

ELEMENTARY HANDBOOK 2024-2025

TABLE OF CONTENTS

1. Tooele County School District Calendar
2. Superintendent's Letter
3. Fee Waiver
 - School Fees Notice
 - Fee Waiver Application
4. Policy 8017 – Student Records - Family Education Rights and Privacy Act (FERPA)
5. Policy 5021 - Compulsory Attendance - Utah Code
 - Attendance Letter-1st Notification
6. Policy 6001- 6034 – Philosophy of Safe School Conduct and Discipline
7. Policy 5033 - Section 504 Rehabilitation Act and Americans with Disabilities Act
8. Policy 5031 - Personal Technology and Communication Devices
9. Policy 5028 - Student Bus Transportation
10. Policy 5045 - Athlete and Student Concussion and Traumatic Head Injury
 - Consent Form
11. Policy 5005 - Tobacco/Nicotine Free District - Applies to Students (Pre-kindergarten Through Grade 12), District Employees, Schools, Parents, and Visitors
12. House Bill 162 – Period products



SCHOOL YEAR CALENDAR 2024-2025

Approved January 10, 2023

EVENT	DATE	
Opening Leadership	July 30, 31	Tuesday, Wednesday
New Teacher In-Service	July 31, Aug 1, 2	Wednesday, Thursday, Friday (HR on July 31, 1-5)
Teachers return	Aug 6	Tuesday (No Meetings)
Principal's Day	Aug 7	Wednesday
District In-Service	Aug 8	Thursday
Special Education In-Service	Aug 8 (8am-12pm)	Thursday
Teacher Work Days	Aug 9, 12	Friday, Monday (NO MEETINGS)
Back to School Night	Aug 12	Monday
Kindergarten Tea	Aug 12	Monday
First Day of School	Aug 13	Tuesday
Kindergarten half days	Aug 13-16	Tuesday - Friday
Labor Day (NO SCHOOL-ALL)	Sept 2	Monday
Professional Learning Day (Early Release-STU)	September 10	Tuesday
Professional Learning Day (Early Release-STU)	October 8	Tuesday
Fall Break (NO SCHOOL-ALL)	Oct 17, 18	Thursday, Friday
End 1st Term (46 Days)	Oct 21	Monday
Teacher Work Day (NO SCHOOL-STU)	Oct 21	Monday
Start of Second Term	Oct 22	Tuesday
Professional Learning Day (Early Release-STU)	November 12	Tuesday
Thanksgiving Break (NO SCHOOL-ALL)	Nov 27 - 29	Wednesday, Thursday, Friday
Professional Learning Day (Early Release-STU)	December 10	Tuesday
Last Day of School Before the Break	Dec 19	Thursday
End 2nd Term (40 Days)	Dec 20	Friday
Teacher Work Day (NO SCHOOL-STU)	Dec 20	Friday
Winter Break (NO SCHOOL-ALL)	Dec 23 - Jan 3	
Resume School	Jan 6	Monday
86 Total Days First Semester		
Start Third Term	Jan 6	Monday
Martin Luther King Day (NO SCHOOL-ALL)	Jan 20	Monday
District Day (NO SCHOOL-STU)	Feb 14	Friday
Presidents' Day (NO SCHOOL-ALL)	Feb 17	Monday
End 3rd Term (41 Days)	Mar 7	Friday
Teacher Work Day (NO SCHOOL-STU)	Mar 7	Friday
Start Fourth Term	Mar 10	Monday
Spring Break (NO SCHOOL-ALL)	March 31 - April 4	Monday - Friday
Easter Break (NO SCHOOL-ALL)	April 18, 21	Friday, Monday
Last Day of School for Students (46 days)	May 21	Wednesday
Teacher Work Day (NO SCHOOL-STU)	May 22	Thursday 1/2 Day Prep and 1/2 Day Grades
87 Total Days Second Semester / 173 Total School Days		

School will be held if a snow makeup date is required.

