immediately be reported to either the Division of Child and Family Services (DCFS) or local law enforcement, and the anonymity of both the Complainant and school officials involved in the investigation will be strictly protected.

If the complaint involves a district employee, the Complainant may submit a complaint to their supervisor, or may contact the Compliance Officer.

If the complaint involves the Compliance Officer, the Complainant may contact the district's Human Resource Services Department (HRS) at 801.578.8340, 440 East 100 South, Salt Lake City, Utah 84111.

When the Respondent is a third-party such as a vendor, visiting speaker, patron, volunteer, etc., if the Complainant is a student, the student should contact the principal; if the Complainant is a district employee, the employee should contact the Compliance Officer.

Any complaint clearly alleging criminal conduct, including sexual violence, must be forwarded to local law enforcement for investigation.

1. Complainants must be informed of their right to file a complaint or report with law enforcement.

Good faith submission of a complaint will not adversely affect the Complainant's future employment, grades, work assignments, or participation in district-sponsored programs or activities. However, a student or employee who knowingly files a false report may be subject to civil and/or legal actions as well as district disciplinary action.

## **The Initial Complaint**

- A. The initial complaint may be submitted either orally or in writing. Whether or not a Complainant files a complaint or otherwise asks the person receiving the complaint to take action, where the district knows or reasonably should know of an incident, the district must take steps to understand what occurred and respond appropriately.

A complaint should be made as soon as possible, but preferably not later than thirty (30) days after the incident(s) in order to be effectively investigated and resolved.

It should describe the circumstances which the individual believes support the allegation(s) of unlawful behavior, the names of the individual(s) against whom the claim is made, and any remedies that are being sought. Individuals should provide as much information as possible including any conversation(s) with the Respondent, noting the time, date and place, what was said or done, and any other relevant circumstances surrounding the event(s).

Complaint forms may also be used and are available online and in each district building. See, Board Policy G-19, G-20, & Title IX Sexual Harassment Form: Complaint and/or Request for Investigation. Complaints may also be submitted by using the "Non-Discrimination/Title IX/Bullying" button located under the non-discrimination statement at the bottom of every main page on the district's website.

### **Responsibilities and Protocol for Resolving a Complaint**

A. Any principal or supervisor receiving a verbal complaint will first document the complaint in writing.

Principals will notify the parent(s) of any student who has been the subject of discrimination, harassment, and/or retaliation, and will document the notification using the Record of Parent Notification of Student Threat or Incident form.

The principal or supervisor must immediately forward a copy of the written complaint to the district's Compliance Officer. At any point during or after the complaint is raised, the district may take steps to protect and or support the Complainant, Respondent, students, and other employees.

For students, such actions may include providing counseling services and/or academic support services, and/or adjusting passing times, class seating arrangements, and/or class schedules.

A list of counseling services is available at: <https://www.slcschools.org/departments/educational-equity-and-student-support/student-services/counseling-services/>.

For employees, appropriate steps may include changing work schedules or work locations, but any changes will be dependent on the employee's job responsibilities and must be arranged through HRS.

School and district administrators must take strong responsive action against retaliation, and shall offer assistance to victims, and if applicable their parents, in reporting subsequent problems and new incidents.

Complaints will be informally resolved/investigated by the following individuals:

Any complaint alleging a student violation against another student shall initially be informally resolved/investigated by the principal.

Any complaint involving an employee, vendor, volunteer, or third party, shall be reported immediately to the Compliance Officer who will then be responsible for informally resolving/investigating the complaint.

The Investigator may dismiss all or part of the complaint without any further investigation if:

the allegations in the complaint are insufficient to establish a policy violation even if all the factual allegations in the complaint are true;

the complaint was not filed in a timely manner; and/or

the Investigator decides to limit the scope of the investigation.

A principal or supervisor who does not immediately follow the protocol as indicated above may be subject to disciplinary action.

### **Informal Process**

A. Any complaints involving severe discrimination, harassment, or retaliation may not be informally resolved without obtaining prior permission from the Compliance Officer.

B. The complaint may be handled informally if the Complainant seeks to resolve the issues directly with the individual(s) involved or through appropriate district employees.

1. All parties must agree to an informal resolution for one to occur. An informal resolution may only occur after the person informally resolving the complaint receives a full disclosure of the allegations, determines the matter is appropriate for the informal process, and informs the Complainant of the option for a formal resolution.

2. In no event will a student victim be required to work out a problem directly with the Respondent without participation by the appropriate district administrator.

3. The individual resolving the complaint will make their best efforts to resolve the complaint through mediation and negotiation with all parties.

4. If satisfactory resolution is reached informally, and an informal resolution agreement is signed by the Complainant and the Respondent, no further action will be taken and the matter will be considered closed.

a. When the individual resolving the complaint is addressing a student to student concern, they shall document in writing that the matter has been resolved informally by including the relevant details of the matter and the outcome in PowerSchool using the appropriate designation.

5. If the Complainant or Respondent is not satisfied with the outcome of the informal process, they may request that the complaint be handled formally.

6. A request for the matter to be resolved through a formal process may be made at any time.
  7. The informal process should be completed within twenty (20) business days, unless a longer period of time is deemed necessary.
- C. If an employee's behavior warrants any sanction above a verbal warning, the executive director of HRS must be involved in determining appropriate discipline and reviewing any gathered documentation.
1. Discipline imposed on an employee may be separately appealed through the appropriate process outlined the administrative procedures associated with P-4: Discipline of District Employees.
- D. If a student's behavior rises to a serious violation of policy and warrants a suspension or expulsion, the director of social and emotional learning must be involved in determining appropriate discipline and reviewing any gathered documentation.

### **First Level Formal Investigation and Response**

- A. The individual designated to investigate the complaint ("Investigator") shall be responsible for investigating the complaint as outlined in these procedures. Failure to properly investigate a complaint may result in discipline.
- B. Initial investigation

1. At a minimum, the Investigator will immediately:
  - separately notify the Complainant and the Respondent of the following:
    - right to have someone translate or interpret during the interview; and
    - i. the right to have someone of the same gender conduct or be present during the interview.
  - interview the Complainant and document the conversation;
  - instruct the Complainant that they should avoid contact or communication regarding the complaint with the Respondent;
  - inform the Respondent that a complaint has been filed against them;
  - inform the Respondent that if the objectionable conduct is still occurring, it must cease immediately;
  - provide the Respondent with a copy of these procedures;
  - inform the Respondent of their rights and responsibilities during the investigation;
  - notify the Respondent that they will be afforded a full and complete opportunity to respond to the allegations;
  - instruct the Respondent that they should avoid contact or communication regarding the complaint with Complainant, and to not take any retaliatory action against the Complainant; and
  - document the conversation with the Respondent.

The Respondent (and when appropriate, the Respondent's parent) will be provided with a written notice of complaint and a summary of allegations that includes the information listed in section 1. above, as well as sufficient details of the event(s), a list of proposed violations of policy, the identity of the Complainant (where applicable), and the approximate date and location of the events.

If during the course of the investigation further allegations are discovered, the Investigator will deliver an amended notice of allegations to the Respondent which contains sufficient details of the event(s), a list of the amended allegations and the proposed violations of policy, the identity of any new Complainants, and the approximate date and location of the events.

Within five (5) business days of receiving notice of a complaint, the Respondent shall submit a written answer to the Investigator.

The answer should include:

- an admission or denial of each allegation in the complaint;
- a statement as to the extent to which the complaint has merit; and
- any other information the Respondent deems relevant.

If the Respondent admits all of the allegations in the complaint, appropriate disciplinary action will be coordinated by the Investigator, the appropriate district administrator, the executive director of HRS, and/or the director of social and emotional learning.

At a minimum, in cases involving an employee-Respondent, a written reprimand shall be issued to the Respondent and a copy placed in the Respondent's personnel file.

If the Respondent elects not to submit a written response, the Compliance Officer will continue the investigation without the response and will note the Respondent's failure to respond in the investigative report.

The Compliance Officer will determine whether a formal interview is appropriate in the absence of a written response.

The Compliance Officer may interview the Complainant/Respondent on more than one occasion regarding the complaint, the answer, witness statements, and other gathered information.

- The Compliance Officer may also interview any other individual(s) believed to have pertinent information or who either party identifies as an individual who has knowledge of the alleged incident(s).
- The investigation in a formal process will be impartial. Both the Complainant and Respondent shall have the opportunity to present witnesses and evidence.
- Under no circumstances will the alleged perpetrator be permitted to question the Complainant directly.
- All witnesses will have the opportunity to review, edit, and acknowledge by signature or return email the accuracy of their own written statements or accountings of their interviews.
- The Investigator should attempt to keep the parties, and the appropriate administrators informed of the progress of the investigation. When appropriate, the Investigator should also attempt to keep parents informed about the progress of the investigation, as well as the results of the investigation.
- The Investigator shall complete the investigation within twenty (20) business days of receipt of the complaint, unless a longer period of time is necessary. The Investigator will communicate with the parties any delay in the process, and the reason for the delay.
- The Investigator shall provide the Complainant and the Respondent (and parents when appropriate) with a draft of the findings. Both parties shall have five (5) calendar days after receipt of the draft to submit written comments and any additional documents. The Investigator may reinvestigate if either party raises new issues or allegations.
- At the conclusion of the further investigation, if any, or at the conclusion of the 5-day period described above, the Investigator shall issue the results of the investigation to the Complainant and Respondent.
13. If there is a CAUSE finding made against the Respondent, an appropriate response will be coordinated through the following process:
    - In incidents involving student violations against another student, the complaint, along with the investigative report, shall be forwarded to the director of social and emotional learning. The Investigator should also log the relevant information into PowerSchool and use appropriate designations.
    - In all other circumstances, the complaint, along with the investigative report, shall be forwarded to the executive director of HRS.
  14. The final investigative report shall also be forwarded to appropriate district administrators.

C. Disciplinary Actions/Consequences:

1. If an allegation is found to be substantiated in whole or in part against an employee, the appropriate district administrator, in consultation with HRS, will determine and implement corrective discipline and remedial steps necessary to eliminate the effects of the discrimination, harassment, or retaliation.
- If the investigation results in a CAUSE finding against an employee based on a violation of one or more board policies, disciplinary action must result in formal disciplinary action (see, P-4: Administrative Procedures, Discipline of District Employees).
- If the investigation results in a CAUSE finding against a student based on a violation of a board policy or the student code of conduct, disciplinary action must be taken in accordance with S-3: Administrative Procedures, Student Conduct and Discipline.
- The appropriate district administrator will then inform the Complainant: whether or not appropriate action will be or has been taken; and that the Complainant should immediately report any further objectionable behavior or retaliatory actions.

**Appeal of Investigative Report**

- A. If the Complainants and/or Respondents (hereafter individually referred to as "Appellant" and collectively referred to as "Appellants") is not satisfied with the outcome of the first level investigation, they may file a request for an appeal with the Compliance Officer. The appeal must be made within ten (10) business days of the receipt of the final investigative report.
  1. The Compliance Officer will review the first level investigations completed by principals; and the appropriate executive director will review the first level investigations completed by the Compliance Officer. The Compliance Officer, in consultation with HRS, will identify the appropriate executive director who will be serving as the second level reviewer, and will forward to that individual the applicable investigative materials for review. The Appellant will be notified by the Compliance Officer of the identity of the second level reviewer.

Requests for an appeal shall be in writing. Appeals will only be considered and acted upon if they are based on one or more of the following:

1. evidence of bias or ill will on the part of the Investigator;

new evidence or documentation that was not available during the course of the initial investigation that would be determinative or impact the outcome; or  
evidence that the Investigator failed to do a thorough investigation.

Appeal requests that fail to provide the evidence listed in Section VIII.B.1-3. above will be dismissed as without merit.

Appeal requests must also include the following:

1. Appellant's name, home address, telephone number, and school or work location;

a brief description of the alleged discrimination, harassment, or civil rights violation including the date, place, and time; and

a brief description of the actions/efforts that have already occurred to address the issue.

The Appellant may also include a statement of requested relief or corrective action.

Within ten (10) business days after receipt of the request, the second level reviewer, or designee, will meet with the Appellant to discuss the request and possible resolutions.

The second level reviewer will review the appropriateness of any first level investigation, response, final investigative report, and corrective action taken, if any.

The second level reviewer may take any additional steps deemed necessary in order to resolve the request such as re-interviewing the parties or any witnesses, requesting additional information, or interviewing other pertinent individuals.

Within fifteen (15) business days after the initial meeting, the second level reviewer will issue a written decision.

### **Responsibility for Dissemination of Policy**

- A. Principals and supervisors will take appropriate actions to reinforce these procedures and the accompanying board policy by:

ensuring employees complete the annual on-line training related to these procedures;

including links to the corresponding board policy and these procedures in employee handbooks;

ensuring that by October 1 of each year every student receives an age-appropriate explanation of the policy and is given the opportunity to discuss the policy in a classroom setting; and

notifying parents of these procedures by October 1 of each year either by including it in the student handbook or by sending a notice to student homes.

A summary of these procedures and related materials shall be posted in a prominent place in each district facility.

### **Records**

- A. Records of discrimination or harassment complaints shall be maintained by the Compliance Officer, or designee. The records will be kept in a separate and confidential file as required by the Governmental Records and Access Management Act.

The release of information regarding the specific disciplinary action imposed on a student or employee must comply with applicable state and federal law(s).

Information gathered, developed, and documented in the investigation will be regarded as a protected record.

If the Complainant is an employee, no record of the complaint shall be kept in the Complainant's personnel file.

If no cause finding is made against an employee-Respondent, no record will be placed in the Respondent's personnel file.

Records of initial complaints and investigations shall be retained for at least one year.

Records of district level investigations shall be retained for at least three years.

### **District Compliance Office**

- A. All questions related to discrimination, harassment, and retaliation should be directed to the Compliance Officer.

The Compliance Officer serves as a resource to the district to provide information, counseling, training, and advice regarding discrimination, harassment, and retaliation. Individuals are encouraged to discuss their concerns or complaint with the district's Compliance Officer in order to clarify whether discrimination may be occurring and to determine the individual's options, including the pursuit of more formal action.

The Compliance Officer can also provide information relating to any external remedies which may be available to the Complainant.

### **Outside Reporting Procedures**

- A. Nothing in this policy shall prohibit an individual from filing a discrimination or harassment claim with the Utah Anti-Discrimination and Labor Division (UALD), 160 East 300 South, 3<sup>rd</sup> Floor, P.O. Box 146600, Salt Lake City, UT 84114-6600. An employee has a maximum of one-hundred and eighty (180) calendar days from the alleged date of discrimination to file a claim with the UALD.

If concerns cannot be resolved at the school or district level, discrimination complaints may be filed with the Office for Civil Rights, Region VIII, U.S. Department of Education, Federal Building, Suite 310, 1244 Speer Boulevard, Denver, Colorado, 80204-3582.

## **Training**

- A. All new employees shall receive information about these procedures and the related policy at new employee orientation. All other employees shall be provided information on a regular basis regarding these procedures, and the district's commitment to providing a learning and working environment free from discrimination, harassment, and retaliation.
- B. Principals in each school are responsible for informing students and training staff on these procedures.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.



# G-19.B: Administrative Procedures

## Sexual Harassment Prohibited -Title IX



**THESE ADMINISTRATIVE PROCEDURES WILL BE IN EFFECT ONLY SO LONG AS THE TITLE IX REGULATIONS PUBLISHED BY THE U.S. DEPARTMENT OF EDUCATION ON MAY 19, 2020 ARE EFFECTIVE AND BINDING ON PUBLIC EDUCATION ENTITIES**

### REFERENCES

[Board Policy G-19](#)

### DEFINITIONS

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent:** Consent must be given through words or conduct. Consent cannot be given when an individual is overcome through the application of physical force, violence, concealment, the element of surprise, kidnapping, extortion, or the threat of retaliatory measures; cannot be given by an individual who is unconscious, unaware that the act is occurring, unable or incapable of resisting, or has been administered a behavior altering substance without their knowledge; cannot be given by someone younger than 14 years of age; cannot be given by someone younger than 18 years of age to someone more than three years older than that individual; and cannot be given by someone younger than 18 to an individual in a position of special trust.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between persons involved in the relationship. For the purposes of this definition:

- A. dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; and
- B. dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim as provided for under Utah law; or any other person against an adult or youth victim who is protected from that person's acts under Utah law.

**Formal Complaint:** A document filed and signed by a Complainant or signed by a Title IX coordinator alleging sexual harassment against another individual and requesting that the district investigate the allegation of sexual harassment that takes place while the Complainant is participating in, or attempting to participate in, an educational program or activity of the district.

**Parent:** For the purposes of these administrative procedures and the corresponding board policy, "parent" means:

- G. a biological or adoptive parent;
- H. a legal guardian or other individual legally authorized to make educational decisions for the child;
- I. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- J. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- K. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- L. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

"Parent" does not include the state or any political subdivision of government.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Retaliation:** Any form of sanction or adverse treatment, including but not limited to intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege provided by Title IX or these procedures, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation.

**Sexual Assault:** Conduct that includes, but is not limited to:

- A. any attempted or actual sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent;
- B. rape;
- C. fondling; or
- D. statutory rape.

See, 20 U.S.C. §1092(f)(6)(A)(v).

**Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:

- C. a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- D. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; and
- E. conduct that could be considered sexual assault, dating violence, domestic violence, and/or stalking.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. See, 34 U.S.C. §12291(a)(30).

**Supportive Measures:** Non-disciplinary, non-punitive individualized services which are offered as appropriate, as reasonably available, and without fee or charge to the Complainant and/or the Respondent at any time. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonable burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. These measures may include counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; site escort services; mutual restrictions on contact between the parties; changes in work or study locations; leaves of absence; increased security and monitoring of certain areas of the school and/or district property; and/or other similar measures.

**Title IX Coordinator:** The person designated at the district level to handle inquires and complaints regarding unlawful discrimination, harassment, sexual harassment, and retaliation: Tina Hatch, 440 East 100 South, Salt Lake City, Utah 84111; 801.578.8388; [tina.hatch@slcschools.org](mailto:tina.hatch@slcschools.org). Deputy Title IX coordinators will be assigned at each school and trained by the district's Title IX Coordinator.

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## PROCEDURES FOR IMPLEMENTATION

The district prohibits unlawful discrimination based on sex/gender, which includes sexual harassment as defined in 20 U.S.C §106.30 of Title IX of the Education Amendments of 1972 (20 U.S.C §1681 et seq.) (see, Definitions above), and/or retaliation on all district premises, during district-sponsored programs and/or activities within the United States, in all aspects of enrollment of students to a district school, employment with the district, and by all district students and employees.

Any student who commits a violation of Title IX or retaliation related to a Title IX complaint will be subject to discipline that may include a long-term suspension, alternative placement, or revocation of a special permit. Any employee who engages in such behavior may be subject to discipline that may include a suspension, demotion, or termination.

If an individual makes a request to any district employee, student, volunteer, or vendor for them to stop engaging in unwanted or unwelcome behaviors of a sexual nature, the request must be complied with immediately.

The district will investigate all complaints related to sexual harassment covered by Title IX in a prompt manner that is not deliberately indifferent, and will take appropriate action to stop violations, prevent recurrence, and remedy any effects of violations. The district will ensure that Complainants and Respondents are treated in an equitable manner, including in the provision of supportive measures and with an assurance that no disciplinary measures will be taken until the investigation is complete and a finding of "responsible" has been determined. The district will ensure that no conflicts of interest or biases are present in individuals involved in carrying out the Title IX investigative process, for or against Complainants and/or Respondents, and that each individual is appropriately trained. All complaints will be investigated by using the preponderance of the evidence standard.

All district employees are required to cooperate in all proceedings conducted pursuant to these procedures. Failure or refusal to cooperate in, or interference with, any such investigation or proceeding will result in disciplinary action up to and including termination. Complainants who choose to not file a formal complaint or choose to withdraw their complaint will not be considered as failing or refusing to cooperate with an investigation.

Nothing in these procedures may be construed to modify any person's rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### III. Duty to Report

It is the duty of every student and every employee to report any violations of Title IX as outlined in these procedures or the accompanying board policy. Failure to do so may result in disciplinary action.

### IV. Confidentiality

- A. While the district recognizes that individuals participating in any aspect of this process may wish to keep their identities and certain facts/statements confidential, the district cannot guarantee confidentiality throughout the formal investigation process.
  - 1. The formal investigation process requires the sharing of all evidence gathered during the course of the investigation, including witnesses' names and statements, with both parties and their advisors, if applicable.

2. District employees participating in the decision-making process will be required to keep confidential all information/evidence shared with them. Employees in these roles will be required to sign confidentiality agreements.
  3. Outside of the formal investigation process, every effort will be made to keep confidential the identity of any individual who has made a report or complaint of sex discrimination/sexual harassment, any Complainant, any Respondent, and any witness, except as may be required by the Family Educational Rights and Privacy Act (FERPA) or other legal processes.
  4. Greater confidentiality may be maintained if the Complainant chooses to not pursue a formal investigation (e.g., chooses to not file a formal complaint or chooses to pursue informal resolution of the complaint) or only requests supportive measures.
    - a. Implementation of certain supportive measures such as no-contact orders between the Complainant and Respondent will require the Complainant's identity to be disclosed to the Respondent.
- B. In all cases, the Title IX coordinator receiving the complaint should discuss confidentiality standards and concerns with the Complainant initially. The Complainant must be informed that a request for anonymity will prevent the district from conducting a formal investigation under Title IX.

### **III. Requesting Assistance**

At any point in the grievance process, the Complainant, the Respondent, or any witness, may request assistance in order to ensure their due process rights are being protected. Examples of such requests include, but are not limited to, assistance filling out a complaint form or other necessary paperwork, provision of translation or interpreter services, and assistance with understanding/undertaking the formal investigation process. All requests for assistance must be directed to the individual assigned to investigate the complaint. Assistance with what claims to assert, what defenses should be raised, what testimony to give, or other content issues will not be provided.

### **IV. Reporting an Incident**

- A. Individuals who believe that they have been subjected to sex discrimination, including sexual harassment, shall report the incident. Reports may be made to the district's Title IX Coordinator (TIXC) or to the Deputy Title IX Coordinator (DTIXC) at the school site where the alleged incident occurred, either in person, by mail, by telephone, by electronic mail, or through the "Non-Discrimination/Title IX/Bullying" button located under the non-discrimination statement at the bottom of every main page on the district's website. (For specific contact information, refer to Definitions, Title IX Coordinator above.)
1. A Complainant may make a report of a sexual harassment incident at any time. Ideally, the report should be made as soon as possible, but preferably not later than thirty (30) days after the incident(s) in order to be effectively investigated and resolved. Reports may be made at any time of the day, including during non-business hours, through any of the methods listed in Section A above.
- B. Any district employee who learns of an incident involving the sexual harassment of a student must immediately inform the DTIXC at the school site.
1. Any district employee who learns of a sexual harassment incident from a student shall inform the student of the employee's obligation to report the complaint to the DTIXC.
  2. Pursuant to state law, when a complaint involves allegations of child abuse, the complaint must immediately be reported to either the Division of Child and Family Services (DCFS) or local law enforcement, and the anonymity of both the Complainant and school officials involved in the investigation will be strictly protected.
- C. Allegations of sexual harassment involving district employees/vendors/visitors/volunteers should be reported to the TIXC. If a DTIXC receives a report of sexual harassment involving one of the individuals listed above, the DTIXC must forward that complaint to the TIXC.
- D. If the allegations involve the TIXC, the Complainant should contact the district's human resource services department (HRS) at 801.578.8340, 440 East 100 South, Salt Lake City, Utah 84111.
- E. Any report clearly alleging criminal conduct, including sexual assault/violence, will be reported to local law enforcement. Under Title IX, a Complainant has the right to file a criminal complaint and a Title IX complaint simultaneously.
- F. Individuals who make a good faith report of sexual harassment will not have their employment, grades, work assignments, or participation in district-sponsored programs or activities adversely affected. However, a student or employee who knowingly files a false report may be subject to civil and/or legal actions as well as district disciplinary action.

- G. If the district knows or reasonably should know of an incident involving allegations of sexual harassment, the district must take steps to understand what occurred and respond appropriately.

## **V. Meeting With the Complainant/Filing a Formal Complaint**

- A. The initial interview of the Complainant will be conducted by the TIXC or the DTIXC.
1. If the Complainant has not already submitted a written report or the report does not contain detailed information, the Complainant must explain the circumstances which the individual believes support the allegation(s) of sexual harassment and the name(s) of the individual(s) against whom the claim is made.
    - a. The Complainant should provide as much information as possible including any conversation(s) with the Respondent, noting the time, date and place, what was said or done, and any other relevant circumstances surrounding the event(s).
  2. In reviewing any submitted report and discussing the situation with the Complainant, the TIXC/DTIXC will determine whether the complaint falls under Title IX or under a different law, statute, or board policy.
    - a. Alleged conduct that can be investigated under these procedures is limited to that which, if true, meets the definitional requirements of Title IX.
    - b. To be investigated under these procedures, the alleged conduct must fall within one of the following three categories:
      - i. A district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
      - ii. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
      - iii. conduct that could be considered sexual assault, dating violence, domestic violence, and/or stalking.
- B. After determining whether the alleged conduct falls within the parameters listed above in Section A.2. above, the TIXC/DTIXC will determine which internal process will be used to investigate the complaint, will communicate the decision to the Complainant in person, and will follow-up with a communication via email or United States Postal Service.
1. If the TIXC/DTIXC determines that the alleged conduct falls outside of these Title IX procedures, they shall ensure that the allegations are forwarded to the appropriate individual for investigation.
    - a. Allegations involving only students that if true would constitute a student code of conduct violation, bullying, discrimination, etc. will be investigated at the school site by the designated administrator.
    - b. Allegations that involve employees, vendors, visitors, and volunteers should be forwarded to the TIXC and the executive director of HRS for investigation.
  2. If the complaint is covered by Title IX:
    - a. the TIXC/DTIXC will provide information about supportive measures to the Complainant, and may develop a safety plan for the Complainant, as appropriate. (See, Section VII, Provision of Supportive Measures and Prohibited Retaliation, below.)
    - b. the TIXC/DTIXC will discuss the Title IX process with the Complainant, including the formal investigation process, the option for an informal resolution, and the level of confidentiality provided in each process.
- C. If the Complainant decides to file a formal complaint under Title IX to initiate an investigation, a Board Policy G-19: Complaint and/or Request for Investigation form must be signed by the Complainant.
1. The DTIXC must immediately forward a copy of the written complaint to the TIXC.
- D. If the Complainant chooses to not file a formal complaint, but the TIXC/DTIXC believes that serious health and safety concerns exist which warrant a response by the district, the TIXC/DTIXC may sign the complaint form to initiate a formal investigation.
1. Signing the complaint form does not make the TIXC/DTIXC a party to the complaint.
- E. The TIXC has primary responsibility for investigating all signed Title IX complaints.
1. In the event of a conflict of interest or exigent circumstances, the DTIXC will be trained and available to investigate Title IX complaints involving only students.

## **VI. Emergency Removal**

- A. Depending upon the nature of the allegations in the formal complaint, the district may seek the emergency removal of a student Respondent from the educational environment by undertaking an individualized safety/risk assessment related to the allegations of sexual harassment. Any conduct by the student Respondent that is unrelated to the sexual harassment allegations shall not be considered in the safety/risk assessment.
1. Prior to the administration of any safety/risk assessment, the TIXC/DIXC shall provide notice to the student Respondent that a formal Title IX complaint has been filed in accordance with Section IX. below.
  2. The TIXC/DTIXC shall immediately contact the director of student services to make arrangements for the assessment to be performed.
  3. The director of student services will coordinate with a qualified individual to perform the assessment as soon as possible.
  4. If the assessment indicates that an immediate threat to the physical health or safety of any student or other individual justifies removal, the student Respondent may be immediately removed from the educational setting. The student will only be removed for as long as the threat or safety concern exists.
    - a. During the removal period, educational services must be provided to the student. A temporary alternative placement (i.e., on-line school, different brick and mortar school) can be considered for a removed student if the anticipated removal period is of a significant duration.
    - b. The qualified individual performing the assessment will reassess as necessary to determine whether the safety/risk concerns still exist.
  5. At any time immediately after or during the removal, the student Respondent may challenge their removal/continued removal by sending a written appeal to the DTIXC, who will then forward the appeal to the director of educational equity and access.
    - The director of educational equity and access will review the documentation and determine whether the removal was initially appropriate and/or is still warranted.
    - In their sole discretion, the director of educational equity and access may request a reassessment of the student to determine whether the safety/risk concerns still exist.
    - The director of educational equity and access shall issue a written decision on the appropriateness of the removal, or continued removal, within three (3) business days of either receiving the appeal or receiving the reassessment report, whichever is later.
  6. Pursuant to the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, the district may be required to hold a manifestation determination hearing for student Respondents as part of, or prior to, the assessment process.
- B. The district may place an employee on administrative leave during the duration of the investigative process.

## **VII. Provision of Supportive Measures and Prohibited Retaliation**

- A. At any point after a report of sexual harassment is made, a Complainant, Respondent, and/or witnesses may request and be granted supportive measures to ensure they feel safe in their learning/working environment.
1. For students, such action may include, but is not limited to, any of the supportive measures outlined in Definitions, Supportive Measures above (i.e., no contact orders, providing counseling services and/or academic support services, and/or adjusting passing times, class seating arrangements, class schedules, etc.).
  2. For employees, appropriate steps may include, but are not limited to, any of the supportive measures outlined in Definitions, Supportive Measures above (i.e., no contact orders, and/or changing work schedules or work locations), however any changes will be dependent on the employee's job responsibilities and must be arranged in consultation with HRS.
  3. Retaliation against individuals who file a complaint, are the subject of the complaint, and/or participate in the investigative process for the complaint is strictly prohibited.
  4. School and district administrators must take strong responsive action against retaliation, and shall offer assistance to all individuals involved in the investigation, and if applicable their parents, in reporting subsequent problems and new incidents.

## **VIII. Dismissals**

- A. The TIXC/DTIXC **must** dismiss formal complaints of sexual harassment of sexual harassment under Title IX if the following conditions apply:

1. the conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if all the factual allegations in the complaint are true;
  2. if the conduct alleged did not occur in a district-sponsored education program or activity; and/or
  3. if the conduct alleged did not occur within the United States.
- B. The TIXC/DTIXC may dismiss formal complaints or any allegations of sexual harassment under Title IX if at any time during the investigation or decision making process:
1. the Complainant notifies the TIXC/DTIXC in writing that the Complainant would like to withdraw the formal complaint or any of the allegations therein;
  2. the Respondent is no longer enrolled in or employed by the district; and/or
  3. specific circumstances prevent the TIXC/DTIXC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- C. Upon a dismissal required or permitted pursuant to VIII.A. or B., the TIXC/DTIXC will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the Complainant and Respondent (collectively referred to as "parties"), if the Respondent has knowledge of the complaint.
- D. Formal complaints that are dismissed with regard to sexual harassment under Title IX may still be investigated under a separate board policy and/or administrative procedures.
- E. The Complainant and/or the Respondent has three (3) business days after receipt of the dismissal notice to appeal the TIXC/DTIXC's decision. Appeals must be based on the reasons listed in Section XI.B. below.
1. Appeals must be submitted to the TIXC/DTIXC.
  2. Dismissal appeals will be forwarded to a DTIXC who is not involved in the investigative process.
    - a. The TIXC/DTIXC will notify the Complainant/Respondent of the identity of the appeal officer.
  3. The assigned DTIXC will review the documentation and determine whether the dismissal was appropriate and will issue a written decision within three (3) business days.
    - a. If the DTIXC determines that the dismissal under Title IX was appropriate, that decision is final.
      - i. Nothing in the DTIXC's decision will prevent the district from addressing the Respondent's conduct under another board policy or administrative procedures.
    - b. If the DTIXC determines that the complaint should not have been dismissed, the investigating TIXC/DTIXC will be required to continue following the investigation process outlined in these procedures.

## **IX. Formal Investigation and Response**

- A. Upon the filing of a formal complaint, the Complainant has the right to choose to follow the formal investigation process outlined below or pursue an informal resolution process. The right to choose informal resolution remains in effect until a determination of responsibility has been made. (See, Section X., Informal Resolution Process.)
- B. The Complainant also has a right to withdraw their complaint at any time during this process. The Complainant must inform the TIXC/DTIXC in writing that they have decided to withdraw the complaint, and the TIXC/DTIXC will inform the Respondent of this decision.
- C. The TIXC/DTIXC may consolidate formal complaints containing allegations of sexual harassment against more than one Respondent; or by more than one Complainant against one or more Respondents; or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.
- D. The TIXC/DTIXC has the burden of gathering evidence sufficient to reach a determination.
- E. The TIXC/DTIXC will not access, consider, disclose, or otherwise use a party's medical records, unless the TIXC/DTIXC obtains that party's voluntary, written consent to do so.
- F. Initial investigation
  1. In the event that the Complainant and/or Respondent is a minor, the TIXC/DTIXC will include the minor's parent in all communications with the minor which are required by these procedures and initiated by the TIXC/DTIXC.
  2. At a minimum, the TIXC/DTIXC will immediately:
    - separately notify the Complainant and the Respondent of the following:
    - ~~their right to have someone translate or interpret during the interview;~~

- their right to have someone of the same gender conduct or be present during the interview;
  - their right to have an advisor (i.e., parent/guardian, attorney, or another individual of their selection) who can attend meetings, be copied on correspondence, and be provided with the materials/evidence gathered throughout the investigative process;
    - Although the advisor may be present in meetings, and may confer with the Complainant/Respondent, the advisor may not speak for the Complainant/Respondent.
- interview the Complainant and document the conversation;
  - provide the Complainant and the Respondent with a copy of these procedures;
  - instruct the Complainant/Respondent that it would be beneficial to the investigation if they have no contact or communication regarding the complaint with the other party;
  - inform the Respondent that a complaint has been filed against them;
  - inform the Respondent that if the objectionable conduct is still occurring, it must cease immediately, and that they must not take any retaliatory action against the Complainant;
  - inform the Respondent of their rights and responsibilities during the investigation;
  - inform the Respondent that they are not considered responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the formal investigation process; and
  - notify the Respondent that they will be afforded a full and complete opportunity to respond to the allegations.
3. The Respondent will be provided with a written notice of complaint and summary of the allegations that includes the information listed in section 2. above, as well as sufficient details of the event(s), a list of all possible proposed violations of policy, the identity of the Complainant, and the approximate date and location of the events.
    - a. If during the course of the investigation further allegations are discovered, the TIXC/DTIXC will deliver an amended notice of allegations to the Respondent which contains sufficient details of the event(s), a list of the amended allegations and the proposed violations of policy, the identity of any new Complainants, and the approximate date and location of the events.
  4. Within five (5) calendar days of receiving the notice of complaint and summary of allegations, the Respondent shall submit a written answer to the TIXC/DTIXC.
    - a. The answer should include:
      - i. an admission or denial of each allegation in the complaint;
      - ii. a statement as to the extent to which the complaint has merit; and
      - iii. any other information the Respondent deems relevant.
    - b. If the Respondent admits the allegations, disciplinary action will be coordinated by the TIXC/DTIXC and the appropriate district administrator(s).
      - i. At a minimum, a written reprimand shall be issued to an employee Respondent and a copy placed in their employment file.
    - c. If the Respondent elects not to submit a written response, the TIXC/DTIXC will continue the investigation without the response and will note the Respondent's failure to respond in the investigative report.
      - i. The TIXC/DTIXC will determine whether a formal interview is appropriate in the absence of a written response.
  5. The Respondent will have the opportunity to respond to the complaint in writing prior to being formally interviewed by the TIXC/DTIXC.
  6. The TIXC/DTIXC will provide written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, to any party whose participation is invited or expected, with sufficient time for the party to prepare to participate.

7. The TIXC/DTIXC may interview the Complainant/Respondent on more than one occasion regarding the complaint, the answer, witness statements, and other gathered information.
8. The TIXC/DTIXC may also interview any other individual(s) believed to have pertinent information or who either party identifies as an individual who has knowledge of the alleged incident(s).
9. The investigation will be impartial. Both the Complainant and Respondent shall have the opportunity to list witnesses to be interviewed by the TIXC/DTIXC, and present inculpatory and/or exculpatory evidence for review.
10. All witnesses will have the opportunity to review, edit, and acknowledge by signature or via electronic mail the accuracy of their own written statements or accountings of their interviews.
11. The TIXC/DTIXC will keep the parties and the appropriate district administrator informed of the progress of the investigation.
12. Within twenty (20) business days of receipt of the complaint, unless a longer period of time is deemed necessary due to a delay for good cause, the TIXC/DTIXC shall complete his/her initial investigation.
  - a. If the investigation is delayed for good cause, all parties will be notified in writing of the delay.
13. The TIXC/DTIXC shall provide the parties and their advisors, if applicable, with all relevant evidence that was collected by the TIXC/DTIXC, including any evidence that will not be used when making a determination.
  - a. The evidence will be sent in an electronic or hard copy format. The parties are strictly prohibited from sharing, duplicating, downloading, photographing, or disseminating any evidence not previously in their possession.
    - i. Any party who violates the above prohibition will be subject to additional discipline irrespective of the outcome of the investigation process.
  - b. Both parties shall have ten (10) calendar days after receipt of the evidence to submit any written response to the TIXC/DTIXC which may include any questions either party would like asked of another individual.
    - i. The TIXC/DTIXC has the authority to refuse to ask any questions that are inappropriate, irrelevant, or duplicative.
    - ii. The TIXC/DTIXC has the authority to refuse to question any individual if that individual was not a witness to the incident and/or would not have relevant information regarding the investigation.
    - iii. The TIXC/DTIXC may investigate any new information provided by either party in their written response which is deemed relevant to the investigation.
    - iv. The TIXC/DTIXC will include in the investigative report the outcome/analysis of each party's request(s).
14. At the conclusion of the investigation the TIXC/DTIXC will write an investigative report that fairly summarizes all relevant evidence. The TIXC/DTIXC will simultaneously send the investigative report to the parties and their advisors, if applicable, and will provide the report to a 3-person decision making panel (Panel).
  - a. All panelists, including the chair, will be specifically trained to serve as decision makers.
  - b. If the Respondent is a student, the Panel will be chaired by a DTIXC who was not involved in the investigation. The two other parties will be comprised of licensed educators.
  - c. If the Respondent is an employee, the Panel will be chaired by an HRS director. At least one of the other two panelists will be a member of the same employee group as the Respondent.
  - d. The Panel will not include the TIXC/DTIXC.
15. Both parties will have ten (10) calendar days to review the investigative report.
  - a. Each party will be afforded the opportunity to submit written, relevant questions to the Panel that the party wants asked of any individual;
    - i. The Panel will determine whether the questions are relevant, appropriate, and non-duplicative.
  - b. If the Panel determines that the question should be asked, the Panel will ask the specified individual to respond to the question.
    - i. Both parties will be provided with the individual's answer(s), and will be allowed to ask limited follow-up questions; or
    - ii. The parties will be informed as to which questions were excluded and why they were excluded.
16. The Panel will issue a written determination regarding responsibility to both parties and their advisors simultaneously and will also provide a copy to the TIXC/DTIXC.
17. The written determination will:

- a. be based upon the preponderance of the evidence standard;
  - b. include the allegations;
  - c. include a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
  - d. include findings of fact supporting the Panel's determination;
  - e. include conclusions regarding the application of all relevant board policies to the facts;
  - f. include a statement of, and rationale for, the result as to each allegation, including a determination as to whether the Respondent has been found "responsible" for the conduct, and the disciplinary sanction(s) that will be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided to the Complainant; and
  - g. include information on the appeal process.
18. After the decision is final, the appropriate district administrator(s) will receive a copy of the decision, review the documentation and implement any disciplinary action outlined in the final report..

## **X. Informal Resolution Process**

- C. The district will not require any individual to participate in an informal resolution process or to waive their rights to an investigation.
- D. The informal resolution process is not available under these procedures unless a formal complaint has been filed.
- E. The parties may decide to participate in an informal resolution process at any time during an investigation, up to the point of a determination regarding responsibility.
- F. An informal resolution process will include the following:
  1. All parties will be provided a written notice which includes:
    - a. the allegations for which the informal process is being conducted;
    - b. information that the parties have the right to withdraw from the informal resolution process and resume the formal investigation process with respect to the formal complaint;
    - c. information that a signed informal resolution agreement will preclude the parties from resuming a formal investigation arising from the same allegations;
    - d. disclosure of how information gathered during the informal resolution process will be maintained, kept confidential, and/or potentially disclosed pursuant to state and federal law; and
    - e. a statement that the parties will only be allowed two attempts at informal resolution with respect to the same formal complaint.
- G. A district employee who has been trained in restorative justice practices and mediation (mediator) will be assigned to conduct the informal mediation process, including:
  1. obtaining the parties' voluntary, written consent prior to conducting the informal resolution or mediation process. The written consent shall include notification of the items listed in Section D.1. above;
  2. scheduling meetings and notifying the participants in accordance with the notification requirements outlined in Section IX.F.6. above; and
  3. conducting the informal resolution/mediation process and, if successful, creating the informal resolution agreement for the parties to sign.
- H. If the informal resolution process is not successful, the mediator will notify the investigating TIXC/DITXC that the formal investigative process must resume.
- I. No information gathered by the mediator or parties during the informal resolution process may be used by the investigating TIXC/DTIXC in the formal investigative process, this includes statements made by the parties.
- J. Under no circumstances will an informal resolution process be used in the event of allegations that an employee sexually harassed a student.

## **XI. Appeal Process**

- A. If the Complainant and/or Respondent (hereafter individually referred to as "Appellant" or collectively referred to as "Appellants") is not satisfied with the outcome of the determination of responsibility, they may file a request for an appeal with the TIXC/DTIXC. The appeal must be made within ten (10) business days of the receipt of the Panel's final determination report.
  1. The district's network directors will serve as the appeal officers to review appeals of student-student investigations for schools in their respective networks; and

2. an executive director will serve as the appeal officer to review appeals of student-adult or adult-adult investigations.
    - The TIXC, in consultation with HRS, will identify the appropriate executive director/network director who will serve as the appeal officer, and will forward that individual the applicable investigative materials for review.
  3. The TIXC/DTIXC will notify the Appellant of the identity of the appeal officer.
  4. The other party will be notified in writing by the TIXC/DTIXC of the appeal.
- B. Requests for an appeal shall be in writing. Appeals will only be considered and acted upon if they are based on one or more of the following:
1. evidence of procedural irregularity that affected the outcome of the matter;
  2. new evidence or documentation that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
  3. evidence that the TIXC/DTIXC or a Panel member had a conflict of interest or bias for or against Complainants or Respondents generally or individually that affected the outcome of the matter.
- C. Appeal requests that fail to provide evidence as to one of the bases listed in Section XI.B.1-3. above will be dismissed as without merit.
- D. Appeal requests must also include the following:
1. Appellant's name, home address, telephone number, and school or work location;
  2. a brief description of the actions/efforts that have already occurred to address the issue; and
  3. a brief description of the reason for the appeal.
- E. The Appellant may also include a statement of requested relief or corrective action.
- F. Within ten (10) business days after receipt of the request, the appeal officer, or designee, will meet with the Appellant to discuss the request and possible resolutions.
- G. The appeal officer will provide both parties an opportunity to submit a written statement in support of or challenging the outcome.
- H. The appeal officer will review the appropriateness of the investigation, response, final investigative report, determination of responsibility, and corrective action taken, if any.
- I. The appeal officer may take any additional steps deemed necessary in order to resolve the request such as re-interviewing the parties or any witnesses, requesting additional information, or interviewing other pertinent individuals.
- J. Within fifteen (15) business days after the initial meeting, the appeal officer will provide a written decision to the Complainant and Respondent simultaneously.
- K. The appeal officer's decision will be final.

## **XII. Responsibility for Dissemination of Policy**

- A. Principals and supervisors will take appropriate actions to reinforce these procedures and the accompanying board policy by:
1. ensuring employees complete the annual online training related to sexual harassment;
  2. including links to the corresponding board policy and these administrative procedures in employee handbooks;
  3. ensuring that by October 1 of each year every student receives an age-appropriate explanation of the policy and is given the opportunity to discuss the policy in a classroom setting; and
  4. notifying parents of these procedures by October 1 of each year either by including it in the student handbook or by sending a notice to student homes.
- B. A summary of these procedures and related materials shall be posted in a prominent place in each district facility.

### **XIII. Records**

- A. Records of sexual harassment complaints shall be maintained by the TIXC. The records will be kept in a separate and confidential file as required by the Governmental Records and Access Management Act.
- B. The release of information regarding the specific disciplinary action imposed on a student or employee must meet the requirements of the applicable state and federal laws.
- C. Information gathered, developed, and documented in the investigation will be regarded as a protected record.
- D. If the Complainant is an employee, no record of the complaint shall be kept in the Complainant's personnel file.
- E. If there is no finding of responsibility, no record will be placed in the Respondent's personnel file.
- F. The following records shall be retained for at least seven (7) years:
  - 1. each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to any individual designed to restore or preserve equal access to the district's education program or activity;
  - 2. records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, or documentation of the reason no such measures were taken;
  - 3. any appeal and the result therefrom;
  - 4. any informal resolution and any resulting agreement; and
  - 5. all materials used to train TIXCs, DTIXCs, Panel, mediators, and appeal officers.

### **XIV. District Compliance/Title IX Office**

- A. All questions related to sexual harassment and retaliation should be directed to the TIXC.
- B. The TIXC serves as a resource to the district to provide information, counseling, training, and advice regarding sexual harassment and retaliation. Individuals are encouraged to discuss their concerns or complaint with the TIXC in order to clarify whether sexual harassment may be occurring and to discuss options, including the pursuit of formal action.
- C. The TIXC can also provide information relating to any external remedies which may be available to the Complainant.

### **XV. Outside Reporting Procedures**

- A. Nothing in this policy shall prohibit an individual from filing a sexual harassment claim with the Utah Anti-Discrimination and Labor Division (UALD), 160 East 300 South, 3<sup>rd</sup> Floor, P.O. Box 146600, Salt Lake City, UT 84114-6600. An employee has a maximum of one-hundred and eighty (180) calendar days from the alleged date of discrimination to file a claim with the UALD.
- B. If concerns cannot be resolved at the school or district level, sexual harassment complaints may be filed with the Office for Civil Rights, Region VIII, U.S. Department of Education, Federal Building, Suite 310, 1244 Speer Boulevard, Denver, Colorado, 80204-3582.

### **XVI. Training**

- A. All new employees shall receive information about these procedures and the related policy at new employee orientation. All other employees shall be provided information on a regular basis regarding these procedures, and the district's commitment to providing a learning and working environment free from sexual harassment and retaliation.
- B. As explained throughout these procedures, all employees who are responsible for implementing any portion of the Title IX process will be appropriately trained. All materials used to train TIXC, DTIXCs, Panel, mediators, and appeal officers will be available on the Title IX page of the district's website.
- C. All employees will be required to annually take the online training related to sexual harassment.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.