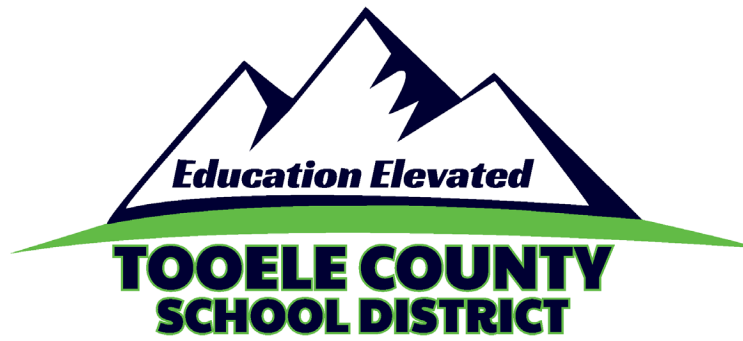
School extended to May 22 if a snow makeup date is required. Teachers extended to May 23

Professional Learning Community Time: Elementary PLC time: Wednesdays 12:45 - 1:30 pm Secondary PLC time: Fridays 1:45 - 2:30 pm

Professional Learning Days Tuesday Release Times: Secondary Schools @ 11:30 am Elementary Schools @ 12:30 pm

The calendar has 173 days of student contact, 4 data days that count as student days, and PT Conferences that count as 3 student days

Calendar indicates two snow makeup dates as required by Board Rule R277-419-4.



July 17, 2024

Dear Parents/Guardians:

Following are copies of the Fee Waiver Policy, Fee Waiver Application, and the Tooele County School District 2024-2025 Fee Schedule. The Fee Schedule includes the list of extracurricular participation fees for secondary schools. Tryouts for activities requiring participation fees must be conducted and the participant must be selected before participation fees are assessed.

Utah State Law guarantees that no child is to be excluded from taking part in classes, programs, and activities because his or her family cannot afford to pay fees. A student is eligible for a fee waiver based on the following criteria:

- income verification
- if a blind or disabled student receives Supplemental Security Income (SSI) – students who receive **survivor benefits do not qualify** for the SSI category
- if your family receives Temporary Assistance for Needy Families (TANF) – financial assistance or Supplemental Nutrition Assistance Program (SNAP)
- if the student is in foster care
- if the student is in state custody

The principal of each school has been designated at the school level as the administrator of fees and of fee waivers for those who qualify. If you wish to apply for a fee waiver (the application form is attached) or you have questions regarding fees and/or fee waivers, please contact your school principal.

Sincerely,

Dr. Mark Ernst
Superintendent

School Fees Notice for Families of Students in Grades K-6

The Utah Constitution prohibits the charging of fees in elementary schools.

If a child is in kindergarten through grade six, they cannot be charged for textbooks, classroom equipment or supplies, musical instruments, field trips, assemblies, snacks (other than food provided through the School Lunch Program), or for anything else that takes place or is used during the regular school day.

Fees may only be charged for programs offered before or after school, or during school vacations. Fees may also be charged for a student that is in grade six and attends a school that includes one or more 7-12 grades, if the school follows a secondary model of delivering education to the school's grade six students.

Utah law requires schools that charge fees, to ensure that a fee waiver or other provisions in lieu of a fee waiver is available to any student whose parents are unable to pay a fee.

Fee Waivers

A fee waiver is a full release from the requirement to pay a fee. If a student is eligible for fee waivers, **all fees must be waived**. If it is not specifically addressed in state law, a school must waive all fees, including any where a student's participation is optional. This means that those students who are eligible for a fee waiver can participate in any school class or activity free of charge.

A student is eligible for a waiver if:

- their family receives TANF funding or SNAP (food stamps or state Family Employment Program, Supplemental Nutrition Assistance Program);
- the student receives SSI (Supplemental Security Income);
- the student is designated McKinney-Vento;
- the student is in foster care;
- the student is in state custody; or
- the student is eligible based on family/household income (the levels match those of free lunch eligibility).

** A student may also be eligible for fee waivers if they do not meet any of these standards but are still unable to pay a fee. Please see the local school or district policy for more information.*

If a student wishes to apply for fee waivers, they will be asked to provide documentation of fee waiver eligibility as part of the application process.

To apply for a fee waiver, a student may submit the "Fee Waiver Application (Grades K-6)". A copy of the application is included with this notice and additional copies may be obtained from the school office, or the state school fees website listed at the end of this document. Once the documents have been submitted to the school, the fee requirement will be suspended until a final decision has been reached about the student's eligibility for fee waivers.

If the application is denied, the school will send a "Decision and Appeal Form". The Form will explain why the application was denied and how to appeal the decision. Remember to always keep a copy. If an appeal for a denial of fee waivers is submitted, all fees will not need to be paid until the appeal is decided.

If a student wishes to purchase school pictures, yearbooks, or similar items through the school, those costs are not fees and will not be waived. Also, if a student loses or damages school property, the costs of replacement or repair are not fees and need not be waived.

Donations, Confidentiality, and Enforcement of Fees

School funds are limited, and a school may need help in addition to fees. As a result, the school may ask for tax-deductible donations of school supplies, equipment, or money, but the school cannot require donations.

A student's name is confidential and cannot be disclosed to anyone lacking both a right and a need to know the information, regardless of whether a student has paid fees, donations, and contributions or not, or has applied for, received, or been denied waivers. The school may, however, with the consent of the donor, give appropriate recognition to any person or organization making a major donation or contribution to the school.

The school and school staff cannot withhold, reduce, or enhance grades or credit, or withhold grades, class schedules, credit, report cards, transcripts, or diplomas to enforce the payment of fees.

For further information, contact:

Local school:

Name: _____ Phone: _____

Email: _____ Website: _____

District/Charter School Fees Contact:

Name: _____ Phone: _____

Email: _____ Website: _____

School Fee Waiver Application

- NO Fees may be charged for activities during the regular school day in grades K-6. Fees for activities held outside of the regular school day are subject to fee waivers.
- Fees shall be suspended while the fee waiver is under consideration and during the appeal of a denial of a fee waiver is in process.
- Upon approval, all school fees shall be waived. Parent/student cannot be required to complete service, agree to an installment payment plan, or sign an IOU in place of a waiver.
- For additional information read "School Fees Notice Grades 7-12" or "School Fee Notice Grades K-6".

Student Information:

Name of student: _____ Student #: _____
 Address: _____
 School: _____ Grade level: _____
 Name of parent: _____ Phone number: _____

Basis for Fee Waiver:

Please check the eligibility that applies: (only 1 is needed)	Verification to submit: *
1. Family receives - Temporary Assistance for Needy Families (TANF), Family Employment Program (FEP), or Supplemental Nutrition Assistance Program (SNAP)	• benefit verification from the Utah Department of Workforce Services for the period for which the fee waiver is sought which may be in the form of an electronic screenshot of eligibility determination or status.
2. Student receives Supplemental Security Income (SSI) for a qualified disability (fees waived for student with disability only)	• benefit verification documents from the Social Security Administration.
3. Student qualifies for McKinney-Vento.	• verified through the district or charters McKinney-Vento Liaison.
4. Student is in Foster Care (under Utah or local governmental supervision)	• the youth in care required intake form and school enrollment letter, provided by a case worker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department.
5. Student is in State Custody	
6. Student is eligible based on family/household income verification. Provide summary of income on page 2.	• family income verification in the form of pay stubs or tax returns.

If none of the above apply but you wish to apply for fee waivers because of other extenuating circumstances, please state the reason(s) for the request in the box below:

Submit completed application and verification documents* to the school's Principal/School Director or School Fee Administrator .