## Appendix E

*Board Policy G-20: Bullying, Cyber-bullying Hazing, and Abusive Conduct Prohibited*

*G-20: Administrative Procedures, Bullying, Cyber-bullying Hazing, and Abusive Conduct Prohibited*

# Board Policy G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited

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## REFERENCES

[Administrative Procedures for Board Policy G-20](#)

[Utah Code Ann. §53G-8-202 et seq., School Discipline and Conduct Plans](#)

[Utah Code Ann. §53G-9-601, Bullying and Hazing, Definitions](#)

[Utah Code Ann. §53G-9-602 et seq., Bullying, Hazing, and Cyber-Bullying, Prohibited](#)

[Utah Admin. Code R277-515, Utah Educator Standards](#)

[Utah Admin. Code R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions](#)

[Utah Admin. Code R277-613, LEA Disruptive Student Behavior, Bullying, Cyber-Bullying, Hazing, Retaliation, and Abusive Conduct Policies and Training](#)

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## THE POLICY

The Salt Lake City School District Board of Education is committed to providing a safe learning and working environment to all district students and employees that is free from bullying, cyber-bullying, hazing, and abusive conduct. Such actions are illegal and abusive and can negatively affect not only an individual's work or learning environment, but also their health and well-being.

The district has the authority to discipline employees and students for both on-site and off-site violations of this policy and its accompanying administrative procedures. Any violation by a student will result in appropriate discipline up to and including suspension and expulsion. Violations may also affect a student's participation in extracurricular activities. Any violation by an employee will result in discipline up to and including termination. Any violation by a parent or guardian may result in that individual being prohibited from campus and restricted from attending school related or school sponsored events. In addition, conduct by any individual that rises to the level of suspected criminal activity will be referred to law enforcement.

The purpose of this policy is to prevent and eliminate bullying, cyber-bullying, hazing, and abusive conduct within the district.

The district has set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# G-20: Administrative Procedures Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited

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## REFERENCES

[Board Policy G-20](#)

[Record of Parent Notification of Student Threat or Incident](#)

[Utah Code Ann. §53G-9-602 et seq., Bullying, hazing, and cyber-bullying prohibited](#)

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## DEFINITIONS

**Abusive Conduct:** 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. A single act does not constitute abusive conduct.

**Bullying:** A school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:

- causing physical or emotional harm to the school employee or student;
- causing damage to the school employee's or student's property;
- placing the school employee or student in reasonable fear of:
  - harm to the school employee's or student's physical or emotional well-being; or
  - damage to the school employee's or student's property;
- creating a hostile, threatening, humiliating, or abusive environment due to:
  - the pervasiveness, persistence, or severity of the actions; or
  - a power differential between the bully and the target; or
- substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

Bullying includes relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation.

**Civil Rights Violation:** For purposes of this policy only, a civil rights violation means bullying, cyber-bullying, hazing, or abusive conduct that is targeted at an individual based upon the individual's identification as part of any group protected from discrimination under the following federal laws: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.

**Communication:** For the purposes of these procedures only, communication means the conveyance of a message, whether verbal, written, or electronic.

**Compliance Officer:** The individual designated to handle inquires and complaints regarding bullying, cyber-bullying, hazing, or abusive conduct when employees are involved; specifically, Tina Hatch, 440 East 100 South, Salt Lake City, Utah 84111, 801.578.8388.

**Cyber-bullying:** Using the internet, a cell phone, or another device to send or post text, video, or 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.

**Federally Protected Class:** Individuals protected from discrimination under the following federal laws: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990. Federal law currently prohibits discrimination on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, and/or veteran status.

**Hazing:** A school employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act towards a school employee or student that:

- K. endangers the mental or physical health or safety of a school employee or student;
  - 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;
  - involves consumption of any food, alcoholic product, drug, or other substance;
  - involves other physical activity that endangers the mental or physical health and safety of a school employee or student;
  - 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
- is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for, membership, in a school or school sponsored team, organization, program, club, or event; or
- 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.

All conduct described above constitutes hazing, regardless of whether the school employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

**Parent:** For the purposes of these administrative procedures and the corresponding board policy, "parent" means:

- M. a biological or adoptive parent;
- N. a legal guardian or other individual legally authorized to make educational decisions for the child;
- O. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- P. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;

- Q. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- R. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

**Restorative Justice Practice:** A discipline practice that brings together students, school personnel, families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and healing.

**Retaliation:** An act or communication intended:

- L. as retribution against a person for reporting bullying, cyber-bullying, hazing, or abusive conduct; or to improperly influence the investigation of, or the response to, a report of bullying, cyber-bullying, hazing, or abusive conduct.

**School Employee:** An individual working in the individual's official capacity as:

- A. a school teacher;
- B. a school staff member;
- C. a school administrator; or
- D. an individual:
  - 1. who is employed, directly or indirectly, by a school, school board, or school district; and
  - 2. who works on a school campus.

**Trauma-Informed Care:** A strengths-based service delivery approach that is grounded in an understanding of and responsiveness to the impact of trauma, that emphasizes physical, psychological, and emotional safety for both the alleged victim and the individual who is alleged to have engaged in prohibited conduct, and that creates opportunities for victims to rebuild a sense of control and empowerment.

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## **PROCEDURES FOR IMPLEMENTATION**

### **V. Prohibited Conduct Directed Toward a Student or School Employee**

No student or school employee may bully, cyber-bully, or haze a student or school employee:

- on school property;
- at a school related or sponsored event;
- on a school bus;
- at a school bus stop; or
- while the student or school employee is traveling to or from a location or event described above in Subsections I.A.1-4.

No student or school employee may haze or cyber-bully a student or school employee at any time or in any location.

No individual may retaliate against another individual who participates in the reporting of or the investigation into a claim of bullying, cyber-bullying, or hazing.

No individual may make a false report of bullying, cyber-bullying, or hazing against a student or school employee.

Any bullying, cyber-bullying, or hazing that is found to be targeted at an individual who is a member of a federally protected class is in violation of federal anti-discrimination laws.

### **VII. Prohibited Conduct Directed Toward a School Employee**

No student or parent may abuse a school employee:

- on school property;
- at a school related or sponsored event;
- on a school bus;
- at a school bus stop; or
- while the student or parent is traveling to or from a location or event described above in Subsections II.A.1-4.

No student or parent may abuse a school employee at any time or in any location.

No student or parent may retaliate against any individual who participates in the reporting of or investigation into a claim of abusive conduct.

No school employee may make a false allegation of abusive conduct or retaliation against a student or parent. A school employee who makes a false report may be disciplined.

Any abusive conduct that is found to be targeted at an individual who is a member of a federally protected class is in violation of federal anti-discrimination laws.

### **Reporting Violations**

Any individual who observes bullying, cyber-bullying, hazing, abusive conduct, or retaliation must report such behavior. Students shall report any violations at the school level.

School employees shall report any violations to either a school administrator or to the district's compliance officer.

Non-school personnel shall report any violations to the district's compliance officer.

Each school shall establish and post:

procedures allowing for anonymous or in-person reporting of bullying, cyber-bullying, hazing, retaliation, or abusive conduct; and

the names and positions of at least two school employees to receive reports.

Each reported complaint should include:

name of the complaining party, unless anonymous;

name of the offender if known;

date and location of incident(s); and

a statement describing the incident(s), including the names of any witnesses.

All information received in the complaint, including the name of the complaining party, shall be treated with the utmost confidence to the extent possible. Administrators shall notify the complaining party before revealing the complaining party's name.

If a supervisor receives complaints from their employees regarding the conduct of another employee under the supervisor's control, the supervisor shall refer the complaining employees to the compliance officer. Supervisors are not to submit G-20 complaints on behalf of their employees against another of the supervisor's employees. If appropriate, the supervisor shall begin a supervisory investigation into any of the allegations that do not rise to the level of a G-20 complaint.

Any individual who has reported violations of these procedures is protected from ridicule, bullying, cyber-bullying, hazing, abusive conduct, or retaliation that may come as a result of their report. Moreover, a report which is made in good faith shall not affect the reporter's grades, learning or work environment, future employment, or work assignment.

### **Mandatory Response**

The school administrator or district compliance officer shall promptly investigate, and respond to any report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation by using the steps outlined in the First Level Investigation and Response in the G-19.A Administrative Procedures for Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited.

As outlined in Section V.F. of the G-19.A Administrative Procedures, the school administrator or the district's compliance officer may dismiss all or part of the complaint without any further investigation if:

after a cursory investigation it becomes clear that the complaint is frivolous and/or has been filed with malicious intent;

A complaining party who files a false complaint with malicious intent will be subject to disciplinary action, as outlined in J.1-3. below.

the allegations in the complaint are insufficient to establish a policy violation even if all the factual allegations in the complaint are true;

the delay in filing the complaint precludes a thorough investigation due to a lack of evidence and/or the unavailability of/lack of control over witnesses and/or the responding party; and/or

the investigator decides to limit the scope of the investigation.

Administrators and/or the compliance officer shall investigate all anonymous reports, but may not take formal disciplinary action based solely on an anonymous report.

Any allegation that has criminal implications shall be promptly reported to law enforcement.

The investigation shall provide both notice to the accused of the allegations against them and an opportunity to respond.

The accused shall be provided with all appropriate due process prior to any discipline being imposed.

Appropriate action shall be taken to stop and prevent the recurrence of the conduct, eliminate any hostile environment, and protect the complaining party and other involved individuals from retaliation.

If the incident involves a student responding party, this action will include the participation of the parents of the accused student(s).

School administrators shall also provide assistance to any affected students and their parents in reporting subsequent problems and new incidents and shall provide supportive measures to those students, as appropriate.

Any further incidents of bullying, cyber-bullying, or hazing will be investigated appropriately.

The compliance officer and/or the supervisor shall also provide assistance to any complaining employee in reporting subsequent problems and new incidents and shall provide supportive measures to that individual, as appropriate.

Any further incidents of bullying, cyber-bullying, hazing, or abusive conduct will be investigated appropriately.

School administrators may take disciplinary action against a student who initiates off-campus speech or behavior that constitutes bullying, cyber-bullying, hazing, abusive conduct, or retaliation if the incident creates a substantial disruption to the school environment.

The district may take disciplinary action against a school employee who initiates off-campus speech or behavior that constitutes bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a district student or school employee if the incident creates a substantial disruption to the school or work environment.

If it is determined that the bullying, cyber-bullying, hazing, or abusive conduct is directed at an individual because of the individual's membership in a protected class, the appropriate action listed above must be taken regardless of whether individual makes a complaint, asks the school or district to take action, or identifies the conduct as a form of discrimination. Any possible violation of a student's or employee's civil rights must be reported to Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, 801.578.8388, or the Office for Civil Rights, Denver, CO, 303.844.5695.

Verified violations of these procedures and the accompanying policy shall result in discipline.

For students such discipline may include:

- suspension or removal from school;
- suspension or removal from a school-sponsored team or activity;
- suspension of school sponsored transportation;
- lesser disciplinary action; and/or
- other appropriate interventions.

For school employees such discipline must include formal disciplinary action (see, Administrative Procedures for Board Policy P-4: Discipline of District Employees). Formal disciplinary actions include, but are not limited to:

- written reprimand;
- suspension with or without pay;
- probation;
- demotion; and
- dismissal.

For parents, adverse actions include, but are not limited to:

- removal from the school;
- restricted access to campus;
- restricted access to school events or school sponsored activities; and
- restricted/directed communication with school employees and activities.

If an investigation confirms that an incident of bullying, cyber-bullying, harassment, or retaliation has occurred, the school administrator or supervisor may, if appropriate, take positive restorative justice practice action and support involved students or school employees through trauma-informed practices. Such actions must be in conjunction with other appropriate disciplinary actions.

A complaining party is not required to participate in a restorative justice practice.

If the school or district would like a student to participate in a restorative justice practice, the school must notify that student's parent of the proposed restorative justice practice and obtain consent from that student's parent before including the student in the process.

School administrators or supervisors must contact the student services department prior to implementing any restorative justice practice with students. Restorative justice practices involving employees must be coordinated through the human resource services department.

The school will notify parents if their student threatens to commit suicide, or if the student is involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation. The school will ensure that parents are communicated with regularly during the course of an investigation and notified about the result of the investigation. Schools shall then work with students and their parents to ensure that the students involved can appropriately and safely continue with their education.

The school will produce and maintain a record that verifies that the parent was notified of the incident or threat. See, Record of Parent Notification of Student Threat or Incident, linked in the References section above.

This record shall not be kept in any student's cumulative file.

The school will maintain this record in accordance with state and federal privacy laws.

The Family Educational Rights and Privacy Act (FERPA) does not permit sharing information regarding any discipline a school may have imposed on a student perpetrator with the victim or victim's parents.

The school shall provide a student a copy of this record that relates to the student if the student requests a copy of the record.

The school shall expunge this record if the student to whom the record relates has graduated from high school and requests the record be expunged.

## **Training**

All students will receive annual training from a qualified professional regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation. This training will address:

- overt aggression that may include physical fighting, verbal threatening behavior, or both physical and verbal aggression, or threatening behavior;
- relational aggression or indirect, covert, or social aggression, such as rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation;

bullying, cyber-bullying, or hazing of a sexual nature or with sexual overtones;  
cyber-bullying, including use of email, web pages, text messaging, instant messaging, social media, three-way calling or messaging, or any other electronic means for aggression inside or outside of school;  
bullying, cyber-bullying, hazing and retaliation based upon the students' or school employees' identification as part of any federally protected class; and  
bullying, cyber-bullying, hazing, and retaliation based upon students' or school employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, other physical or mental attributes, or conformance or failure to conform to stereotypes.

Training on bullying, cyber-bullying, and hazing should complement the suicide prevention program required for students and licensed educators, and include information on when issues relating to this rule may lead to student or employee discipline.

The training described above shall be offered to new school employees, coaches, advisors, and volunteers before starting their position with the district and before interacting with students in their official/volunteer capacity. Such training will be repeated annually thereafter.

Annually, all students who are at least eight years old, parents, and school employees shall sign that they have received a copy of Board Policy G-20.

A copy of Board Policy G-20 shall be included in all student handbooks and provided to students and parents during registration.

Training curriculum outlines, training schedules, and participant lists or signatures shall be maintained by each school for provision to the Utah State Board of Education upon request.

At least once every other year, each school will also conduct a student assessment of the prevalence of bullying in the school, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

All student assessments must be conducted in accordance Utah Code Ann. §53E-9-203, which prohibits giving students certain assessments without first obtaining written parental consent.

## **Appendix F**

*Board Policy I-10: Educational Equity and Advocacy*

*I-10: Administrative Procedures, Educational Equity and Advocacy*

# Board Policy I-10: Educational Equity and Advocacy



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## REFERENCES

[Administrative Procedures for Board Policy I-10](#)

[Title VI of the Civil Rights Act of 1964, as amended 20 U.S.C. §2000d et seq. 20](#)

[U.S.C. §6301 et seq., Every Student Succeeds Act](#)

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## THE POLICY

The Salt Lake City School District Board of Education provides educational equity for all students and advocates for the success of every student. The board recognizes that there are student groups that have not reached their potential, and therefore closing achievement gaps while raising performance for all students is a top priority for the board. The district is committed to offering services necessary to prepare students to become college and career ready.

The purpose of this policy is to support and prioritize educational equity through board policies, the student achievement plan, and district administrative procedures, programs, and services.

In pursuing educational equity, the district recognizes and seeks to teach the dignity and worth of all human beings, regardless of age, culture, ethnicity, gender, gender identity, mental or physical abilities, national origin, race, religion, socioeconomic status, or sexual orientation. This pursuit of equity will be supported by a districtwide commitment to use culturally and linguistically responsive practices and instructional approaches to support all students in achieving at the highest levels.

The district will engage community-based organizations, businesses, cultural organizations, the Utah State Board of Education, and institutions of higher learning to cooperate in developing and promoting educational equity and advocacy.

The district will set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# I-10: Administrative Procedures Educational Equity and Advocacy



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## REFERENCES

[Board Policy I-10](#)

## DEFINITIONS

**Advocacy:** Creating and providing the academic and social structure that provides the support necessary for raising student achievement and student self-advocacy.

**Diverse/Diversity:** Includes characteristics of persons including, but not limited to: race, culture, color, creed, religion, national origin, gender, mental and physical ability, age, citizenship status, sexual orientation or affectional preference, gender identity or expression, economic status, veteran's status, and any other protected class in conformance with federal, state, and local laws.

**Educational Equity:** Based on the principles of fairness and justice in allocating resources, enriching opportunities, and ensuring equitable treatment and success for every student. Educational equity programs promote the real possibility of equality of educational results for each student and between diverse groups of students. Equity strategies are planned, systemic, and focused on the core of the teaching and learning process.

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## PROCEDURES FOR IMPLEMENTATION

### I. Equitable Access

Administrators will provide every student with equitable access to high quality and culturally relevant instruction, curriculum, support, facilities, and other educational resources.

A. Methods that school administrators can utilize include, but are not limited to:

1. observe classroom instruction to ensure culturally relevant tiered instruction is taking place;
2. discuss disaggregated data in professional learning communities (PLCs), data meetings, and other appropriate educational venues, e.g. English Language Learner data, and data broken down by ethnic/race categories, students with disabilities, etc.; and
3. review all school facilities to ensure access for any individual who articulates any gender identity/expression.

### II. Pathways to Success

Administrators will create multiple pathways to success in order to meet the needs of all district students regardless of race, culture, color, creed, religion, national origin, gender, mental and physical ability, age, citizenship status, sexual orientation or affectional preference, gender identity or expression, economic status, veteran's status, and any other protected class in accordance with federal, state, and local laws. The district will actively encourage, support, and expect high academic achievement for all students regardless of their demographic groups.

### III. Diverse Workforce

Administrators and the human resource services department will actively work to recruit, employ, support, and retain culturally and linguistically diverse and culturally competent administrative, instructional, and support personnel. A.

The district should perform community outreach to diverse groups, including radio stations and religious organizations, in an effort to recruit a diverse and qualified applicant pool.

B. Outreach must be communicated in various languages that should be determined by the community being served.

C. The district shall also actively strive to have its teacher and administrator workforce reflect the diversity of its students and communities. **IV. Professional Development**

The district will provide professional development on a continuing basis to identify and resolve problems associated with the student achievement gap and other inequities arising from disparities.

- A. The equity department, in collaboration with other departments, will provide trainings to school staff on various topics related to language acquisition, inclusion practices, restorative practices, Multi-Tiered System of Supports (MTSS)/behavior issues, equity issues, and culturally sustaining instructional practices.

**V. Overrepresentation/Underrepresentation in Programs**

Administrators shall work to correct any school practices that lead to the over-representation of diverse student groups in areas such as special education and discipline, and the underrepresentation of those same groups in programs such as gifted and talented, International Baccalaureate, and advanced placement.

- A. Placement in such programs must always be based on a student's qualifications and eligibility for these programs, and not based on characteristics such as race, or ethnicity, or the student's English language proficiency.

- B. School administrators and teachers should regularly review desegregated data to ensure that students of color are not overrepresented in disciplinary referrals.

- 1. If the data shows that students of color are overrepresented in disciplinary referrals, an intervention team should be convened to monitor data, identify trends, and implement MTSS strategies, including restorative practices, in order to decrease student referrals, build relationships and improve school climate.

- a. An intervention team should include administrators, school counselors, a special education teacher, a classroom teacher, and if appropriate, an English Language Development (ELD) or Alternative Language Services (ALS) coordinator, a refugee outreach worker, and a student advocate.

**VI. Identity Issues**

Administrators will create a climate where all staff and students shall be given the opportunity to understand identity issues, and the impact of each individual's own racial, cultural, and linguistic identity on themselves and others.

Teachers and administrators should create a safe environment, and support students who engage in self-expression regarding such issues as gender identity, socio-economic status, race, culture, ethnicity, and religion.

**VII. Inclusion Practices**

- A. The district and school administrators will welcome and empower the district's diverse students and families, including underrepresented families (including those whose first language may not be English) as essential partners in their students' educational experiences, shared governance, and appropriate decision-making processes.

- B. Schools should endeavor to include parents of color on their school community councils (SCC) and parent teacher associations (PTA), and encourage their participation in the school as volunteers.

- C. Administrators will also involve other partners who have demonstrated culturally-specific expertise such as government agencies, non-profit organizations, businesses, and community members in order to help achieve educational goals for students.

**VIII. Translation/Interpreter Services**

- A. A parent/guardian does not have to prove limited English proficiency in speaking, reading, writing and/or comprehending English in order to receive language assistance. A parent/guardian can request language translation/interpretation services at the school office.

- B. Schools must request interpreters for meetings or events when parents whose primary language is not English will be present.

- 1. Such requests should be submitted to the district's translation department with as much advance notice as possible.

- C. All SCC notifications and agendas should be printed in the school's major languages in order to effectively communicate with parents and encourage their participation.

- D. Information to individual parents regarding their student, for example grades, disciplinary issues, disclosure documents, activities, and classroom events, must be communicated to parents in their home/heritage language.

- 1. School personnel are encouraged to communicate with individual parents in their home/heritage language if appropriate.

- E. Information regarding generalized school events, upcoming opportunities for placement testing, student performances, and school newsletters should be printed in the school's major languages in order to effectively communicate with parents.

- F. District communications with the community must be translated into the major languages spoken within the district.

## **IX. Closing Gaps**

School administrators shall identify gaps in services for students. Administrators will provide advocacy programs, supports, or other interventions for students with specific outcome goals and progress targets based on student achievement and student behavior data.

- A. Administrators should work with teachers in reviewing data in order to identify gaps (academic, behavioral, disciplinary, opportunity, socio-economic, etc.).
  1. If gaps are identified, administrators and teachers should work to identify and obtain resources to help close the gaps.
  2. The district and/or Salt Lake Education Foundation may be able to provide assistance and/or various resources which will assist administrators in closing these gaps.

## **Appendix G**

*Board Policy I-11: Religion in the Curriculum*

*I-11: Administrative Procedures, Religion in the Curriculum*

*I-11: Annual Notification, Religion in the Curriculum*

# Board Policy I-11: Religion in the Curriculum



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## REFERENCES

[I-11: Administrative Procedures, Religion in the Curriculum](#)  
[Utah Code Ann. §53G-10-202, Maintaining Constitutional Freedom in the Public Schools](#)  
[Utah Code Ann. §53G-10-205, Waivers of Participation](#)  
[Utah Code Ann. §53G-10-203, Expressions of Belief - Discretionary Time](#)  
[Utah Code Ann. §53G-10-304, Instruction on the Flag of the United States of America](#)  
[A Teachers Guide to Religion in the Public Schools](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes, protects, and accommodates the rights of religious practice and expression guaranteed by state and federal laws, and by the constitutions of Utah and the United States.

The purpose of this policy is to protect and accommodate the rights of conscience and exercise of religious freedom of district students and parents as provided for by law. The Constitution of Utah prohibits district employees from promoting or disparaging any religious belief or non-belief. Instead, the district encourages all students and employees to have an appreciation for and tolerance of each other's views. Given the unique relationship between students and school personnel, school personnel must be particularly careful to remain neutral in matters relating to religion, while striving to accommodate the religious beliefs and practices, and the freedom of conscience of district students and their parents.

The proper role of religion in the public schools is in its educational value and not in religious endorsement or celebration. To that end, the district supports the inclusion of religious music, art, drama, and literature in a school's curriculum so long as the inclusion of such material is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination. In accordance with state law, parents, legal guardians, or secondary students may request to be excused or refrain from participating in a school activity or a portion of the curriculum that they feel infringes upon their rights of conscience or religious freedom.

The district will set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# I- 1: Administrative Procedures

## Religion in the Curriculum

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### REFERENCES

[Board Policy I-11](#)  
[A Teacher's Guide to Religion in the Public Schools](#)

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### DEFINITIONS

**Discretionary time:** For students, discretionary time means noninstructional time during which a student is free to pursue personal interests. It includes free time before and after school, during lunch and between classes or on buses, and private time before athletic and other events or activities.

**Instructional time:** Time during which a school is responsible for a student, and the student is required or expected to be actively engaged in a learning activity. It includes instructional activities in the classroom, library media center, or study hall during regularly scheduled hours, required activities outside the classroom, and counseling, private conferences, or tutoring provided by school employees or volunteers acting in their official capacities during or outside of regular school hours.

**Parent:** For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- A. a biological or adoptive parent;
- B. a legal guardian or other individual legally authorized to make educational decisions for the child;
- C. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- D. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- E. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- F. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

a. "Parent" does not include the state or any political subdivision of government.

**Secondary student:** A student in grade 7, 8, 9, 10, 11, or 12.

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### PROCEDURES FOR IMPLEMENTATION

#### Annual Review

Principals will review annually with teachers, School Community Council (SCC) members, and staff, these administrative procedures, and related laws and regulations pertaining to religion in the curriculum. The board expects district personnel to recognize, protect, and accommodate religious freedom and individual rights of conscience in the operation of public schools, while fostering mutual understanding and respect for all individuals and beliefs.

The district encourages teachers and employees at the local level to discuss, equitably and with civility, and, if possible, resolve any concerns parents and students have regarding curricular content, activities, or student participation.

Students and parents will be notified annually of their rights under Board Policy I-11, and state and federal law. The notice will contain at least the following information:

that a copy of Board Policy I-11, these administrative procedures, and related laws and regulations will be available in the school office; and

a description of the processes for filing a complaint concerning religion in the school, and requesting a waiver of participation from religious activities in the school.

#### Religious Neutrality

District employees may not use their positions to endorse, promote, or disparage a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint.

District schools may not sponsor prayer or religious devotionals.

Any instructional activity, performance, or display which includes examination of or presentations about religion, religious thought or expression, or the influence thereof in music, art, literature, law, politics, history, or any other element of the curriculum may be undertaken in the public schools so long as it is designed to achieve permissible educational objectives and is presented within the context of the approved curriculum.

The objective study of comparative religions is permissible, but no religious tenet, belief, or denomination may be given inappropriate emphasis.

No aspect of cultural heritage, political or moral theory, or societal value may be either included or excluded from consideration in the public schools for the primary reason that it affirms, ignores, or denies religious belief, religious doctrine, a religious sect, or the existence of a spiritual realm or supreme being.

An analysis of religion, deity, an absolute moral principle, or any other concept that may contain a theistic, agnostic, or non-theistic assumption, may be presented when included as an appropriate component or aspect of a broader study, display, presentation, or discussion regarding cultural heritage, political theory, moral theory or a societal value.

F. Student Expressions of Belief

A student participating in a classroom discussion, presentation, or assignment, or in a school sponsored activity, shall not be prohibited from expressing personal beliefs of any kind nor be penalized for so doing, unless the conduct: unreasonably interferes with order or discipline; threatens the well-being of persons or property; or violates concepts of civility or propriety appropriate in a school setting.

Students may initiate and conduct voluntary religious activities or otherwise exercise their religious freedom on school grounds during discretionary time.

Individuals not currently enrolled as students in the school may neither conduct nor regularly attend these activities.

School officials may neither conduct nor actively participate in these activities, but may be present to ensure compliance with school rules.

School officials may limit or prohibit student activities under this section which:

- unreasonably interfere with the ability of school officials to maintain order and discipline;
- unreasonably endanger persons or property; or
- violate concepts of civility or propriety appropriate in a school setting.

G. Performances, Religious Services, and Church-Owned Facilities

1. District employees may neither encourage, nor authorize, or allow public prayer or devotional activities in connection with any class, program, presentation or other student activity which is under the control, direction, or sponsorship of a school or the district. District employees may neither encourage students to nor discourage students from participating in private prayer during any such school-sponsored activity.
2. No school employee or student may be required to attend or participate in any religious service, whether in an individual capacity or as a member of a performing group, regardless of where or when the service is held. No penalty may be assessed for failure to attend or perform in such an activity.
3. Unless a waiver is sought and granted in accordance with Section III below, students who are members of performing groups such as school choirs may be required to rehearse or otherwise perform in a church-owned or operated facility if the following conditions are met:
  - a. the performance is not part of a religious service;
  - b. the activity of which the performance is a part is neither intended to further a religious objective nor under the direction of a church official; and
  - c. the activity is open to the general public.
4. Students may voluntarily attend and perform during a religious service as individuals or as members of a group, provided all arrangements are made by students or non-school personnel.
5. Religious activities may be conducted on the same basis as any other non-school activity outside of regular school hours.
6. Unless a waiver is sought and granted in accordance with Section III below, students may be required to visit church-owned facilities when religious services are not being conducted if the visit is intended solely for the purpose of pursuing permissible educational objectives such as those relating to art, music, architecture, or history.

H. Expressions of Personal Belief by Employees

1. An employee's rights relating to voluntary religious practices and freedom of speech do not include proselytizing of any student regarding atheistic, agnostic, sectarian, religious, or denominational doctrine while the employee is acting in the employee's official capacity, nor may an employee attempt to use his position to influence a student regarding the student's religious beliefs or lack thereof.
2. Even though acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal belief or perspective.

## Requests for Waiver of Participation

A secondary student or parent may request that the principal allow the student to be excused or refrain from participating in activities, discussions, and assignments they feel would violate their rights of conscience or religious freedom in any of the following ways:

- it would require the student to affirm or deny a religious belief or practice, or right of conscience;
- it would require the student to participate in a practice forbidden by the student's religious belief or practice, or right of conscience; or
- it would prohibit the student from participating in a practice required by his or her religious belief or practice, or right of conscience.

In general, and in accordance with federal and state law, such requests will be granted routinely and without penalty.

A student's academic or citizenship performance may not be penalized if the secondary student or the student's parent chooses to exercise a religious right or right of conscience.

Any secondary student or parent who desires a waiver of participation or substitution of another activity must make a written request to the school principal.

1. The principal shall promptly notify a student's parent if the secondary student makes a request for a waiver of participation.

Once a waiver of participation has been requested, the student will not be compelled to participate in any curriculum or activity pending resolution of the request.

The principal, student, the student's parent, and the teacher or employee responsible for the program in question will meet to discuss the request. The principal will encourage the student and student's parent to suggest a reasonable alternative.

In order for a claimed infringement to justify a waiver of participation, it must be based on a sincerely held belief rather than mere personal preference.

The principal will swiftly, and in a manner consistent with state law, decide whether to waive participation, alter the curriculum or activity, substitute another activity, or require the student's participation. In making a decision, the principal will give proper consideration to any suggestions made by the student and the student's parent.

The principal may not deny a request for a waiver unless he or she determines that requiring the student's participation is the least restrictive means necessary to achieve a specifically identified educational objective in furtherance of a compelling governmental interest.

In offering an alternative, the principal may not require an affected student to accept a substandard or educationally deficient alternative that is unreasonably burdensome.

The principal will keep a written record of every request for a waiver of participation or substitution of activity based on religious freedom or right of conscience, and any decisions made regarding each request.

The principal will review annually with the SCC any requests for waivers that were made within the last year. In discussing these matters, care must be taken to protect the privacy rights of those who made the requests.

### **Complaints Alleging Violation of Law**

A secondary student or parent may file a written complaint with the school principal when they believe a particular curriculum, school activity, or the conduct of a school employee violates state or federal law by promoting or disparaging a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint.

If a complaint is made by a student, the principal will give written notice of the complaint to the student's parents through a letter sent to their last known address.

The principal, student, student's parent, and the teacher or employee responsible for the program in question will meet to discuss the complaint.

The principal will arrive at a decision, consistent with state and federal law, whether to alter the curriculum or activity, substitute another activity, or uphold the lawfulness of the curriculum or activity. The principal will give a written decision as soon as practical under the circumstances.

The principal will keep a written record of every complaint and any decisions made regarding each complaint.

The principal will review annually with the SCC any complaints about religion in the curriculum that were made within the last year. In discussing these matters, care must be taken to protect the privacy rights of those who made the complaints.

The principal will submit his or her written record of each complaint to the executive director of teaching and learning.

In situations in which any portion of any curriculum or activity is repeatedly alleged to interfere with the rights of conscience or exercise of religious freedom of students or parents, the executive director of teaching and learning will personally, or by a committee of his or her choosing, evaluate the curriculum or activity in question.

If the executive director of teaching and learning is concerned that any curriculum or activity may violate state or federal law, he or she may determine whether the educational objectives could be achieved by less restrictive means and may request that the principal alter or substitute another curriculum or activity.

### **Appeals Process**

A student or parent who is dissatisfied with a principal's decision regarding either a request for waiver or a complaint, may appeal that decision within ten days to the executive director of teaching and learning.

The executive director of teaching and learning will review the complaint of the student or parent, the decision of the principal, and may modify the principal's decision.

At the sole discretion of the executive director of teaching and learning, a committee of the executive director's choosing may be formed to review the complaint and the decision of the principal. If the executive director of teaching and learning decides to form a committee to consider the appeal, the student and student's parent will be notified.

In choosing committee members, preference should be given to educators from the student's school.

Upon written request from the student and parent, committee members may include parents or patrons from the student's school who will be chosen by the SCC.

Before permitting participation by other parents or patrons, the executive director of teaching and learning must explain to the student and parent that they are waiving their privacy rights under state and federal law.

The executive director of teaching and learning must document this discussion.

The executive director of teaching and learning must keep a written record of every appeal and any decisions made regarding each appeal.

If any student or parent is dissatisfied with the decision of the executive director of teaching and learning, he or she may, within ten days of notice of that decision, request that the decision be reviewed by the superintendent.

The decision of the superintendent will constitute final action by the district.



### **Supervision and Training**

In accordance with state law, the district will train its employees on how to implement these procedures.

Other suggested resources: <http://www.freedomforum.org/>

## **Appendix H**

*Board Policy I-18: Acceptable Student Use of Internet, Computers, and Network Resources*

*I-18: Administrative Procedures, Acceptable Student Use of Internet, Computers, and Network Resources*

# Board Policy I-18: Acceptable Student Use of Internet, Computers, and Network Resources

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## REFERENCES

[I-18: Administrative Procedures, Acceptable Student Use of Internet, Computers, and Network Resources](#)  
[Utah Code Ann. §53G-7-1002, Internet and online access policy required](#)  
[Utah Code Ann. §53G-7-1003, Process and content standards for policy](#)  
[Children’s Internet Protection Act \(CIPA\)](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes that students have ever increasing technology needs in order to access digital curriculum and online learning tools. The board is committed to providing students with access to technology devices, Internet, and data systems to students for educational purposes while complying with its legal obligations to protect students from harmful content on the Internet and their personal data from inappropriate dissemination. This policy governs all electronic activity of student’s using and accessing the district’s computers, Internet, and network resources regardless of their physical location.

In accordance with state and federal law, the district utilizes available technology protection measures to restrict students’ access to Internet or online sites that contain obscene or inappropriate materials. However, on a global network it is impossible to control all materials and an industrious student may discover inappropriate information. The district requires all students to use the district’s network resources in a responsible, ethical, polite, efficient, and legal manner. To that end, teachers will instruct and supervise students on responsible use of Internet resources and proper network etiquette. A Responsible Use Contract must be signed by each student and the student’s parent, annually at registration.

The purpose of this policy is to ensure all students and parents understand the rules and procedures that must be followed in order to gain access to and use the district’s network resources. Use of the district’s network resources is a privilege and may be revoked at any time for failure to comply with this policy or its administrative procedures.



The district has set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# I-18: Administrative Procedures Acceptable Student Use of Internet, Computers, and Network Resources

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## REFERENCES

[Board Policy I-18](#)

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## DEFINITIONS

**Electronic Device:** Any device used for audio, video, or text communication, or any other type of computer or computer-like instrument including, but not limited to cell phones, smart watches, tablets, cameras/video recorders, and or video game devices.

**Parent:**  
For purposes of these administrative procedures and the corresponding board policy, “parent” means:

- G. a biological or adoptive parent;
- H. a legal guardian or other individual legally authorized to make educational decisions for the child;
- I. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- J. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child’s behalf has been terminated or specifically limited by a court order;

- K. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
  - L. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.
- i. "Parent" does not include the state or any political subdivision of government.

## **PROCEDURES FOR IMPLEMENTATION**

### **Authority**

The district has the right to, and in some instances a legal obligation to place restrictions on students' use of and access to electronic devices, and district provided computer systems, computer networks, district-adapted tools and devices, software applications, email, and the Internet (collectively "electronic resources").

In general, all students are responsible for the responsible, ethical, and legal utilization of the district's electronic resources. When using these resources, either on or off district property, students must comply with these administrative procedures as well as Board Policy S-3: Student Conduct and Discipline.

### **Access to District Electronic Resources**

Through the registration process, parents and students will attest that they have read and understand these administrative procedures and the accompanying board policy ("Responsible Use Contract").

Parents may terminate their student's access in accordance with Section VI.C.

At a minimum, teachers shall review these administrative procedures and other applicable rules and regulations with students on an annual basis, but teachers are encouraged to discuss appropriate use guidelines with students on a regular basis when they are using the district's electronic resources.

After enrolling in the district, all students will be provided a password in order to access the district's electronic resources.

### **Privileges**

The use of the district's electronic resources is a privilege, not a right. Inappropriate use may result in a loss of network privileges, disciplinary action, and/or referral to legal authorities. The system administrators have the authority to close an account at any time.

1. An administrator or faculty member may request the system administrator deny, revoke, or suspend a specific user's access and/or his/her user accounts.

By accessing the district's network resources, students acknowledge that they have read, understand, and agree to comply with the provisions of board policies I-18 and S-3, and their accompanying administrative procedures.

### **Acceptable Use**

A student's use of the district's electronic resources shall be for educational purposes only, which includes accessing and sharing information with teachers and other students, storing files, conducting research, and collaborating on projects with others.

In some instances, students may be directed by their teachers to use the district's electronic resources in conjunction with their curriculum, an assessment, or a behavior support program.

Students are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:

Be polite.

Do not be abusive in your messages to others.

Use appropriate language.

If told by a person to stop sending messages, the sender must stop.

### **Care of District Electronic Devices**

Electronic devices used by students shall primarily be used only for educational purposes that directly relate to a school project or assignment, unless authorized by building administration. Personal use of district electronic devices by students may only be incidental and may not disrupt the learning environment.

Students are responsible for the proper care of each district electronic device that they use.

Students and their parents may be responsible for costs associated with repairing damaged computers. Repair costs for computers may exceed \$700. If a student or parent is unable to pay for repairs, alternative forms of restitution may be established with building administration.

### **Prohibited Uses**

The following uses of the district's electronic resources are prohibited:

**Illegal use:** any use that violates, or supports the violation of, federal, state, or local laws, board policy, school rules, and/or the student code of conduct (including any form of bullying, humiliation, intimidation, and harassment); use of copyrighted materials or material protected by trade secrets without appropriate authorization; any use in violation of software license agreements; and any use that constitutes plagiarism.

**Vandalism and/or theft:** any deliberate attempt to damage the hardware, software, or information resident on the district's network or any other computer system attached through the Internet; violating, or attempting to violate, the integrity of private accounts, files, or programs; deliberately infecting a computer with a virus; hacking computers using any method; interfering with computer or network performance; interfering with another's ability to use equipment and systems; destroying data.

**Commercial use:** any use for commercial purposes or activities resulting in personal financial gain, including product advertisements and solicitations.

**Offensive or harassing behavior:** any use of material, whether visual or textual, that may be deemed profane, vulgar, pornographic, indecent, abusive, threatening, obscene, or sexually explicit; distribution of disparaging or harassing statements including those that might incite violence or that are based on race, color, pregnancy, gender identity, genetic information, national origin, sex, sexual orientation, age, disability, or political or religious beliefs; posting of anonymous messages.

**Religious or political use:** any use for a religious or political purpose, including religious proselytizing and lobbying for student body elections.

**Security violations:** using an account other than the student's assigned account; accessing, or attempting to access accounts, sites, servers, files, databases, or other systems for which a student is not authorized (e.g. "hacking" or using "spyware"); spreading computer viruses; degrading or disrupting network equipment, software, or system performance; running applications or files that create a security risk; any other action that threatens the security of the district's electronic resources.

**Disseminating or accessing confidential information:** transmitting confidential information about other individuals; violating the privacy of others by reading or posting e-mail or other private communications without obtaining the appropriate consent; providing personal addresses, phone numbers, or financial information in any network communication whether that information belongs to the student user or any other individual unless it is related to an appropriate education objective in the curriculum.

**Unnecessary uses:** downloading or streaming audio or video files, or any other files that are not directly related to course curriculum; playing non-educational Internet games; accessing or using services on the Internet that impose a fee on the student.

**Tampering:** any attempt to bypass state, district, or school security; attempting to disable or bypass the district's Internet blocking/filtering software without authorization; adding, modifying, repairing, removing, reconfiguring, or tampering with any device on the district's network infrastructure.

## **Discipline and Termination of Accounts**

Authorized district employees will be responsible to determine what constitutes a violation of these procedures or the corresponding board policy. Authorized district employees have the right to intercept or read a student's email, review any material, edit or remove any material which they believe may be unlawful, obscene, defamatory, abusive, or otherwise objectionable.

If the district intends to impose any discipline, other than revoking privileges for the remainder of the school year, the user will be afforded appropriate due process.

An account will be terminated when:

- the student's parent makes a request in writing to the principal that the account be terminated;
- any authorized district employee determines the account should be terminated; or
- a student leaves the district.

## **Privacy Information**

Nothing is private on the network. A student has no expectation of privacy as to his/her communications on or uses of the Internet. Frequently internet sites maintain records that can be subpoenaed to identify what the user has been viewing and downloading on the Internet. The district reserves the right to monitor whatever a user does on the network.

## **Security**

Security is a high priority on computer networks.

If a security problem is identified, the user must notify the system administrator immediately. Students should not demonstrate the problem to other users.

Users may not use the Internet to discuss or disseminate information regarding security problems or how to gain unauthorized access to sites, servers, files, etc.

Do not share passwords with other users, and change passwords frequently.

Do not leave a electronic workstation without logging out of the network.

Students must report any of the following to a teacher or administrator:

if a student receives or obtains information to which s/he is not entitled;

if a student knows of any inappropriate use of the network by others; or

if a student believe the filtering software is not filtering a site or sites that should be filtered under this agreement.

### **Disclaimer**

The district makes no warranties of any kind, whether expressed or implied, for the services it is providing. Electronic resources are provided on an "as is, as available" basis. The district will not be responsible for any damages a student may suffer while using its electronic resources. These damages may include but are not limited to: loss of data resulting from delays, non-deliveries, or service interruptions caused by the system or by an individual's negligence, error or omission. The district makes no promise or warranty to maintain or update its network, or the information contained therein. The district may suspend or discontinue these services at any time. Use of any information obtained via the information system is at the student's own risk. The district specifically denies any responsibility for the accuracy or appropriateness of information obtained through electronic resources.

### **Filtering/Blocking Software**

- In accordance with state law and the Children's Internet Protection Act, the district utilizes and consistently configures filtering/blocking software to block access to sites and materials that are inappropriate, offensive, obscene, contain pornography, or are otherwise harmful to students. The district will utilize its best efforts to block access to such sites and materials but cannot guarantee the complete effectiveness of its filtering/blocking software.

complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

## **Appendix I**

*Board Policy S-2: Student Records, Privacy Rights, and Release of Information*

*S-2: Administrative Procedures, Student Records, Privacy Rights, and Release of Information*

*S-2: Annual Notice, Student Records, Privacy Rights, and Release of Information*

# Board Policy S-2: Student Records, Privacy Rights, and Release of Information

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## REFERENCES

[S-2: Administrative Procedures, Student Records, Privacy Rights, and Release of Information](#)  
[20 U.S.C §1232\(g\), Family Educational Rights and Privacy Act, 34 CFR Part 99](#)  
[20 U.S.C §1232\(h\), Protection of Pupil Rights Amendment, 34 CFR Part 98](#)  
[Utah Code Ann. §53E-9-201 et seq., Student Privacy and Data Protection Act](#)  
[S-2: Annual Notice](#)  
[S-2: Media Release Form](#)  
[S-2: Military and College Recruiting Opt-Out](#)  
[S-2: Optional Directory Information Opt-Out Form](#)

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## THE POLICY

The Salt Lake City School District Board of Education complies with all state and federal laws pertaining to protecting the privacy of student records, and the personal information of our students and their families. District employees are not to disclose personal information about students or their school performance unless the requesting individual or agency has both a legal right and a legitimate educational need to obtain the information.

The purpose of this policy is to assure that students and their parents or guardians are notified of and afforded their rights in accordance with the law, including:

- A. the right to review and request the amendment of education records;
- B. the right to limit access to student records and/or personal information;
- C. the right to be notified of, examine, and either consent to or opt out of, participating in surveys or educational activities that relate to specific protected areas;
- D. the right to deny the release of names, addresses, and telephone numbers to military or college recruiters and/or the media; and
- E. the right to file a complaint with the U.S. Department of Education concerning possible violations of law.

The district has set forth its specific process for implementing this board policy through the accompanying [administrative procedures](#).

complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

# S-2: Administrative Procedures Student Records, Privacy Rights, and Release of Information



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## REFERENCES

- [Board Policy S-2](#)
  - [S-2: Annual Notice](#)
  - [S-2: Media Release Form](#)
  - [S-2: Military and College Recruiting Opt-Out](#)
  - [S-2: Optional Directory Information Opt-Out Form](#)
  - [Data Governance Plan](#)
  - [IT Security Plan](#)
  - [Metadata Dictionary](#)
  - [Student Data Disclosure Statement](#)
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## DEFINITIONS

**Eligible Student:** Any student over the age of 18, or who is married, legally emancipated, or enrolled in post-secondary education programs.

**Parent:** For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- M. a biological or adoptive parent;
- N. a legal guardian or other individual legally authorized to make educational decisions for the child;
- O. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- P. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- Q. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- R. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

"Parent" does not include the state or any political subdivision of government.

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## PROCEDURES FOR IMPLEMENTATION

### General Procedures

All documents in the student cumulative/permanent record file, which include directory information, ethnic origin, schools and years attended, subjects completed, grades and credits earned, competency evaluations, certain health records, and other documents related to the education program, are private records with the exception of certain directory information.

Student records shall be accessible to:

Authorized school personnel having responsibility for the student's educational program, and to individuals conducting federal, state, or district audits of educational programs.

Parents.

In the event that parents are divorced or separated, both parents shall be entitled to access their student's student records unless prohibited by court order.

Eligible students.

Except in accordance with state and federal law, access to student records shall not be given to individuals other than those listed in Section B above.

Certain student information designated as "directory information" may be made public without prior written consent.

However, there is no legal requirement that a school or the district release directory information about a student. The district has designated the following student information as directory information:

student's name, address, and parent's telephone number and email address;

2. student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user;
- participation in officially recognized activities and sports;  
weight and height of members of athletic teams;  
dates of enrollment at a school;  
degrees and awards received;  
the most recent or previous educational agency or institution attended by the student;  
current grade in school and teacher(s); and  
yearbook photos.