I HEREBY CERTIFY THAT THE INFORMATION AND ATTACHED DOCUMENTATION I HAVE PROVIDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: _____ Parent's Signature: _____

COMPLETE THIS PAGE ONLY IF OPTION #6 WAS SELECTED UNDER THE BASIS FOR FEE WAIVER SECTION

INCOME VERIFICATION FOR ALL HOUSEHOLD MEMBERS:

Household income is determined by adding all household income from all sources and then comparing it to the number of people in the household. Definition of a household: a group of related or unrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit. This means they generally reside in the same house and share expenses such as rent, utilities and food.

List all **MONTHLY** income before deductions in the appropriate column(s).

Name: First	Last	Earnings from Work (before deductions)	Pension/Retirement Social Security	Welfare, Alimony, Child Support, Other Income	Total Monthly Income Per Person
1		\$	\$	\$	\$
2		\$	\$	\$	\$
3		\$	\$	\$	\$
4		\$	\$	\$	\$

Household size:

Total Household Monthly Income: \$

EXAMPLES OF INCOME:

Earnings from Work	Pension/Retirement, Social Security	Assistance, Alimony, Child Support	Other Income
Wages, salaries and tips, unemployment comp., workers' comp, net income from self-owned business or farm	Pensions, Social Security income, retirement payments, Social Security Income (including SSI a child receives)	SNAP, FEP, TANF payments, welfare payments, alimony, and child support payments	Disability benefits; interest & dividends; income from estates, trusts, and investments, regular contributions from persons not living in the household; net royalties and annuities; net rental income; any other income

INCOME ELIGIBILITY GUIDELINES

For School Year:

July 1, 2024 - June 30, 2025

Household Size	Yearly	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	19,578	1,632	816	753	377
2	26,572	2,215	1,108	1,022	511
3	33,566	2,798	1,399	1,291	646
4	40,560	3,380	1,690	1,560	780
5	47,554	3,963	1,982	1,829	915
6	54,548	4,546	2,273	2,098	1,049
7	61,542	5,129	2,565	2,367	1,184
8	68,536	5,712	2,856	2,636	1,318
For each additional family member, add:	6,994	583	292	269	135

Aviso de Cuotas Escolares Para Familias de Estudiantes de Grados 7-12

La ley de Utah permite que las escuelas cobren cuotas en los grados siete a doce.

A un estudiante se le pueden cobrar cuotas por participar en clases, actividades y programas escolares. A un estudiante no se le puede solicitar u obligar a pagar ninguna una cuota a menos que esa solicitud o requisito haya sido aprobado por la Junta de Educación local e incluido en el programa de cuotas escolares del distrito.

La ley de Utah requiere que las escuelas que cobran cuotas se aseguren de que haya una exención de cuotas u otras disposiciones para los estudiantes cuyos padres no puedan pagar una cuota.

Definición de Cuota

Una cuota se define como algo de valor monetario que es solicitado o requerido por una escuela para que un estudiante pueda participar en una actividad, clase o programa que es proporcionado, patrocinado o apoyado por una escuela pública del distrito o escuela chárter. Esta solicitud o requisito también puede estar implícita. Lo que significa que si algo no es necesario para la participación, pero todavía hay una expectativa para que el estudiante tenga ese artículo, se convierte en una cuota escolar. A continuación, se muestran algunos ejemplos de:

- Matrícula
- Costos de viajes de clase o de equipo (incluyendo habitación, pensión y comidas)
- Cuotas del programa después de la escuela
- Alquiler de instrumentos
- Entradas para conciertos escolares o juegos
- Multas por inasistencias
- Cuotas de participación
- Gastos de la clínica de verano de fútbol

Las cuotas por anillos de promoción, anuarios, fotos de la escuela, chaquetas de letras y artículos similares no son cuotas y no necesitan ser exentas. Además, si un estudiante pierde o daña la propiedad de la escuela, los costos de reemplazo o reparación no son cuotas y no necesitan ser exentas.