Parents or students who do not want this information to be made public will be given an opportunity each year to notify the school that such information is not to be made public through the Annual Notice.

A copy of the Annual Notice, which includes information on access rights, must be included in student registration packets and all student handbooks, posted on the district's website, and otherwise widely distributed and made available to parents.

District staff, the media, or other organizations, with the approval of the school principal, may take photographs of students, make audio or videotape recordings of students, or interview students for school related stories. These recordings or images may appear in district publications, the district/school website, on district approved social networking accounts, or in the news media.

This information and these images are generally not considered harmful or an invasion of privacy if released. However, parents or eligible students may opt out of having such information released.

Parents or eligible students should complete and submit the district's S-2: Media Release Form to the principal if they wish to opt out of giving consent for this information to be shared with the media.

The district's S-2 Military and College Recruiting Opt-Out Form must also be included in high school registration packets, published in high school handbooks, posted on the district's website, and otherwise widely distributed and made available to parents.

### **Student Personally Identifiable Information**

Access to student personally identifiable information (PII) is limited to those individuals who have completed district training and require the information to perform their specific district employment functions.

The district maintains a metadata dictionary which lists the student data collected and shared externally by the district. The metadata dictionary is available for review at: <https://datagateway.schools.utah.gov/DataDictionary/Home>.

The district's processes for protecting student data are outlined in the district's data governance and IT security plans. These plans are available for review at: <https://www.slcschools.org/departments/business-administration/information-technology/student-data-privacy/>.

Student data may not be shared with third party vendors unless prior approval has been granted by the district's chief information officer and executive director of policy and legal services.

### **Requests to Review Student Records**

Parents of students currently enrolled or eligible students may submit a written request to the school principal or designee to review or obtain copies of their student's record.

Before allowing a person access to student records, school personnel must verify the identity of the person making the request.

Directory information should not routinely be released to the public or media. School employees should contact the student services or IT departments if they have questions about requests they may receive.

Access to school records under the Family Educational Rights and Privacy Act (FERPA) pertains only to official educational records, such as grades, attendance, and other information found in the cumulative file. It does not extend to classroom records held by an individual teacher, principal, counselor, or other staff.

Schools are not required to prepare special reports or to recreate lost or destroyed records to satisfy a request for student records.

Copies of records must be provided to parents and eligible students at a reasonable cost. Inability to pay reproduction costs may not prohibit access to the record itself.

Requests for access to records should be granted in a timely manner; however, schools have up to 45 days to reply to a request.

Except for those individuals listed in Section I.1-3 below, schools must maintain a record of each request for access to and each disclosure they make from an education record.

The record of access must include the names of parties who have requested or received information from the records, and the stated reason for the request.

A copy of the signed parent consent to release a record must be kept in the student's cumulative file.

Schools are not required to keep a log or other record of access if the request is from, or the disclosure made to, any of the following:

- the parent or eligible student;
- a properly designated school official for a legitimate educational purpose; or
- a party seeking directory information.

District employees who receive a request for student records from any law enforcement agent shall immediately contact the district's executive director of policy and legal services. See, S-7: Administrative Procedures, Law Enforcement Access to Students and Student Records.

### **Denial of Release of Student Information**

When a school receives either a parent's or eligible student's written directive to prohibit the release of their student's directory information, or a signed Media Release Form or Military and College Recruiting Opt-Out Form, the school will document that directive in the student information system in a timely manner and in such a way that any employee may readily determine whether to prohibit disclosure of the student's information.

When a parent or eligible student chooses the option of denying the release of their student's directory information, they are opting out of the release of all directory information. Parents may not select:

1. certain items that can or cannot be released; and/or
2. certain circumstances under which information may or may not be released.

Once an eligible student or parent has made a request to deny the release of the student's directory information, the request will be effective in successive school years, unless changed in writing by the eligible student or parent.

Schools must monitor each request to ensure that the request is honored.

For juniors and seniors in high school, all requests for student names, addresses, and telephone listings received from military recruiters or institutions of higher education will be referred to the district's director of information systems and technology for a response.

Before releasing a student's directory information, the director of information systems and technology or school principal will verify, to the best of his/her ability, whether any documentation restricting the release of such information exists.

Before releasing any student information to or on any media, the district's communication officer or the applicable school employee will verify, to the best of his/her ability, whether any documentation restricting the release of such information exists.

### **Requests to Amend Student Records**

If a parent or eligible student believes their student's record contains information that is inaccurate, misleading, or in violation of the student's right of privacy, s/he may request that the record be amended or corrected.

A written request must be submitted to the principal seeking a review of the student's record. The request should identify what information they believe to be inaccurate, misleading, or a violation of the student's privacy rights and provide any documentation that supports that position.

The principal will review the record, gather more information, and may conference with the parents/eligible student to clarify their concerns.

The principal will render a decision within 20 school days of the receipt of the request.

If a parent/eligible student wishes to appeal the principal's decision, s/he may send a written request for a hearing to the director of student services within ten school days of the principal's decision.

The director of student services will refer the appeal to a district hearing officer, who will conduct a hearing within 20 school days.

Parents/eligible students will have the opportunity to present evidence supporting their request that the record be changed.

Parents/eligible students may be assisted or represented by one or more individuals, including their attorney; however, parents/eligible students must give advanced notice if they intend to bring legal counsel, so that the district also has the opportunity to have legal representation present at the hearing.

The hearing officer will render a written decision within 20 school days. The decision will include a summary of the evidence and the basis for the decision.

If the decision is made to amend or correct the student's record, the amendment will be made and the parent/eligible student will be informed of the amendment in writing.

If the hearing officer determines that the record will not be changed, the parent/eligible student may place a statement in the student's record commenting on the contested information and/or an explanation of why s/he disagrees with the hearing officer's decision.

## **Requests for Records by Subpoena or in an Emergency**

Upon receiving a subpoena for student records, the school should immediately contact the district's records officer.

Before releasing student information pursuant to a subpoena, the records officer will notify the parents that their student's records have been subpoenaed, so that the parents have an opportunity to seek legal counsel in quashing the subpoena.

1. Parents will have a minimum of five calendar days to respond to the district records officer and provide evidence that they are working to quash the subpoena; or a court order indicating the subpoena has been quashed.
2. If the district records officer does not hear from the parent by the deadline outlined in the notification, the records will be released in accordance with the subpoena.

School officials and/or the district records officer may disclose student information to appropriate parties in an emergency situation if the sharing of the information is necessary to protect the health or safety of an individual.

## **Prior Written Notification and Consent Required for Student Participation in Certain Activities**

Prior written consent from parents must be obtained before students are asked to complete written assignments, answer questions, complete questionnaires, or take psychological or psychiatric examinations, tests, or treatments which reveal any of the following information about the student or the student's family, whether such information is personally identifiable or not:

political affiliations or, except as provided for in state law, political philosophies;

mental or psychological problems;

sexual behavior, orientation, or attitudes;

illegal, anti-social, self-incriminating, or demeaning behavior;

critical appraisal of individuals with whom the student or family member has close family relationships;

religious affiliations or beliefs;

legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers;  
or

income, except as required by law.

Prior written consent under Section A above is required in all grades, kindergarten through grade twelve. The prohibitions included in Section A also apply within the curriculum and other school activities unless appropriate prior written consent has been obtained.

In order for the prior written consent to be valid, parents must be given notification at least two weeks before any information outlined in Section A is solicited.

This notice must include information that a copy of the educational or student survey questions to be asked is available at the school, or online, for the parents to review.

This notice must provide parents a reasonable opportunity to obtain written information concerning:

records or information, including information about relationships, that may be examined or requested;

the means by which the records or information shall be examined or reviewed;

the means by which the information is to be obtained;

the purposes for which the records or information are needed;

the entities or persons, regardless of affiliation, who will have access to the personally identifiable information; and

a method by which a parent can grant permission to access or examine the personally identifiable information.

School staff will provide appropriate consent forms to parents and will monitor student participation as per written parental consent.

Unless otherwise agreed to by the parent and the person requesting written consent, the authorization is valid only for the activity for which it was granted.

Following disclosure, parents may waive the two week minimum notification period.

The two week prior written notification requirement is not applicable in a situation which a school employee reasonably believes to be an emergency, in relation to child abuse or neglect reports, or by order of the court.

These procedures do not limit the ability of a student to spontaneously express sentiments or opinions otherwise protected from disclosure.

If a district employee believes that a situation exists which presents a serious threat to the well-being of a student, that employee shall notify the student's parent without delay. If, however, the matter has been reported to the Division of Child and Family Services (DCFS), it is the responsibility of DCFS to notify the student's parent. (See, Board Policy S-8: Child Abuse.)

These procedures outlining the need for prior written notification and consent in certain circumstances, are necessary in order for the district to comply with the Student Privacy Act and the Protection of Pupil Rights Amendment (PPRA). (See, Student Privacy Act at Utah Code Ann. §53E-9-203, and PPRA at 20 U.S.C. §1232(h); 34 C.F.R. Part 98.)

District employees violating these procedures may be subject to discipline, up to and including termination.

### **Internet Safety**

- In accordance with the Children’s Internet Protection Act (CIPA), the district has developed an Internet safety plan that protects students from the unauthorized disclosure, use, and dissemination of their personal information on the Internet. Please refer to Board Policy I-23: Websites and Social Media, and Board Policy I-18: Acceptable Student Use of Internet, Computers, and Network Resources, and their accompanying administrative procedures for more information.

### **Notification of Student Data Breach**

- The district or appropriate school must notify the parent of a student if there is a release of the student’s personally identifiable student data due to a security breach.

## **S-2: Annual Notice Student Records, Privacy Rights, and Release of Information**

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### **REFERENCES**

- [Board Policy S-2: Student Records, Privacy Rights, and Release of Information](#)
- [S-2: Administrative Procedures, Student Records, Privacy Rights, and Release of Information](#)
- [Utah Code Ann. §53E-9-202 et seq., Student Privacy and Data Protection Act](#)
- [20 U.S.C. §1232\(g\), Family Educational Rights and Privacy Act, 34 C.F.R. Part 99](#)
- [20 U.S.C. §1232\(h\), Protection of Pupil Rights Amendment, 34 C.F.R. Part 98](#)

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### **ANNUAL NOTICE**

The Salt Lake City School District Board of Education complies with all state and federal laws pertaining to protecting the privacy of student records, students, and their parents and families. Board policies and procedures ensure that students and their parents or guardians are notified of and afforded their rights under the law. Board Policy S-2: Student Records, Privacy Rights, and Release of Information, and its accompanying administrative procedures are available upon request or can be accessed on the district website. Questions about parent or student privacy rights should be addressed to the school principal or the director of student services.

#### **I. Student Records**

- A. Parents and eligible students (those over the age of 18 years or who have been emancipated), have the right to review official educational records, such as grades, attendance, and other information found in the student’s cumulative/permanent record file. This right does not extend to classroom records held by an individual teacher, principal, counselor, or other staff.
  1. To review or obtain copies of a student’s education records, you must submit a written request to the school principal or the principal’s designee, identifying the requested record(s). The principal or designee will make arrangements for you to access the records within 45 days of receiving the request.
- B. Parents or eligible students who believe an educational record contains information that is inaccurate, misleading, or in violation of the student’s privacy may request that the record be amended or corrected.
  1. To request an amendment or correction of a school record, you must submit a written request to the school principal. The written request should clearly identify the part of the record in question and specify why you believe it is inaccurate or misleading.
  2. The principal will render a decision within 20 school days of the receipt of the request. If the principal’s decision is to not amend the record, and you wish to challenge that decision, you must send a written request for a hearing to the director of student services within ten days of the principal’s decision.
  3. The director of student services will refer the appeal to an independent hearing officer who will conduct a hearing within 20 days. You may be assisted or represented by one or more individuals, including an attorney, and will have the opportunity to present evidence supporting your request. You must give advanced notice of intent to include legal representation so that the district also has the opportunity to include legal representation as well.
  4. If the hearing officer’s decision is to amend the student’s record, you will receive written notification of the amendment. If the record will not be changed, you may place a statement in the student’s record commenting on the contested information and/or an explanation of why you disagree with the hearing officer’s decision.

#### **II. Information Provided to School Officials with Legitimate Educational Interests**

- A. FERPA permits disclosure of education records or student personally identifiable information ("PII") to school officials with legitimate educational interests.
  - 1. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including nurses and student resource officers) or a person serving on the school board.
  - 2. A school official may also include a volunteer, contractor, software vendor, or consultant, who:
    - a. while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees; and
    - b. is under the direct control of the school with respect to the use and maintenance of PII from education records.
  - 3. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.
  - 4. The district will share with a school official only those education records necessary for the school official to fulfill his/her professional responsibilities or contractual obligations.
    - a. For more information on which education records the district shares with non-district personnel, please review the district's meta data dictionary available at: <https://datagateway.schools.utah.gov/DataDictionary/Home>
- B. The district or a school will disclose education records without parental consent to requesting officials of another school or school district in which a student intends to enroll, or is already enrolled, if the disclosure is for the purpose of the student's enrollment or transfer.

### **III. Student Directory Information**

- A. Certain student information designated as "directory information" may be made public without prior written consent. The district has designated the following as directory information:
  - 1. student's name, address, and parent's telephone number and email address;
  - 2. student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user;
  - 3. participation in officially recognized activities and sports;
  - 4. weight and height of members of athletic teams;
  - 5. dates of attendance/enrollment at a school;
  - 6. degrees and awards received;
  - 7. the most recent or previous educational agency or institution attended by the student;
  - 8. current grade in school and teacher(s); and
  - 9. yearbook photos.
- B. Directory information may be included in student directories, school yearbooks, team rosters and class lists, graduation, theatrical, athletic, and music programs, videos of performances, school activities, and athletic events, articles about school activities and athletic events, lists and photos of students receiving honors, awards, or scholarships, and news media coverage of school events or programs.
- C. Parents or eligible students who do not want this information to be made public may submit a written request to the school principal within 20 days of completing student registration.
  - 1. By submitting this request, all student directory information will be withheld, regardless of item or circumstance of publication.
  - 2. The student's name and directory information will also be excluded from school documents that are typically made public (see, Section III.B above).
  - 3. Parents or eligible students may not select items or circumstances under which some information may or may not be released.

### **IV. Social and News Media**

- A. District staff, the media, or other organizations, with the approval of the school principal, may take photographs of students, make audio or videotape recordings of students, or interview students for school related stories. These recordings or images may appear in district publications, the district/school website, on district approved social networking accounts, or in the news media.
- B. This information and these images are generally not considered harmful or an invasion of privacy if released. However, parents or eligible students may opt out of having such information released.
- C. Parents or eligible students should complete and submit the district's S-2: Media Release Form to the principal if they wish to prohibit the district from sharing such information with the media.

### **V. Military and College Recruiters**

- A. Recruiters for the military and institutions of post-secondary education, including colleges, universities, and trade schools, often request the directory information of high school juniors and seniors. The district will provide the name, address, and telephone number to recruiters unless a parent or eligible student has opted out.
- B. To opt-out, you may either:
  1. submit a written request to the principal within 20 days of completing student registration; or
  2. complete the form S-2: Military and College Recruiting Opt-Out, and submit it to the principal within 20 days of completing student registration.
- C. The district cannot prevent recruiters or other entities from obtaining students' names, addresses, and telephone numbers through means other than an official release of information.

**VI. Specific Privacy Protections and Parental Notification**

- A. Schools will obtain prior written consent from parents before students are asked to complete written assignments, answer questions, complete questionnaires, or take psychological or psychiatric examinations, tests, or treatments which reveal any of the following information about the student or the student's family, whether such information is personally identifiable or not:
  1. political affiliations or, except as provided for in state law, political philosophies;
  2. mental or psychological problems;
  3. sexual behavior, orientation, or attitudes;
  4. illegal, anti-social, self-incriminating, or demeaning behavior;
  5. critical appraisals of individuals with whom the student or family member has close family relationships;
  6. legally recognized privileged and analogous relationships, such as with lawyers, medical personnel, or ministers; or
  7. income, except as required by law.
- B. You will receive written notice at least two weeks before any planned activities or assignments involving information outlined in Section A. This notice will provide you with an opportunity to obtain written information about the information requested, including: the purpose of the information; how the information will be gathered and reviewed; a way for you to grant permission to access personally identifiable information; and the individuals or entities who will have access to any personally identifiable information.
- C. School staff will provide consent forms and will monitor student participation so only students with prior written consent will participate.
- D. Unless otherwise agreed to by you and the person requesting written consent, the consent is valid only for the activity/assignment for which it was granted.
- E. The two week prior parental notification requirement is not applicable in a situation which a school employee reasonably believes to be an emergency, in relation to child abuse or neglect reports, or by order of the court.

**VII. Internet Safety**

- A. In accordance with the Children's Internet Protection Act (CIPA), the district has an Internet safety plan that protects students from the unauthorized disclosure, use, and dissemination of their personal information on the Internet. For more information, please refer to Board Policies I-23: Webpage Publishing, and I-18: Acceptable Student Use of Internet, Computers, and Network Resources, and their accompanying procedures.

**VIII. Complaints**

- A. Complaints alleging failure by the school or district to comply with CIPA privacy requirements should be addressed to the school principal or the director of information technology.
- B. Complaints alleging failure by the school or district to comply with privacy laws should be addressed to the school principal or to the director of student services.
- C. If complaints are not or cannot be resolved by the school or district, complaints may be filed with the Family Policy Compliance Office within the Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4605, 202.260.3887.



## **Appendix J**

*Board Policy S-3: Student Conduct and Discipline*

*S-3: Administrative Procedures, Student Conduct and Discipline*

*S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited*

# Board Policy S-3: Student Conduct and Discipline

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## REFERENCES

[S-3: Administrative Procedures, Student Conduct and Discipline](#)  
[Individuals with Disabilities Education Improvement Act – IDEIA](#)  
[Section 504 of the Rehabilitation Act](#)  
[Utah Code Ann. §53E-3-509, Gang Prevention and Intervention Policies](#)  
[Utah Code Ann. §53G-8-202 et seq., School Discipline and Conduct Plans](#)  
[Utah Code Ann. §53G-8-301 et seq., Physical Restraint of Students](#)  
[Utah Code Ann. §53G-8-501 et seq., Substance Abuse Reporting and Weapons Notification](#)  
[Utah Code Ann. §76-10-105, Buying or Possessing a Tobacco Product or an Electronic Cigarette Product by a Minor](#)  
[Utah Admin. Code R277-436, Gang Prevention and Intervention Programs in the Schools](#)  
[Utah Admin. Code R277-609, Standards for Local Education Agency \(LEA\) Discipline Plans and Emergency Safety Interventions](#)  
[Utah Admin. Code R277-615, Standards and Procedures for Student Searches](#)  
[Utah Admin. Code R277-714, Unsafe School Choice Option](#)  
[Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited](#)  
[Board Policy G-20: Bullying, Cyber-bullying, Hazing and Harassment](#)  
[Board Policy G-21: Youth Suicide Prevention Programs](#)

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## THE POLICY

The Salt Lake City School District Board of Education expects all district students to behave in a manner that promotes positive school climates, supports academic achievement, and emphasizes civility, fairness, mutual respect, and acceptance of diversity. The board, through this policy and the accompanying administrative procedures, intends to create clear expectations for student conduct through multi-tiered systems of support and appropriate interventions for all students. The student code of conduct is intended to be instructive, not punitive, and is based on the principles of preventative and positive discipline (i.e. interventions, skill building, and consequences).

This policy, and its accompanying administrative procedures, apply to any district student who is on school property (which also includes school transportation), who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place (including cyberspace) has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. School personnel are empowered to take appropriate disciplinary action when students violate this policy, the accompanying administrative procedures or state law, or engage in activities that disrupt the educational environment, threaten or harm persons or property, or disrupt school activities. School administrators must impose discipline in an objective, fair, consistent, and equitable manner. The district aims to address behaviors, resolve conflicts, and meet students' needs, while minimizing any loss of instructional time. Student conduct and discipline practices should strive to keep students connected to their educational setting and enhance their social and emotional well-being.

The purpose of this policy is to govern conduct and discipline in the district's schools in order to maintain a safe, secure, and positive school environment.

The district has set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# S-3: Administrative Procedures Student Conduct and Discipline

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## REFERENCES

[Board Policy S-3](#)  
[Special Education Handbook](#)  
[Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited](#)  
[Board Policy G-20: Bullying, Cyberbullying, Hazing, and Abusive Conduct Prohibited](#)  
[S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited](#)

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## DEFINITIONS

**Bullying:** See, G-20: Administrative Procedures, Bullying, Cyberbullying, Hazing, and Abusive Conduct Prohibited.

**Corporal Punishment:** The intentional infliction of physical pain upon the body of a student as a disciplinary measure.

**Emergency Safety Intervention:** The use of seclusionary time out or physical restraint when a student presents an immediate/imminent danger of physical violence/aggression towards self or others and is likely to cause serious physical harm. An emergency safety intervention shall not be used for disciplinary purposes.

**Expulsion:** Removal from a school for more than ten school days without an offer of alternative educational services.

**Gang:** A group of three or more people who form an allegiance and engage in criminal activity, which uses violence or intimidation to further its criminal objectives. A gang may have a name, turf, colors, symbols, distinct dress, or any combination of the preceding characteristics.

**Gang-related Activity:** A dangerous or disruptive activity, which may include, but is not limited to, the following:

A. wearing, possessing, using, distributing, displaying or selling any clothing, clothing decoration, jewelry, emblem, badge, tattoos, manner of grooming, symbol, sign or other item which evidences membership in a gang;

body signals or movements which are recognized as denoting a gang or is a sign, signal or movement utilized in connection with gang communications,

using a name which is associated with or attributable to a gang;

engaging in any activity, including posturing, which is determined to be related to or affiliated with any known or unknown gang;

soliciting students to become gang members, participation in gang initiation or ceremonies, engaging in gang-related violence or threats of violence;

threatening others, including threats by brandishing a weapon or a replica of a weapon on school campus, or at a supervised school function;

engaging in any behavior undertaken in such a manner as to be reasonably likely to incite violence or endanger persons or property; or

designating turf or an area for gang activities, occupation or ownership.

**Harassment:** See, G-19.A.: Administrative Procedures, Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited.

**Parent:** For purposes of these administrative procedures and the corresponding board policy, "parent" means:

S. a biological or adoptive parent;

T. a legal guardian or other individual legally authorized to make educational decisions for the child;

U. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;

V. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;

W. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or

X. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

ii. "Parent" does not include the state or any political subdivision of government.

**Physical Escort:** A temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.

**Physical Restraint:** Personal restriction immobilizing or significantly reducing a student's ability to move his/her arms, legs, body, or head freely.

**Reasonable Suspicion:** Reasonable suspicion is satisfied when two conditions exist: (1) the search is justified at its inception, meaning that there are reasonable grounds for suspecting that the search will reveal evidence that the student has violated or is violating the law or school rules, and (2) the search is reasonably related in scope to the circumstances that justified the search, meaning that the measures used to conduct the search are reasonably related to the objectives of the search and that the search is not excessively intrusive in light of the student's age and sex and the nature of the offense.

**Retaliation:** See Board Policies G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited, and G-20: Bullying, Cyberbullying, Hazing, and Abusive Conduct Prohibited.

**School Administrator:** For the purposes of these procedures, school administrator means the principal, assistant principal, or the principal's designee who must be a licensed staff member.

**Seclusionary Time Out:** The act of placing a student in a safe enclosed area isolated from adults and peers, and the student is, or reasonably believes, s/he will be prevented from leaving the area.

**Suspension:** Removal from school for a defined period of time with an offer of educational services to the suspended student.

**Tobacco Paraphernalia:** Any equipment, product, or material of any kind which is used, intended for use, or designed for use to package, repackage, store, contain, conceal, ingest, inhale, or otherwise introduce a tobacco product or an electronic cigarette substance into the human body. See, Utah Code Ann. §76-10-104.1.

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## PROCEDURES FOR IMPLEMENTATION

### I. Student Conduct and Discipline

Each school must have written standards for student behavior expectations, including self-discipline,, citizenship, civic skills, and social skills. Schools shall also adopt and enforce rules and standards that cover topics including but not limited to, school and classroom management, adult supervision, and disruptive behaviors. Such school rules and standards must be compatible with board policies, district administrative procedures, and state and federal law. The district's Special Education Handbook must be followed when issues involve special education students.

A. Each school will have a Positive Behavioral Interventions & Supports (PBIS) guidelines that include:

- written behavioral expectations applicable across school settings;
- effective instructional practices for the explicit teaching of student expectations, including self-discipline, citizenship, civic skills, and social skills; that are taught explicitly;
- systemic methods for reinforcement of expected behaviors;
- uniform methods for correcting behavioral errors;
- uniform methods for at least annually evaluating school level data to determine the efficiency and effectiveness of PBIS and school rules;
- training for students, faculty, and staff related to student self-discipline, good citizenship, and recognizing and preventing disruptive behaviors, including overt aggression, covert or relational aggression, and gang involvement; and
- articulating pathways for students to repair harm, resolve conflict with peers, and restore standing within the classroom after a behavior infraction.

Each school must also develop a Positive Behavior Plan to address the causes of student use of tobacco, alcohol, electronic cigarette products, and other controlled substances through promoting positive behaviors. The plan shall address issues including peer pressure, mental health, and creating positive relationships. The plan may include programs, clubs, service opportunities, and pro-social activities.

The school principal shall create the plan based on input from students, parents, and staff through discussions at SIC and SCC meetings; and submit the proposed plan to the board for approval.

Plans must be submitted to the director of social and emotional learning by the first week in October. The director of social and emotional learning will ensure they are placed on the agenda for the next board meeting.

The school principal shall also designate either an assistant principal, school counselor, or teacher leader as a "positive behaviors specialist" to administer the plan.

Annually, the positive behavior specialist must submit a report to the board detailing how the plan was implemented in the prior year.

- i. By May 1 of each year, the positive behavior specialists must submit their reports to the director of social and emotional learning.
- ii. The director of social and emotional learning will ensure that the reports are placed on the agenda for the next board meeting.

A continuum of school rules and standards, including those that deal with habitually disruptive students, must be developed through a cooperative effort of the administration, instructional and support staff, students, parents, and community members.

School rules will be clearly stated and written with clear expectations and consequences.

School rules, the board's conduct and discipline policy, these procedures, and S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited ("gang identifiers") will be made available to students upon their registration, and through student handbooks, school and district websites, and other forms of communication.

School rules, the board's conduct and discipline policy, these procedures, and gang identifiers will be distributed to and reviewed with students annually.

Schools will obtain parents' signatures acknowledging receipt of the school rules, the board's student conduct and discipline policy, these procedures, and gang identifiers.

Each school will develop a continuum of multi-tiered systems of support and intervention strategies to assist students whose behavior in school does not meet reasonable expectations. Specific student skill building interventions that may be provided in a classroom or by the school counselor include, but are not limited to, training on: responsible decision-making, relationship skills, social awareness, self-management, self-awareness, self-esteem, and specific pathways to repair harm.

Administrators are responsible for disciplining students and enforcing these administrative procedures. A school resource officer (SRO) should only be involved in school discipline when necessary to prevent harm to students, faculty or staff.

Parents will be notified when their student has committed a major infraction or is being suspended, including in-school suspensions. Parents may also be notified when their student commits a minor infraction. See, Section III below.

## **Detaining Elementary School Students After School**

Elementary students shall not be detained after school for disciplinary purposes.

An elementary student may be detained after school for health or safety reasons, to participate in special activities, or for a short period of time (no more than 30 minutes) in order to support the student in completing schoolwork.

If it is necessary to detain an elementary student after regular school hours, the following procedures must be followed:

The student's parent must be contacted before 12:00 p.m. to: inform him/her of the school's intention to detain the student after school that day; explain the reason(s) for that decision, and receive authorization from the parent to detain the student.

If a student is detained for health or safety reasons, notification to the parent prior to the detention may not be possible. In such cases, every effort must be made to contact the parent immediately upon learning that the student needs to be detained.

Notification should be made by an administrator or a licensed staff member.

Notification should be documented in PowerSchool and include:

Name and grade of the student who was detained.

Name of the individual who made contact with parent.

Date and time of contact with parent.

Date and time that student was detained.

Reason for detaining student.

Verification that student was released to parent, law enforcement, or medical personnel.

## **Due Process**

Students are entitled to both procedural and substantive due process when their continued attendance is in question.

Substantive due process requires that any disciplinary actions imposed by a school administrator not be arbitrary, capricious, or unfair.

Minimal Due Process: If a school administrator intends to suspend a student for 10 days or less, the following procedures must be followed prior to the student's suspension.

The student hears a brief explanation of the reason(s) for the intended suspension.

The student has an opportunity to tell the student's side of the story.

The school administrator documents in PowerSchool the meeting/conversation with the student.

Students and parents must be notified immediately of the school's intent to suspend.

If the school intends to suspend the student immediately, parents should be notified immediately.

Parents who cannot immediately pick-up a student can request an in-school suspension for the remainder of that school day.

Students younger than 14 should only be released into their parent's custody or pursuant to arrangements made between the school administrator and parent.

Students 14 and older should be released to a parent and should never be sent from school prior to the end of the school day without permission from a parent or emergency contact.

Formal Due Process: If a school administrator intends to expel or suspend a student for more than 10 days, the procedures outlined above in Minimal Due Process must be given to the student as well as:

written notice of the reasons for the suspension provided to the student and parents;

notice of the opportunity for a timely district-level safe school hearing; and

notice of appeal rights and procedures.

If a student and/or parent is offered the opportunity to explain, and/or have a district-level safe school hearing, and the student and/or parent refuses that opportunity, due process is satisfied.

## **Range of Behaviors and Continuum of Disciplinary Procedures**

Minor infractions: Minor infractions are violations of school rules that are usually handled by teachers in the classroom.

Chronic or excessive minor infractions can become major infractions and result in referral to the school administrator for more severe disciplinary actions. Minor infractions can result in loss of privileges, phone calls home, in-school suspensions, etc. Restricting daily recess periods will not be used as discipline at the elementary level. Examples of minor infractions include, but are not limited to:

disrespect, including put downs, talking back;

public displays of affection;

inappropriate language and actions;

tardies;

disruptive behavior including talk-outs, chronic talking, and out-of-seat;

bus misconduct; or

horseplay.

Major infractions: If a student violates a school rule, board policy, or a district administrative procedure resulting in his/her referral to the school administrator for disciplinary action, the administrator will determine an appropriate course of action.

Disciplinary action may be taken by the school administrator for an incident involving a student in locations other than on school grounds, at school-sponsored activities, or while being transported in a district designated vehicle, if the student's action threatens or does harm to the school, school property, or persons associated with the school.

The decision to discipline a student will be made by the school administrator after investigation of the incident.

The type and length of discipline is based on factors such as previous violations, severity of conduct, and other relevant educational concerns. The recommended discipline must be consistent with that imposed on similarly situated students committing a similar violation. When appropriate, students may be placed on remedial discipline plans or behavior contracts.

Consequences that may be imposed by a school administrator include, but are not limited to, loss of privileges, removal from a school-sponsored team or activity, including school-sponsored transportation, in-school suspension, suspension from school for up to 10 consecutive school days, and other reasonable disciplinary consequences. Restricting participation in daily recess periods will not be used as punishment for elementary students.

a. Before imposing any of the above consequences on a student with a disability, please refer to Section XII.

#### Disciplinary Incidents to be Handled at the School Level

1. Most incidents involving student behavior should be handled at the school level without the need for district involvement and/or a district-level safe school hearing. School administrators have the authority to suspend students for up to 10 consecutive school days for violating a school rule, board policy, district administrative procedure, or any state or local law.
2. A school administrator must notify the student's parent if the student has destroyed, defaced or vandalized school property.
3. Before suspending any student for less than 10 days, the student is entitled to minimal due process, but is not entitled to formal due process, i.e., the student is not entitled to a hearing or appeal process (see Section III above.) Please note that additional due process requirements are associated with G-19/G-20 investigations for discrimination, bullying, cyber-bullying, harassment, etc.
  - a. The school administrator should provide the student/parent with written notification of the decision to suspend, and the discipline and interventions being imposed. (Again, the requirements associated with G-19/G-20 investigations are more stringent).

Student actions that may warrant such a suspension include, but are not limited to, the following:

- frequent or flagrant willful disobedience;
- mutual combat, fighting, or simple assault where there is only minor injury or limited threats of violence;
- defaming or making false statements about students or staff;
- destroying, defacing or vandalizing school property, or property that belongs to students, teachers or other school personnel;
- criminal mischief;
- stealing;
- possessing or using tobacco, tobacco paraphernalia, or tobacco products including electronic cigarettes and hookah (see Section IX, Drug and Alcohol Violations, below for more information on appropriate interventions and consequences);
- repeated acts of relational aggression (which may be in connection with a G-19/G-20 investigation);
- engaging in gang-related activity that is dangerous or disruptive;
- using profane, obscene, indecent, abusive, immoral, or highly offensive language and/or gestures (which may be in connection with a G-19/G-20 investigation);
- making indecent propositions or exhibitions (which may be in connection with a G-19/G-20 investigation);
- wearing, possessing, or displaying clothing, apparel, bandanas, head gear, or jewelry bearing insignia, initials, names symbols or any other emblem or writing which is drug, alcohol, or gang related;
- gambling;
- minor incidents of sexually inappropriate behavior that do not rise to the level of sexual harassment;
- trespassing (administrators may also contact the district's executive director of policy and legal services for assistance with issuing official trespass warnings);
- isolated, minor instances of bullying, cyber-bullying, hazing, harassment, or abusive conduct (in connection with a G-19/20 investigation);
- engaging in any unethical academic behavior including cheating, plagiarism, forging records, altering student records and hacking; and
- possession, control, or use of an alcoholic beverage.

Students suspended for one or two days shall have makeup homework available to them upon their return to school. Students will be given the same number of days as they were suspended to complete the assignments and turn them into their teacher(s).

For students suspended for three days up to 10 days, parents can make arrangements for make-up work during the suspension period.

#### Disciplinary Incidents that Require a District-Level Safe School Hearing and Response

Some incidents of student behavior are so severe that they warrant a district-level response and safe school hearing.

Any incident which warrants an expulsion or suspension of 10 days or more must be referred to the district for a district-level safe school hearing; in these situations, students are entitled to formal due process.

Students will be referred to the district, and may be issued a longer suspension or expulsion for:

Any serious violation of law or board policy that affects another student or staff member, including actions which pose a significant threat, including harm to self or others, to the welfare, safety or morals of a student, school personnel, or the operation of the school.

Any serious violation occurring in a school building, in or on school property, or in conjunction with any school activity, including but not limited to:

- i. the possession, control, or actual or threatened use of a real weapon, explosive or noxious/flammable material. Weapons include any firearm, knife, martial arts instrument, chains, or other materials or devices whether designed for use as a weapon or for some other use;
- ii. the actual or threatened use of a look-alike weapon with the intent to intimidate another person or to disrupt normal school activities; or
- iii. the possession, control, distribution or sale of a drug or controlled substance, imitation controlled substance, or drug paraphernalia (see Section IX, Drug and Alcohol Violations, below for more information on appropriate interventions and consequences).

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.

The commission of a serious violation of Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited.

The commission of a serious violation of Board Policy G-20: Bullying Cyber-bullying, Hazing, and Abusive Conduct Prohibited.

The commission of a sexually inappropriate act that is serious in nature but that does not rise to the level of sexual harassment.

- i. When determining whether the sexually inappropriate behavior was serious in nature, due consideration will be given to the effect on the victim.

Aggravated assault, which includes:

- ii. assault committed with a weapon or any other dangerous object;
  - iii. assault with the intent to commit another felony crime such as rape or robbery; and/or
  - iv. assault that results in serious physical injury to another individual.
- h. Repeated offenses from Section IV.C.3. above, e.g. a student continues to engage in bullying or harassing behavior despite the documented implementation of appropriate lower-level interventions and discipline.

Serious violations will be reported to law enforcement officials.

A student who commits a violation of Section D.2.b. 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 unless the safe school committee recommends and the board of education approves a lesser discipline. See, Section XIII below.

If a student is expelled or suspended for 10 or more days or expelled, documentation of such disciplinary action must be placed in the student's cumulative file.

The decision resulting from the district-level safe school hearing may be appealed using the appeals process outlined in Section XIV.

- a. Disciplinary decisions made by the board of education are final and may not be appealed.

The district may deny admission to a student who has been expelled from another school during the preceding 12 months. Procedures for appealing the denial of admission are outlined in S-1: Administrative Procedures, School Admissions.

#### iii. E. Re-entry Meetings and Plans

- iv. 1. Before any student returns from a suspension, the school administrator will schedule a reentry meeting with the student/parent to review the expectations and interventions in place, and/or the implementation of any necessary behavior/safety plans.

- v. 2. The purposes of the reentry meeting are to check in with the student/parent; ensure that the student understands the expectations, consequences and plans; and demonstrate the administrator's support for getting the student back on track.

F. Transfers due to disciplinary issues

School administrators are not allowed to unilaterally transfer a student to another school based solely on disciplinary or behavior issues. Disciplinary issues that warrant such a transfer must be referred to the district's student services department (SSD) for a possible safe school hearing. Only upon the recommendation of the safe schools committee can a student be required to transfer from his/her current school.

### **Corporal Punishment**

- A. School personnel shall not inflict or cause the infliction or corporal punishment upon a student.
- B. School personnel who inflict corporal punishment on a student will be subject to discipline up to and including termination. Disciplinary actions and appeals of such actions are governed by Board Policy P-4: Discipline of District Employees, its accompanying administrative procedures, and any applicable written/negotiated employee agreement.

### **Emergency Safety Interventions**

A school employee may not subject a student to physical restraint or seclusionary time out unless such action is utilized as a necessary emergency safety intervention (ESI) in compliance with these procedures and consistent with evidence-based practices.

#### General Requirements

Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI, as well as the safe use of ESI and release criteria.

An ESI may only be used for maintaining safety and may not be used as a means of discipline or punishment.

#### Students with Disabilities Receiving Special Education Services

Use of ESI for a student with a disability receiving specialized educational services under IDEA or Section 504 shall comply with all applicable state and federal laws, and the district's Special Education Handbook.

#### Physical Escort

A school employee may use a less intrusive means, including a physical escort, to address circumstances described below in subsection D.

#### Physical Restraint

A school employee may use and apply reasonable and necessary physical restraint as an ESI only:

to protect the student or another person from physical harm;

to remove a violent student from a situation;

to take possession of a weapon, or other dangerous objects in the possession or under the control of a student;

or

to stop the student from destroying property, when physical safety is at risk.

If an employee uses physical restraint as an ESI on a student, use of the following restraints are prohibited:

prone, or face-down physical restraint;

supine, or face-up physical restraint;

physical restraint which obstructs the airway or adversely affects the student's primary mode of communication;

mechanical restraint, except for protective, stabilizing, or legally required mechanical restraints, such as seatbelts or

safety equipment used to secure students during transportation; or

chemical restraint, except as prescribed by a licensed physician, or other qualified health professional, for the

standard treatment of a student's medical or psychiatric condition and implemented in compliance with a student's approved Health Care Plan.

All physical restraint shall:

be applied for the minimum time necessary to ensure safety and a release criteria must be implemented;

be discontinued as soon as the imminent danger of physical harm to self or others has dissipated;

be discontinued if the student is in severe distress; and

never be imposed for more than 30 minutes.

#### Seclusionary Time Out

1. A school employee may, when acting within the scope of employment, place a student in seclusionary time out as an ESI only under the following circumstances:

a. the student presents an immediate danger of serious physical harm to self or others;

b. the employee uses the minimum time necessary to ensure safety and uses a release criteria;

c. any door remains unlocked;

d. the student is within line of sight of an employee at all times; and

e. the student is not placed in a seclusionary timeout for more than 30 minutes.

## Parent Notification

If a crisis situation occurs requiring an ESI be used, the school or employee shall notify the student's parent and the school administrator immediately. The school or employee shall notify the director of student services as soon as possible and no later than the end of the school day.

If the ESI is applied for longer than fifteen minutes, the school shall immediately notify the student's parent and school administration.

Parent notifications made under this section shall be documented in the student information system, e.g. PowerSchool, as required by Utah Admin. Code R277-609-6(C)(4).

Within 24 hours of using ESI, the school shall notify the parent that they may request a copy of any notes or additional documentation taken during the crisis situation.

Upon request of a parent, the school shall provide a copy of any notes or additional documentation taken during a crisis situation.

A parent may request a time to meet with school staff and administration to discuss the crisis situation.

## Emergency Safety Intervention (ESI) Committee

The district shall establish an ESI committee which includes:

at least two administrators;

at least one parent of a student enrolled in the district, appointed by the district; and

at least two certified educational professionals with behavior training and knowledge in both state rules and the board's student conduct and discipline policies.

The committee shall:

meet often enough to monitor the use of ESI within the district;

determine and recommend professional development needs;

develop policies for dispute resolution processes to address concerns regarding disciplinary actions; and

create and communicate uniform district methods for evaluation of the efficiency and effectiveness of each school's rules and standards.

The district shall collect, maintain, and periodically review the documentation or records regarding the use of ESI in district schools.

The district shall annually provide documentation of any school, program or district use of ESI to the State Superintendent of Schools.

## General Procedures for Any Suspension or Expulsion

School administrators will provide written notification to parents of all suspensions, including in-school suspensions.

Notification should be provided to parents either in person, or through regular or electronic mail; however, it may be sent home with the suspended student if the administrator notifies the parent that s/he will be using that method of delivery.

All suspensions will be clearly and thoroughly documented on the district's student information system in the incidents reporting section, e.g., PowerSchool Incidents/Log Entries.

When a student has been suspended for a serious violation, his/her re-admission is dependent upon the student presenting satisfactory evidence in a reinstatement meeting that s/he will not be a danger to self, others or school property.

1. Schools will also create a re-entry plan which should include restorative practices to ensure a student's smooth and appropriate transition back into school following a suspension.

a. Schools should consider including in the plan supports for the student that may include: academic and social skill building lessons with the school counselor; social emotional skill building support such as Adverse Childhood Experiences (ACES) training; conflict resolution training; empathy skill building; mindfulness skill building; utilizing a grump meter; utilizing calming spaces; or making a Valley Behavioral Health referral.

2. Schools should also consider appointing a staff member to serve as an adult advocate for the student. The advocate will communicate with the student's parent regarding academic and behavior data and communicate with teachers on the student's schedule prior and subsequent to the student's re-entry into school.

D. A student's suspension or expulsion becomes a part of his/her cumulative record. Staff will code each day the student is absent for an out-of-school suspension as an "S" in the district's student information system; an in-school suspension should be coded with an "I".

E. Suspended students must remain on the school's membership rolls, and they must be counted as absent during the period of their suspension.

During the time any student is suspended from school, the student is prohibited from being on campus, riding on any district or school sponsored transportation (including district buses), being a spectator, or a participant at any school function or activity unless the student receives prior authorization from the school administrator.

## Habitual Disruptive Behavior

Definitions

Qualifying minor means any school-age minor who is at least nine years old or turns nine years old at any time during the school year.

Disruptive behavior means behavior outlined in Sections IV.C.3 and IV.D.2 above.

#### Notice of Disruptive Student Behavior

A Notice of Disruptive Student Behavior may only be issued to a qualifying minor.

A Notice of Disruptive Student Behavior may only be issued by a school administrator.

A Notice of Disruptive Student Behavior shall be issued when the student has:

engaged in disruptive behavior (that does not result in a suspension or expulsion) three times during the school year; or

engaged in disruptive behavior that results in suspension or expulsion once during the school year.

A Notice of Disruptive Student Behavior shall be mailed by certified mail to, or served on, a parent of the qualifying minor.

A Notice of Disruptive Behavior requires that the student and parent meet with the school administration to discuss the disruptive behavior.

The student and/or parent may contest a Notice of Disruptive Student Behavior in the following manner:

a written appeal must be made within 10 school days of receiving the notice;

i. if the notice is written by an assistant principal or other designee, the appeal must be sent to the principal; or

ii. if the notice is written by the principal, the appeal must be sent to the appropriate network director;

The individual hearing the appeal will review the documentation, discuss the matter with the student and/or parent, and render a written decision within 10 school days of receiving the appeal.

A school representative shall provide the student's parent a list of resources available to assist the parent resolving the student's disruptive behavior issues.

The school shall establish procedures for a school counselor or other designated school representative to work with a student in order to attempt to resolve the student's disruptive behaviors.

#### Habitual Disruptive Student Behavior Notice

The Habitual Disruptive Student Behavior Notice may only be issued to a student who has received a Notice of Disruptive Student Behavior, and:

engages in disruptive behavior, that does not result in suspension or expulsion, at least six times during the school year;

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; or

engages in disruptive behavior that results in suspension or expulsion at least twice during the school year.

A Habitual Disruptive Student Behavior Notice may only be issued by a principal.

The Notice shall be mailed by certified mail to, or served on, the parent of the student.

The student and/or parent may contest a Habitual Disruptive Student Behavior Notice by filing a written appeal with the director of social and emotional learning and multi-tiered systems of support (director of SEL/MTSS) within 10 school days.

The director of SEL/MTSS shall assign either the executive director of educational equity and student or the executive director of school leadership and performance to hear the appeal.

i. The executive director hearing the appeal will review the documentation, discuss the matter with the student and/or parent, and render a written decision within 10 school days of receiving the appeal.

Within five days after the notice is issued, the school administration shall provide documentation to the parent of the efforts made by the school to resolve the student's disruptive behavior.

### **Drug and Alcohol Violations**

General principles: All drug and alcohol violations must be reported to a law enforcement officer.

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

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;

misuse or abuse, distribution, sale, or arranging for the sale of prescription medication at school or a school function; or

misuse or abuse of over-the-counter medication, or sharing, distributing, selling or arranging for the sale of over-the-counter remedies.

Violations by elementary students, grades K – 3

School administrators must file a report with the Department of Child & Family Services for all drug and alcohol violations at these grade levels. School administrators will assign consequences and social and emotional supports, as needed.

#### Violations by elementary students, grades 4 – 6

First offense: Parents will be notified, and students will be suspended for one day for their first drug and alcohol violation. School administrators will refer the student to the student services committee to determine site-level interventions and support.

Second offense: Parents will be notified, and students will be suspended for up to three days. School administrators will refer the student to the school counselor for additional interventions and support.

Third offense: Parents will be notified and the student will be suspended for up to five days. The student must also complete the Insight program with their parent and provide a certificate of completion to school administration. Failure to complete the Insight course may result in a safe school hearing referral.

Additional drug/alcohol violations by the same student may warrant longer suspensions and a safe school hearing referral.

#### Violations by secondary students, grades 7 – 12

First offense: Parents will be notified and students will be suspended for up to three days. School administrators will refer the student to the student services committee to determine site-level interventions and support.

Second offense: Parents will be notified and students will be suspended for up to five days. The student must also complete the Insight program with their parent and provide a certificate of completion to school administration. Failure to complete the Insight course may result in a safe school hearing referral.

Third offense: Parents will be notified and the student will be suspended for 10 days, and the student will be referred to a safe school hearing. The district Safe School Committee may recommend the student be referred to peer court or be transferred to an alternative school placement.

Additional drug/alcohol violations by the same student may warrant longer suspensions, subsequent safe school hearings, and/or longer alternative school placements.

If the violation involves the sale or distribution of drugs or controlled substances: Students must be suspended for up to 10 school days and must be referred for a district-level safe school hearing if the administrator can provide evidence that the student has sold or distributed drugs, controlled substances, imitation drugs, imitation controlled substances, or any other illegal substance. The district-level safe school committee may require the student to complete the Insight program with their parent and submit a certificate of completion to school administration.

a. Additional consequences may be assigned if the student continues to engage in the sale or distribution of drugs or controlled substances; and/or fails to complete the Insight program as required.

b. Additional consequences may include a referral to peer court or an alternative school placement.

#### Violations by high school seniors

In addition to the disciplinary measures listed above, high school seniors who violate the district's drug and alcohol policy or these procedures during the last quarter of the school year will also not be allowed to participate in graduation exercises unless they successfully complete the Insight program or another alternative program prior to the date of the graduation exercises.

High school seniors who are referred to a district-level safe school hearing for sale or distribution of drugs or illegal substances will comply with the ruling of the Safe School Committee.

The diploma will be awarded upon the student's completion of the graduation requirements and will not be withheld under this disciplinary procedure.

### **Tobacco and E-cigarette Violations**

#### A. General principles:

All tobacco and e-cigarette violations must be reported to a school administrator.

Tobacco violations, including the use of e-cigarettes, can be handled by school administrators without a law enforcement referral; a referral to the SRO may be made at the discretion of the principal.

Administrators shall confiscate any and all electronic cigarette products found in the possession of a student.

Upon confiscation of an electronic cigarette product, the administrator must dispose of the product in a secured hazardous waste disposal container.

The administrator is not allowed to return any electronic cigarette product to the student or the student's parent.

A student in possession of an e-cigarette that contains an illegal drug or controlled substance will be disciplined in accordance with Section IX of these procedures.

#### Violations by elementary students, grades K – 3

School administrators will assign consequences and social and emotional supports, as needed.

School administrators will notify the student's parent of the situation and whether any products were confiscated.

#### Violations by elementary students, grades 4 – 6

First offense: Parents will be notified, and school administrators will refer the student to the student services committee to determine site-level interventions and support.

Second offense: Parents will be notified, and students may be suspended for one day. School administrators will refer the student to the school counselor for additional interventions and support.

Third offense: Parents will be notified and the student may be suspended for up to three days. The student must also complete the Insight program with their parent or the Clearing the Vapor program and provide a certificate of completion to school administration. Failure to complete the designated program may result in a safe school hearing referral.

Additional tobacco and e-cigarette violations by the same student may warrant additional interventions, longer suspensions, and/or a safe school hearing referral.

#### Violations by secondary students, grades 7 – 12

First offense: Parents will be notified and students may be suspended for one day. School administrators will refer the student to the student services committee to determine site-level interventions and support.

Second offense: Parents will be notified and students may be suspended for up to three days. The student must also complete the Insight program with their parent or the Clearing the Vapor program and provide a certificate of completion to school administration. Failure to complete the designated course may result in a safe school hearing referral.

Third offense: Parents will be notified and the student may be suspended for up to five days, and referred to tobacco cessation program.

The following tobacco cessation services are available to all individuals who wish to stop using tobacco products: The Utah Tobacco Quit Line (1.800.QUIT.NOW) provides telephone-based counseling, support materials, and referrals to local classes and additional assistance when appropriate. Callers may also qualify for free nicotine replacement therapy.

Utah QuitNet ([www.utahquitnet.com](http://www.utahquitnet.com)) provides quitting guides, peer support through message boards and email, expert advice and other services to help people quit using tobacco.

Tobacco Free Resource Line (1.877.220.3466 or [theTRUTH@utah.gov](mailto:theTRUTH@utah.gov)) provides materials including brochures, Quit Line cards, posters and fact sheets.

Additional tobacco and e-cigarette violations by the same student may warrant additional interventions, longer suspensions and a referral for a district-level safe school hearing.

#### Violations by high school seniors

In addition to the disciplinary measures listed above, high school seniors who violate the district's tobacco and e-cigarette policy or these procedures during the last quarter of the school year may not be allowed to participate in graduation exercises unless they successfully complete the Insight program, Clearing the Vapor program, or another alternative program prior to the date of the graduation exercises.

High school seniors who are referred to a district-level safe school hearing will comply with the ruling of the Safe School Committee.

The diploma will be awarded upon the student's completion of the graduation requirements, and will not be withheld under this disciplinary procedure.

### **Gang-related Activities Prohibited**

Engaging in any gang-related activity on school property, at a school activity, and/or in school sponsored transportation is prohibited. The district will cooperate with members of the Salt Lake City Police Department or other agencies to educate district employees, parents, and students of current identifiers that commonly denote gang membership or affiliation. In addition to the items identified in these administrative procedures as prohibited gang attire or gang symbols, document S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited outlines current gang indicators that may result in student disciplinary action.

School officials will publish the gang identifiers document in student handbooks and on district and school websites, and the document will be provided annually to students and parents through the registration process, in their home language.

Notice of any updates to the list of prohibited gang activity and/or gang symbols will be broadcast through School Messenger. The updated document will also be available in school offices and on the district website.

Wearing a specific color by itself will not be cause for discipline, nor will just wearing a cross or Star of David without augmentation or alteration.

Faculty and personnel shall report suspected gang activity to their school administrator or law enforcement.

Subject to the search and seizure provisions of these procedures, gang paraphernalia, apparel, or weapons may be confiscated by school authorities at any time.

If appropriate, the student must remove suspected gang attire and should be given substitute clothing.

Gang members are barred from attending or participating in extracurricular activities.

Refer to Section III.A-C. for disciplinary procedures.

### **Students with Qualified Disabilities**

If a student has a qualified disability under the Individuals with Disabilities Education Improvement Act (IDEIA) or Section 504 of the Rehabilitation Act (Section 504), the school administrator will explain separate procedures that may apply based on the procedural safeguards provided by the IDEIA and Section 504. Students with qualified disabilities have certain rights regarding cumulative days of suspension.

If a student with any qualified disability has violated a school rule, board policy, or district administrative procedure, contact the student's special education teacher before determining consequences that may include suspension from school. A district-level safe school hearing for a student with any qualified disability (IDIEA or Section 504) will not be scheduled until the principal is certain that all due process requirements for that student have been met. Contact the designated special education consultant or supervisor, or the Section 504 district supervisor, for assistance. Students with qualified disabilities are subject to the one-year expulsion imposed for violations involving firearms, explosives, and flammable materials.

Students with qualified disabilities who are studying under an Individualized Education Program (IEP) may not be expelled or have their school placement changed without an IEP team meeting being held, except for serious violations including weapons, drugs, or serious bodily injury.

### **District-Level Safe School Hearing Procedures**

If a school administrator is recommending a suspension of more than 10 consecutive school days or expulsion or the student has committed a safe school violation, the school administrator must contact the SSD.

The school administrator will complete the incident report on the district's student information system.

The administrator will complete and submit the following materials to the district discipline specialist in student services: a copy of camera footage (if any) of the incident, a safe school incident investigation report, the formal letter that was sent home to the student's parents, other relevant evidence, witness statements, and if applicable, a victim statement and victim's parent impact statement.

Once the information above has been submitted, the SSD will call to schedule the district-level safe school hearing and notify the parent and other participants of the date and time of the hearing.

The student will serve an out of school suspension until the hearing has been held and a determination of the appropriate consequences has been made.

The student and parent are expected to attend the hearing and may present evidence relevant to determining the appropriate consequence.

If a student and his/her parent fail to attend the hearing, the right to present their position at the hearing will be considered waived, and the hearing may proceed without the parent and student.

The hearing will be conducted by the safe schools committee; during the hearing the committee will review all the documentation and hear any testimony.

In cases involving a suspension, the safe schools committee will issue a written decision to the student and parent within five business days of the hearing.

In cases in which an expulsion is mandated by state law, the safe schools committee will either:

- a. issue a written decision informing the student and parent that the student has been expelled; or
- b. make a recommendation to the board of education that the student not be expelled and that some type of lesser discipline be imposed.
  - i. If the safe schools committee makes a recommendation to the board of education for lesser discipline, such recommendation will be placed on the agenda of the next public board meeting.
    - 1) The student and parent(s) will be informed of the board's decision by the director of SEL/MTSS as soon as practicable after the board meeting.
    - 2) The board's decision is final and not appealable.
3. The parent or student should inform the SSD whether they would like to receive the decision electronically or have a hard copy mailed to their home address.

The safe schools committee may impose any of the following: placing the student on alternative study; suspending or expelling the student from school for a period of time; or disciplining the student in other ways in accordance with state and federal law.

The district's student discipline specialist will follow-up with the student on a regular basis regarding any conditions required by the committee.

The student discipline specialist will support the student, and work with the school to create a restorative plan for a student's re-entry at the home school or with a transition to Horizonte.

The student discipline specialist will advocate for school level support that may include academic and social skill building with the school counselor and/or social emotional skill building support such as Adverse Childhood Experiences (ACES) training, conflict resolution training, empathy skill building, mindfulness skill building, utilizing a grump meter, utilizing calming spaces, or making a behavioral health referral.

The student discipline specialist will communicate with the student's parent regarding academic and behavior data and communicate with school administrators and teachers on the student's needs prior and subsequent to the student's re-entry into school.

If a student is suspended for more than 10 consecutive school days and the parent rejects alternative educational services offered by the district, the parent becomes responsible for undertaking an alternative educational plan sufficient to ensure that the student's education continues during the period of suspension. Any costs associated with alternative educational services not provided by the district are the responsibility of the parent.

## **Appeals Processes**

The parent may make a written appeal of the decision of the safe schools committee by mailing, through the USPS, or hand delivering the appeal to the SSD. Any appeal must be made within 10 calendar days of the date of the decision. In special circumstances the SSD may accept an appeal submitted electronically; please contact the SSD for approval and directions on electronically submitting an appeal.

Appeals will only be considered and acted upon if they are based on one or more of the following:

evidence of bias or ill will on the part of a member of safe school committee;

new evidence or documentation that was not available during safe school hearing that would be determinative or impact the outcome; or

evidence that the safe school committee failed to thoroughly consider the evidence and testimony.

A director within the educational equity and student support department will review the appeal and render a written decision and notify parents through USPS within 15 business days.

The decision of the assigned director may be appealed to the superintendent.

The appeal to the superintendent must be made in writing and mailed through the USPS or hand delivered to the superintendent within 10 calendar days of the decision of the appeals committee. An appeal to the superintendent may not be made through electronic means.

The superintendent may, at his/her discretion, hold a meeting with the student and parent.

The superintendent will render a written decision on the appeal and notify parents through USPS within 15 school days of receipt of the appeal.

During the appeals process, the student will adhere to the decision of the safe schools committee until such decision is reversed, unless otherwise prohibited by state or federal law.

## **Searches**

All students will be free from unreasonable searches of their persons, clothing, and other personal property. School disciplinary procedures may be brought against a student who fails to comply with a reasonable inspection request of a school administrator. However, in order to provide and preserve a safe environment for all students and staff, a school administrator has the authority to conduct reasonable and limited searches of students, lockers, personal property, and vehicles parked on school property under the following conditions:

the school administrator has reasonable suspicion to believe that the search will produce evidence of a violation of the law or school rules (see, reasonable suspicion in Definitions section above);

the search is conducted in a manner that is rationally related to the reasonable suspicion and not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction;

items found during a search may be confiscated by a school administrator and turned over to the police for inspection or retained by a school administrator for use in a school or district disciplinary proceeding; and

the police may be contacted or called if the school administrator determines there is a serious and immediate threat to the physical safety of students, school personnel, or the public.

### **Search of Person or Personal Property**

The search of a student will be conducted in a private area of the school by a school administrator of the same sex as the student being searched.

Any search of a student or his/her personal property will be observed by an objective third party, for example, an administrator, teacher or police officer, of the same sex as the student who is being, or whose belongings are being, searched.

The nature and scope of a search must be reasonable in light of the suspected infraction and any concern for safety and order in the school.

A school administrator 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. Under no circumstances may a school administrator require students to remove other items of clothing during the search.

A school administrator may perform a "pat down" of the exterior of the student's clothing but must refrain from touching students in any other way during the search.

If this limited search does not reveal suspected contraband and school administrators still have a 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 shall be summoned.

A school administrator shall thoroughly document the details of any search conducted of a student's person or property.

In general, all questioning and searching of students conducted by law enforcement will be in accordance with Board Policy S-7: Law Enforcement Access to Students and Student Records, and related administrative procedures.

### **Search of Locker, Desk, or Other Storage Area**

While lockers, desks, and other storage areas are provided to students by the school, students have no right or expectation of privacy in any such areas. These areas are solely school property, and therefore, the school retains control and access to all lockers, desks, and other storage areas. These areas are assigned to students for their use on the condition that they will be used in a manner consistent with the law and school rules. A school administrator may conduct inspections or searches of

these areas at any time, with or without the student present, and with or without cause, in order to fulfill their responsibility of maintaining proper control and management of the school. Once a locker, desk or other storage area is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings stated above in Section XVI.

#### **Search of Student Vehicles Parked on School Property**

A school administrator who has reasonable grounds to believe that the search of a student's vehicle will produce evidence of a violation of policy or law may ask the driver of the vehicle to open the vehicle and may inspect the vehicle in the driver's presence. If a driver fails to comply with the requests of the school administrator, or if an inspection reveals any evidence of a violation, the school administrator may take measures reasonably calculated to maintain the safety and control and management of the school, including revoking a student's parking privilege. A school administrator may disable the vehicle until police or parents can be summoned.

#### **Searching Students and Personal Property While at School-Sponsored Activities**

The authorization to search shall apply to all situations in which the student is under the jurisdiction of the district, including all students participating in extracurricular activities and athletics, dually enrolled students, and students taking online courses, when applicable.

A school administrator has no obligation to contact parents before an administrator detains and/or questions a student.

Depending on the particular circumstances of the search, notifying parents of the student search is often best practice.

#### **Training**

Annually, all employees with responsibility for working with students shall receive mandatory professional development training on topics which include the use of restorative approaches to address negative behavior, appropriate role of school resource officers and school administrators, juvenile court processes, adolescent development, mental health problems, conflict resolution and de-escalation techniques, cultural competency, alternative to the juvenile justice system, and the rights of students.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

# S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited

## REFERENCES

[Board Policy S-3](#)

[Board Policy S-3: Administrative Procedures](#)

## GANG NAMES, ALLIANCES, SIGNS, SYMBOLS, AND IDENTIFIERS

### Hispanic Gangs

#### **Norteños:**

RPN-Rose Park Norteños  
VI (Vee-One)/ 6th Street  
MLB-Mexican Latino Bloods  
FVL-Familia Vatos Locos  
FPS-Familia Por Siempre  
Porterville Norteños  
27th Mafiosos  
Diamond Street  
21st Street

#### **Sureños:**

CAM-Crazy [---] Mexicans  
Avenues (or Avenues 43rd)  
Mexican Mafia (213)  
VML-Varios Mexicanos Locos  
VMS-Vilianos Mexicanos Sureños  
VSK-Venomous Sureños Klique  
CLK-Crown Latin Kings  
TVR-Toonerville Rascals  
Sureños 13  
38th Street  
18th Street  
Florencia Trece (13) / Jokers  
ABG-Alley Boy Gangsters  
Dog Town Sureños  
LP-La Primera  
T13-Tepa 13  
Chiques Trece (13)  
Colonia Chiques  
SPV-Sureños Por Vida  
Brown Side Gang  
East Side Longo  
Gardenia Trece (13)

#### **Independent Hispanic Gangs:**

BDG-Big [Male] Gang  
VLT-Varrio Loco Town  
O13-Ogden 13  
QVO  
La Raza  
East Side Raskals  
East Side Locotes

#### **Hybrid Hispanic Gangs:**

GlenMob – Includes members of Sur Towne  
Chiques 13, La Raza, and Avenues.

The **Norteños** and the **Sureños** are rival gangs.

### Blood/Crip Gangs

#### **Bloods:**

Rose Park Taliban/Iraqi Mafia Gang  
POG-Piru Original Gangsters  
BMG-Black Mafia Gangsters  
KTB-Kearns Town Bloods  
West Side Piru  
MOB-Money Over [Women]

#### **Crips (White):**

SLP-Salt Lake Posse  
Lay Low Crips  
West Side Crips

#### **Crips (Samoan):**

PVC (PVCC)-Park Village (Compton)  
SIA-Samoans in Action  
SOS-Sons of Samoa  
KAS-Krazy [] Samoans

#### **Crips (Tongan):**

TCG-Tongan Crip Gang  
TCR-Tongan Crip Regulators  
TSG-Tongan Style Gang  
BR-Baby Regulators  
RPF-Rose Park Family (Rose Park)

The **Bloods** and the **Crips** are rival gangs.

**Asian Gangs**

TOP-Tiny Oriental Posse  
VF-Viet Family  
TRG-Tiny Raskal Gang

The **Asian gangs** noted in separate columns are rival gangs.

OLG-Originall Laotian Gang  
LBC-Laos Boy Crips (independent)  
AD-Asian Deuce (Unaligned-younger version of VF)

**Local Midwest-Influenced**

**Folks:**

KMD-King Mafia Disciples  
Black Gangster Disciples  
Gangster Disciples

**People:**

Latin Kings  
Vice Lords

**Gangs**

The **Folks** and the **People** are rival gangs.

**White Supremacists**

SAW-Silent Aryan Warriors  
American Peckerwood  
SAC-Soldiers of the Aryan Culture

4R-4<sup>th</sup> Reich  
KV-Krieger Verwandt  
Aryan Brotherhood

**Extremist Gangs**

SXE-Straight Edge  
Juggalos  
Young African Killers

**Gang Identifiers**

**"All is well."**



**Dress**

**BLOODS**

**"All is one."**



**Dress**

**CRIPS**

## LATIN KINGS VICE LORDS

## GANGSTER DISCIPLES

### Bloods and Piru – Identifiers:

- Colors **Red** (primary)
- Also burgundy, green, brown, tan
- May dress "right"
- Letter "B" or "UBN"
- Word "damu"
- Number 031 ("I am blood")
- Boston Red Sox hats
- Local sets use other letters
- Tattoos – blud or MOB are common
- Five-pointed star
- Pitchforks "down"
- Cross out letter "C"
- Replace "C" with "B" (i.e. class becomes blass)
- Associated with People Nation
- Turf-oriented, active in drug traffic
- Piru is a subset of Bloods
- Graffiti includes "CK" or "Crab"
- Gang Call- "Suwoop"



### Crips – Identifiers:

- Color **Blue** (primary)
- Also, light blue, gray, white, purple
- May dress "left"
- Letter "C"
- Six-pointed star
- Number 6
- "Sox" hats
- Pitchforks "up"
- Don't write "CK" (i.e. back or bak, not back)
- Use "slob" or "sloop" as a put-down for Bloods
- Graffiti includes "BK"



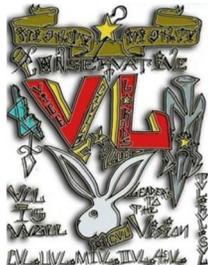
### Black Gangster Disciples – Identifiers:

- Colors **Black** and **Blue**
- Also grey, white
- Letters "BGD", "GD", or "G"
- Pitchforks "up"
- Associated with Folk Nation
- Six-point stars
- Numbers 360, 274 or 74
- Pitchfork hand signs



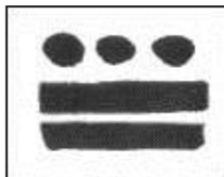
Vice Lords – Identifiers:

- Colors **Red** and **Black**
- Five-point stars
- Numbers 5 and 3-22-12
- Letters VL, AVLN, VLN, CVL
- Pyramid with eye above, top hat and cane
- Five-point crown
- Playboy bunny facing left
- UNLV team wear
- Louis Vitton brand (VL)
- "Conservative Vice Lords"
- People Nation affiliation



Sureños – Identifiers:

- Sureño (Southerners) gang is an "umbrella"
- Associated with the Mexican Mafia
- Local gangsters are "foot soldiers"
- Local gangs pay taxes to La Eme (prison gang)
- Color **Blue**
- Number 13 or X3 or XIII
- Words "south" or "sur"
- "Trece" and 3 dots
- Letter "M" or "S"
- Eyebrow slashes
- Gang Call – is a whistle



Norteños – Identifiers:

- Norteños (Northerners) identify strongly with Mexican heritage
- Associated with Nuertra Familia prison gang
- Color **Red**
- Number 14 or XIV
- Letter "N"
- "Norte"
- Huelga Bird, UNLV attire, NorCal references
- Cross out letter "S"
- Gang Call – "Shaaaaooooo"



Latin Kings – Identifiers:

- Almighty Latin Kings/Queens Nation
- Originally Puerto Rican gang
- Associated with People Nation
- Colors **Yellow** (Gold) and **Black**
- 5-pointed crown, Lion's Head, Number 5



- 5-pointed star, Number 360
- Pitchforks down
- ALKN or ALQN
- "Amor de rey"



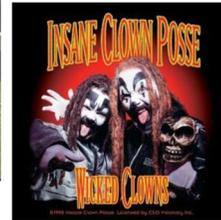
#### Asian Gangs – Identifiers:

- Usually ethnically restricted
- Highly mobile (nomadic)
- Not turf-oriented
- Colors **Green, Black, Blue, Red, Purple**
- Cultural tattoos, 5-dot tattoos
- Burns, intentional scars
- Oakland A's hats



#### Juggalos (Juggalettes) – Identifiers:

- Followers of rap group 'Insane Clown Posse'
- Known for dark and violent lyrics
- Promote use of alcohol, drugs, tobacco
- Promote promiscuity
- Do not see themselves as a 'gang'
- Little group structure
- Known to carry weapons
- "Hatchet man"
- Known for face paint



#### Straight Edge – Identifiers:

- Associated with hardcore punk rock
- Associated with anarchy
- Do not use drugs, alcohol, or tobacco
- Not a 'gang', but may fit the definition
- Have engaged in criminal activity with ELF and ALF
- Violence of followers has diminished
- Likely vegan
- Letter "X" or "XXX"
- Piercings and spike bracelets



#### Extremist Gangs and Groups

##### Skinheads – Identifiers:

- White supremacist group
- Neo-nazi, Anti-gay, Anti-immigrant
- Anti-drug use
- Widespread in US
- Militaristic, anarchist
- Violent, assaultive
- Actively recruit Caucasian "loners"
- Raise children in the culture
- Shaved heads or short haircuts
- Swastikas
- Confederate flag
- Air Force flight jackets



- Braces and boots
- Lightning bolts
- Numbers 88 or 1488

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## **COLORS**

Colors are often used by gangs as a means of identifying themselves and their rivals. Gang members may wear just a belt or shoelaces in his gang's colors. S/he may "dress down" with a coat, shirt, shoes, and hat in gang colors. A bandana in gang colors is often hung from a pocket or around the head to "fly one's colors".

### **BLUE**

Punchito Crip Gang  
 PVCC - Park Village Compton Crips  
 RPF - Rose Park Family  
 SIA - Samoans in Action  
 SOS - Sons of Samoa  
 DSK - Doin' Something Crazy  
 TCG - Tongan Crip Gangsters  
 TCR - Tongan Crip Regulators  
 DTC - Doomstown Crips  
 Locoville Crips  
 Surenos 18th Street  
 Surenos Avenues  
 Surenos Ultimate Desire Boys  
 Surenos Gardenia 13  
 Surenos 13  
 Surenos 38  
 Surenos Varios Mexicanos Locos  
 Surenos Alley Boys  
 Surenos Chiques  
 Surenos Florencia  
 Vilianos Mexicanos Sureños  
 Westside Crips  
 OLG - Original Laotian Gangsters  
 OP - Oriental Poss

### **PURPLE**

KMG - King Mafia Disciples  
 BMG - Black Mafia Gangsters

### **GREEN**

La Raza  
 Boys in the Hood  
 VLT - Varrío Loco Town  
 Dope Boy Posse

### **WHITE or BLUE**

OLG - Original Laotian Gangsters  
 OP - Oriental Posse  
 VH - Viet Hung  
 Laos Boys

### **RED**

BMG - Black Mafia Gangsters  
 KTB - Kearns Town Bloods (55th St.)  
 North Side Piru/West Side Piru  
 801 Piru  
 3rd World Piru  
 POG - Piru Original Gangster  
 Big Town Piru  
 Bounty Hunter Blood  
 Dead Mafia Bloods  
 8 Ball Posse  
 Tiny Oriental Posse  
 FPS - Familia Por Seimpre  
 209  
 MLB - Mexican Latino Bloods  
 AMG - Armenian Mafia Gangsters

### **YELLOW**

OBS – Oriental Boys Society  
 some Oriental gangs  
 some White Supremacist groups

### **BROWN**

Brown Brotherhood  
 QVO  
 Big [Male] Gang/Big West Side  
 FPSC – Familia Por Sempre Cesnor

### **BLACK**

Diamond Street  
 21<sup>st</sup> Street

\*Some Hispanic gangs choose professional sport's team logos like the LA Rapiers, Kings, Bulls, etc. Dark clothing seems to be popular with most Hispanic gangs, although some Hispanic gangs on Salt Lake City's northwest side claim to be "nortenos" and claim red as their color. Some gangs will wear black as a neutral color.

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## TAGGING

- A. Tagger crews primarily do graffiti and are not part of a street gang, though some do carry weapons. They usually consist of no more than three individuals who are more interested in street art than violent criminal activities. Taggers are the predominant source of graffiti within Salt Lake County. They typically will not cross out the graffiti of other tagging crews or street gangs. "Battles" or wars, waged between groups of taggers, can create thousands of dollars worth of damage in a single night as tagging crews compete to put up the most graffiti.
- Taggers should not be confronted. If possible, obtain information (i.e. clothing, car description, license plate number, etc.) on the culprits unobtrusively and pass it on to law enforcement.
  - Parents of taggers may find sketch books containing practice art, various types of aerosol spray paint cans, surgical gloves, loose spray can tips, larger markers, stickers, or photographs and video of graffiti. Youth involved in tagging may have paint or marker on their hands, under their fingernails, or on their clothes.

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## GRAFFITI

- B. Graffiti is used by gangs to claim territory, to make threats, and to challenge rival gangs. When gang members write graffiti in a neighborhood, they are making a statement that the neighborhood belongs to them, to show their loyalty to a gang, or to enhance the reputation of the gang.
- Graffiti falls into two categories:
    - Graffiti that contains gang names reflects rivalries between gangs (TCG, SUR, CHI, AVES, OLG, VLT, LLC, KTB, or QVO); and
    - Graffiti may contain numbers (i.e. 13, 14, 17, 33, 18, or 38) or threats (i.e. CK-Crip Killer, BK, DK, AK, QK, or 187-a threat to kill).
  - Parents of taggers may find sketch books containing practice art, various types of aerosol spray paint cans, surgical gloves, loose spray can tips, larger markers, stickers, or photographs and video of graffiti. Youth involved in tagging may have paint or marker on their hands, under their fingernails, or on their clothes.

## **Appendix K**

*Board Policy S-5: Dress and Grooming*

*S-5: Administrative Procedures, Dress and Grooming*

# Board Policy S-5: Student Dress Code

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## REFERENCES

[Administrative Procedures for Board Policy S-5](#)

[Utah Code Ann. §53G-7-801 et seq., School Uniforms](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes that there are benefits to student dress codes including their ability to positively impact student learning, behavior, health, and safety. While the board requires that each school adopt a student dress code, the dress code cannot be written in a manner that reinforces stereotypes or reinforces or increases the marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size. Student dress codes must reflect our goal of inspiring students to learn while leaving primary decisions around student clothing and style to students and their parents. Our expectation is that parents are responsible for ensuring student compliance with the school's dress code; students are responsible for knowing the student dress code and for complying during school hours and school activities; and school employees are responsible for enforcing the dress code in a consistent, fair, and non-discriminatory manner.

The board delegates to each school community council the authority and responsibility to formulate such guidelines, which may include a recommendation to adopt an appropriate school uniform/standardized dress code. The board neither encourages nor discourages the adoption of a school uniform or standardized dress code that requires distinctive clothing styles and/or colors to be worn by students.

The purpose of this policy is to provide a safe learning environment for all students, free from unnecessary distractions, while respecting an individual's freedom of expression, health needs, and religious beliefs related to dress.

The district has set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

# S-5: Administrative Procedures

## Student Dress Code

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### REFERENCES

[Board Policy S-5](#)

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### DEFINITIONS

**Dress Code:** Set of parameters determined by each school that describes acceptable and unacceptable student apparel.

**Gang Symbols:** Any article of clothing, badge, sign, lettering, hairdo, jewelry, emblem, symbol, or other personal display or adornment, which is intended by the students, or is recognized or acknowledged by students or the Metro Gang Task Force to designate a gang symbol or to signify affiliation with, participation in, or approval of a gang. (See, S-3: Administrative Procedures, Student Conduct and Discipline, Section IX, and S-3: Gang Signs, Symbols, Signals, Words, and Conduct Prohibited).

**Parent:**

For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- Y. a biological or adoptive parent;
  - Z. a legal guardian or other individual legally authorized to make educational decisions for the child;
  - AA. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
  - BB. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
  - CC. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
  - DD. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.
- vi. "Parent" does not include the state or any political subdivision of government.

**Uniform/Standardized Dress Code:** Distinctive clothing styles and/or specific colors worn by students as a means of identifying them as members of the school community.

**Disruption:** Reactions by other individuals to the clothing or adornment, which causes the teacher/administrator to lose the attention of students, to modify or cease instructional activities, or deal with student confrontations or complaints.

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### PROCEDURES FOR IMPLEMENTATION

#### Requirements for all School Dress Codes

In the interest of encouraging positive school spirit, maintaining a disciplined and focused educational environment, and promoting student safety, each school will have dress code governing student dress at school and while participating in school-sponsored activities.

Attire that disrupts the learning environment or creates a safety hazard is not permitted (see, definition of "disruption" above).

When developing or making significant modifications to the original dress code guidelines, the school community council (SCC) must allow for sufficient public discussion and input over a period of at least three months.

In general, adding an additional color option for a school uniform, removing an item from the prohibited list and/or adding or deleting a specific item in response to a particular trend will not be considered a significant modification. SCCs must still provide an opportunity for public discussion and input on the proposed change during at least one meeting in which the dress code revision was listed as an agenda item.

A significant modification would include, but is not limited to, revising the consequences or disciplinary actions to be imposed for dress code violations.

For questions about what constitutes a significant modification, please contact the executive director of educational equity and student support, or the executive director of policy and legal services.

The SCC will review the gathered input and draft a proposed dress code for submission to the district.

The dress code should prohibit:

Revealing clothing.

Examples to consider include clothing that does not cover undergarments (waistbands and bra straps excluded), and clothing that does not provide opaque coverage of an individual's buttocks, genitals, and breasts.

Students must wear clothing, including both a top and bottom, or appropriate one-piece outfit. Shirts and dresses must have fabric in the front (covering the abdomen), on the sides (under the arms), and in the back (covering the upper and lower back).

Apparel advocating illegal or inappropriate behavior or language.

Examples to consider include clothing or jewelry that displays obscene, profane, vulgar or pornographic words or images; that advertises or promotes racism, violence, hate groups, or the illegal use of drugs, alcohol, or tobacco products; or contains language, images, or symbols of a sexual/sexist nature.

Head wear.

Examples to consider include hoods and other headwear that does not allow the student's face to be visible and/or interferes with the line of sight to any student or staff.

Dress codes **may not** prohibit specific hairstyles or hair textures that are commonly associated with a person's race or nationality (this can be a form of race discrimination based on natural hairstyle). Protected hairstyles include but are not limited to braids, locks, and twists.

Gang symbols.

For examples, please see the definition above.

Wearing a specific color by itself will not be cause for discipline, nor will just wearing a cross or Star of David without augmentation or alteration.

If appropriate, the student must remove suspected gang attire and should be given substitute clothing.

Bare feet or unsafe footwear.

Examples of unsafe footwear to consider include flip-flops and bedroom slippers.

Unsafe apparel.

Examples to consider include clothing, jewelry, or accessories with chains, cleats, spikes, or studs.

The dress code must be applied uniformly and consistently to all students regardless of gender or gender identity.

The dress code must include provisions outlining the consequences for dress code violations, and the due process requirements that will be provided when imposing such consequences.

Students should never be ridiculed, humiliated, or embarrassed for a dress code violation.

School dress code enforcement actions should minimize the potential loss of education time.

School-directed changes to a student's attire or grooming should be the least restrictive and disruptive to the student's school day.

Accommodations/exemptions

Accommodations/exemptions must be made for students with documented health or medical issues, or religious beliefs that are substantially affected by the school's dress code.

Parents seeking an accommodation/exemption must submit a written request or a completed Exemption from School Uniform form to the school office.

Schools generally may not prohibit the wearing of religious attire or substantially limit religious expression with a uniform requirement.

Schools must also reasonably accommodate a student's disability or medical condition as noted in the student's individualized educational program (IEP), 504 Plan, or medical documentation.

Any dress code relating to displays of words or symbols of gangs, drugs, alcohol, tobacco, violence, racism, inappropriate language or images, or symbols of a sexual/sexist nature are not subject to waiver.

The principal will approve or deny the request and inform the parent within five working days of his or her decision.

If the request is denied, the parent requesting the accommodation/exemption may contact school leadership and support to review the decision.

Students who identify as intersex, transgender, and gender nonconforming may also request specific accommodations as outlined in the administrative procedures for Board Policy S-13: Gender Inclusion.

School administrators will submit the school's proposed dress code to the superintendent and school leadership and support for approval.

Upon approval, the school must provide notice of its dress code and the consequences for violating the dress code to parents and students through the registration process, student handbooks, or any other reasonable means.

Principals, or their designees, are responsible for ensuring that the school dress code is consistently and fairly enforced and implemented.

SCC's shall annually review the school's dress code to ensure that it takes into account current trends and reflects the school community.

### **Establishing a Uniform/Standardized Dress Code**

Consideration to establish a uniform/standardized dress code (hereafter referred to as "school uniform") may be initiated in one of two ways:

The SCC must hold an election to consider a school uniform if an initiative petition, signed by parents of 20% of the school's students, is presented to the principal; or

Based on interest expressed within the school community, the SCC may declare its intent to explore the idea of adopting a school uniform with all stakeholder groups in order to determine if there is sufficient preliminary support in the community to warrant further study.

Procedures for making a decision on a school uniform:

If the SCC decides to move forward with its consideration of the adoption of a school uniform, the SCC chair and principal will inform the superintendent and school leadership and support of their intentions in writing.

In developing a school uniform, the SCC must allow for sufficient public discussion and input over a period of at least three months.

The SCC will gather public comments through a variety of methods, including community forums, cottage meetings, additional SCC meetings, PTA meetings, panel discussions, presentations, or surveys.

At least one public hearing must be held.

After reviewing the public's comments, the SCC will determine whether or not to put the decision to adopt a school uniform to a vote of the school community.

If a vote is to be taken, the SCC will develop a proposed school uniform dress code including:

Descriptions of clothing that is allowed and prohibited, i.e., colors, logos, and styles.

Accommodation/exemption procedures for students with religious beliefs, or documented health or medical issues (see, Section I.H.).

Projected costs associated with the uniforms.

Any uniform must be generic enough to avoid financial hardships on families, and should only include ordinary articles of clothing that are readily available at reasonable prices in local stores.

Students are expected to provide their own school clothing, and uniforms are not subject to fee waivers.

However, schools should work with local businesses, service organizations, retailers, and parents to ensure that appropriate provisions are made for students of limited means.

Consequences to students for violations of the school uniform (see, Section I.G.).

School administrators will submit the proposed school uniform dress code to the superintendent, and school leadership and support for approval prior to voting.

If approved, and before the voting begins, the SCC will establish a voting process to include:

providing ballots to 100% of the parents of students who will be subject to the proposed policy, including incoming grade levels from feeder schools;

limiting votes to one per family;

establishing that a decision will be made by a simple majority of those voting;

determining strategies for increasing the number of ballots returned; and

tallying the votes.

After the vote has been tallied, the SCC must inform the superintendent and school leadership and support of the outcome and must publicize the outcome to the school community.

If a new policy is adopted, the SCC will inform the parents of the new school uniform dress code at least three months prior to its implementation.

Annual review and discontinuance or modification of school uniform dress code:

The SCC will annually review the school uniform dress code.

If the SCC determines that the school uniform dress code needs to be modified or discontinued, the SCC must follow the same procedure as the procedure to initiate consideration of a school uniform dress code. See, Section II.A above.

Procedures for voting to discontinue or modify a school uniform dress code are outlined in Section II.B.7.above.

The review and any modifications will be reported to the school community in the monthly SCC minutes.

## **Appendix L**

*Board Policy S-11: Student Electronic Devices in Schools*

*S-11: Administrative Procedures, Student Electronic Devices in Schools*

# Board Policy S-11: Student Electronic Devices in Schools

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## REFERENCES

[S-11: Administrative Procedures, Student Electronic Devices in Schools](#)  
[Utah Code Ann. §53G-8-202, Public School Discipline Policies – Basis of the Policies – Enforcement](#)  
[Utah Admin. Code R277-495, Electronic Devices in Public Schools](#)

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## THE POLICY

The Salt Lake City School District Board of Education recognizes that, depending on how it is used, a personal electronic device may be either a valuable instructional tool or a source of disruption. In consideration of the advancement of technology and the prevalence of electronic devices in our society, the board allows the responsible use of cell phones and other electronic devices at school in accordance with all applicable state laws, school rules and district administrative procedures. Students who possess and/or use such devices at school or school sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community. Nonetheless, students and parents should carefully weigh the choice of whether or not to bring personal electronic devices to school as they can be damaged, lost, or stolen.

The purpose of this policy is to facilitate the appropriate use of personal electronic devices on school property, during school instructional activities, or at any other school event.

The district has set forth its specific processes for implementing this board policy through the accompanying [administrative procedures](#).

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United State Codes, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

# S-11: Administrative Procedures

## Student Electronic Devices in Schools



### REFERENCES

[Board Policy S-11](#)

### DEFINITIONS

**Electronic Device:** Any device used for audio, video, or text communication, or any other type of computer or computer-like instrument including:

- A. a smart phone;
- B. a smart or electronic watch;
- C. a tablet; or
- D. a virtual reality device

**Parent:** For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- EE. a biological or adoptive parent;
- FF. a legal guardian or other individual legally authorized to make educational decisions for the child;
- GG. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- HH. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- II. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- JJ. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

A. "Parent" does not include the state or any political subdivision of government.

**Reasonable Suspicion:** Reasonable suspicion need not be based on a single factor, but on totality of the circumstances; aggregate effect of all information available at time of search; does not require absolute certainty, but only 'sufficient probability,' the sort of common-sense conclusion about human behavior upon which practical people are entitled to rely.

**School or School Events:** Any hours that make up a school day, during students' individual courses or during the entire period of the elementary/intermediate school day including school-provided transportation to and from curricular activities and extracurricular activities including athletic events, field trips, extended school-sponsored trips, or activities.

### PROCEDURES FOR IMPLEMENTATION

#### Personal vs District-Owned Electronic Devices

Personal electronic devices are any electronic device that is not owned by the district.

District-owned electronic devices are any electronic devices that are owned by the district. If an electronic device has been sold through the district's surplus process, it is no longer considered a district-owned device.

All devices, personal or district-owned, that are on district property, at a district-sponsored event, or are connected to district networks or district systems must comply with the contents of these procedures and all other applicable board policies and district administrative procedures.

#### Use of Electronic Devices

Electronic devices may be used during school or school events as follows:

All uses must conform with Board Policy I-18: Acceptable Student Use of Internet, Computers, and Network Resources, and its accompanying administrative procedures.

Students may have electronic devices in their possession during the regular school day.

Personal electronic devices must remain out of sight during instructional time AND be turned off OR on a silent mode.

District-owned electronic devices are accessible and may be used during instructional time as directed by school administrators and individual teachers.

In some schools, students may connect personal electronic devices to the district's Wi-Fi network. This availability is granted on a school-by-school basis.

Students who are visiting the district are not permitted on district networks. District students are not permitted to share connection information, including usernames and/or passwords, with anyone, including non-district students.

Personal electronic devices may not be used during school or school events as follows:

Unless otherwise instructed by the teacher, electronic devices are not allowed to be used during class, quizzes, tests, or standardized assessments.

Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, restrooms, and dressing areas.

Unauthorized audio recordings, capture of images, transmissions of recordings or images, or invasions of reasonable expectations of student and employee privacy are strictly forbidden.

Students are prohibited from using electronic devices in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees, and guests, or violate local, state, or federal laws (see, Board Policy G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited). Use of devices in this way may justify disciplinary consequences, including expulsion from school and notification of law enforcement.

Use of electronic devices to access inappropriate or pornographic images on school premises is illegal, may have both criminal and disciplinary consequences, and where appropriate, shall be reported to law enforcement.

School handbooks will include specific disciplinary consequences that may be imposed for violations of these procedures.

Students bring personal electronic devices on school property or to school activities at their own risk. The school is not responsible for borrowed, misused, lost, stolen, or damaged personal electronic devices.

## **Exceptions**

School administrators and individual teachers, in exercising their professional judgment, may make exceptions to these procedures so long as such exceptions are consistent with board policies and school rules. Exceptions may be made based on the following:

### Medical reasons

School administrators may make exceptions to these procedures for medical reasons so long as the devices do not distract from the instructional or educational process.

### Parent request

Parents may request that a student keep their personal electronic device turned on and with them at all times during the school day, with the exception of during course or subject tests and standardized assessments. School administrators shall grant such requests in exceptional circumstances. (Exceptional circumstances may include medical needs or unusual family situations.)

Parents may make requests for an exception based on their belief that allowing their student to use a personal electronic device will enhance their student's learning, such as for students who would benefit from recording lectures or typing their notes into a personal device.

### Teacher permission

While personal electronic devices should normally be stored and not used during classroom instruction, a teacher may permit students to access and use their personal electronic devices during classroom instruction. Such permission must be explicitly given by the teacher, and students should not assume permission has been granted without first checking with the teacher.

### Emergency situations

Even in circumstances in which using a personal electronic device would normally be prohibited, students may use their devices to request assistance in any situation that threatens the health, safety, or well-being of any individual (including themselves).

## **Consequences for Violations**

School administrators may take disciplinary action against students who violate these procedures as per Board Policy S-3: Student Conduct and Discipline.

School administrators will notify a parent of a student's violation and any imposed consequences.

Students should receive one warning prior to being disciplined for a minor violation of these procedures.

If students intentionally use or respond to electronic devices during instructional time or during time identified by teachers, personal electronic devices may be confiscated for a designated period of time.

If students do not cooperate with school administrators and/or will not surrender electronic device(s), the school administrator may take appropriate action for the safety and well-being of the student and other students or employees at the school. The school administrator shall notify the parent immediately of any such circumstances.

Law enforcement may be contacted, at the school's discretion, if circumstances warrant such contact.

A school administrator may impose other disciplinary consequences for a student's violation of these procedures in conjunction with violations of other board policies and/or administrative procedures.

More than one disciplinary consequence may be imposed, if warranted. Consequences may include, but are not limited to:

- loss of electronic device privileges;
- disciplinary letter;
- in-school suspension;

suspension; or  
loss of extracurricular or honor privileges or recognition.

The consequence for violation(s) of these procedures may vary depending upon the intentional nature of the violation, other disciplinary actions the student may have received, and the specific circumstances of the violation.

### **Notice to Students and Parents**

Parents and students shall receive annual written notice of the board policy and these procedures, as well as notice of changes in the policy, in a timely manner and through reasonable means.

A copy of the most current policy shall always be available in the main office of the school and shall be posted online on the district website.

Information to parents shall provide clear direction on how best to contact students during school or school events in lieu of contacting the student through his/her personal electronic device.

### **Confiscation and Searching of Electronic Devices**

Only licensed school personnel may confiscate student electronic devices.

Licensed school employees are discouraged from searching or reviewing material or numbers stored on student personal electronic devices except under compelling circumstances in which there is reasonable suspicion to believe the student has violated a law, board policy, district administrative procedures, or school rule.

Licensed school employees may search a personal electronic device for the limited purpose of determining the device's owner. Schools will do their best to guard and protect confiscated personal electronic devices, but are not responsible for loss, damage, theft.

If a student's personal device has been confiscated, parents may retrieve the student's personal electronic device during school hours or by appointment.

Schools will make a good faith effort to notify parents or designated individuals that a personal electronic device is in the school's possession and, time and resources permitting, will maintain electronic devices until the end of the school year. Schools will then send the devices to the district's information technology department where they will be wiped of all personal data and subsequently disposed of.

### **Creative and Innovative Uses for All Electronic Devices**

Individual teachers, school employees, and schools are encouraged to use electronic devices creatively to communicate effectively with students and parents and to enhance instruction.

Creative uses might include:

notifying absent students of assignments;  
teachers notifying students of news articles or events that would enhance discussion or student research; and  
providing immediate feedback to students on written work or assignments.

When using electronic devices, teachers and administrators must exercise good judgment when communicating one-on-one with individual students. All such communications between district staff and individual students must be related to school or school activities.

Generally, electronic communications between students and district employees should take place using district provided accounts.

Parents have the right to access all electronic communications between their student and a district employee. When feasible and appropriate, the district encourages school staff to include parents in the electronic communications with their students.

### **Content Filtering**

All electronic devices, personal or district-owned, connected to the district's network are content filtered while on the Internet.

District-owned devices are content filtered while on the Internet even if they are not connected to the district's networks.

Individuals are prohibited from trying to circumvent the district's content filtering system. Any attempt is a violation of these procedures and may be subject to disciplinary action.

Personal electronic devices are not content filtered if they are not connected to the district's computer network. Content filtering for personal devices may be obtained by:

Contacting your internet service provider (ISP);

Contacting your mobile phone provider; and/or

Visiting the Utah Division of Consumer Protection for a list of service providers and their content filtering options:

<https://dcp.utah.gov/edu/filtering.html>.

### **Support and Functionality**

Personal electronic devices may be used to connect to secure district Wi-Fi and/or access district educational resources.

District staff will provide instruction on how to connect to district networks, however, due to the variation of personal electronic devices, schools and district IT staff can only provide minimal connectivity support.

No district employee or student shall be subjected to discrimination in employment or any district program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status. The district is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, district facility use, accommodations and other Equal Employment Opportunity matters. The district also provides equal access to district facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Tina Hatch, Compliance and Investigations/Title IX Coordinator, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.



# Middle School Handbook

2021-22



**SALT LAKE CITY**  
**SCHOOL DISTRICT**  
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