Es posible que se exija a los estudiantes que paguen cuotas por cursos de inscripción concurrentes o exámenes de colocación avanzada. La porción de las cuotas relacionadas específicamente con las calificaciones o créditos universitarios o postsecundarios no está sujeta a exención de cuotas, sin embargo, La Junta Colegial ofrece una reducción en estos costos para aquellos que son elegibles.

Exención de Cuotas

Un estudiante puede ser elegible para la exención de cuotas si aplica UNA de las condiciones siguientes:

- La familia del estudiante recibe TANF/SNAP (estampillas de alimentos o Programa Estatal de Empleo Familiar)(Supplemental Nutrition Assistance Program)
- El estudiante recibe SSI (Ingreso Suplementario de Seguridad)
- El estudiante es designado por la ley McKinney-Vento
- El estudiante está en cuidado de crianza
- El estudiante está bajo custodia estatal
- El estudiante es elegible según los ingresos familiares/familiares (los niveles coinciden con los de elegibilidad para el almuerzo gratuito)

Una exención de cuotas es una liberación completa del requisito de pagar una cuota. Si un estudiante es elegible para exención de cuotas, todas las cuotas deben ser exentas. A menos que específicamente lo dicte la ley estatal, una escuela debe renunciar a todas las cuotas, incluso en cualquier lugar donde la participación de un estudiante sea opcional. Esto significa que aquellos estudiantes que son elegibles para una exención de cuotas pueden participar en cualquier clase escolar o actividad de forma gratuita.

** Un estudiante también puede ser elegible para exenciones de tarifas si no cumple con cualquiera de estos estándares, pero todavía no puede pagar una tarifa. Consulte la política de la escuela o el distrito local para obtener más información.*

Exención de Cuotas

Si un estudiante desea solicitar una exención de cuotas, como parte del proceso de solicitud, se le pedirá que proporcione documentación para determinar si es elegible para dicha exención.

Para solicitar una exención de cuotas, un estudiante debe presentar la "Solicitud de Exención de Cuotas (Grados 7-12)". Una copia de la solicitud se incluye con este aviso y se pueden obtener copias adicionales de la oficina de la escuela, o en el sitio web de las cuotas escolares estatales que se enumeran en al final de este documento.

Una vez que los documentos han sido presentados a la escuela, el requisito de pagar las cuotas quedará suspendido hasta que no se haya producido una decisión definitiva en torno a la elegibilidad del estudiante para la exención de cuotas.

Si la solicitud es denegada, la escuela enviará un "Formulario de Decisión y Apelación". El Formulario explicará por qué fue denegada la solicitud y cómo apelar la decisión.

Siempre recuerde guardar una copia. Si se presenta una apelación para una denegación de exención de cuotas, no será necesario pagar las cuotas hasta que haya una decisión en torno a la apelación.

Donaciones, Confidencialidad y Cumplimiento de Cuotas

Los fondos escolares son limitados, y una escuela puede necesitar ayuda además de las cuotas. Como resultado, la escuela puede solicitar donaciones deducibles de impuestos de útiles escolares, equipo o dinero, pero la escuela no puede requerir donaciones.

El nombre de un estudiante es confidencial y no puede ser revelado a nadie que no tenga derecho y necesidad de conocer la información, independientemente de si un estudiante ha pagado honorarios, donaciones y contribuciones o no, o ha solicitado, recibido o se le ha negado una exención. Sin embargo, la escuela puede, con el consentimiento del donante, dar el reconocimiento apropiado a cualquier persona u organización que haga una donación o contribución importante a la escuela.

El personal de la escuela y la escuela no puede retener, reducir o mejorar las calificaciones o el crédito, ni retener calificaciones, horarios de clase, tarjetas de crédito, tarjetas de informe, transcripciones o diplomas para hacer cumplir el pago de las cuotas.

Para Obtener más Información:

Escuela local:

Nombre: _____ Teléfono: _____

Correo electrónico: _____ Sitio web: _____

Cuotas del distrito/escuelas autónomas Contacto:

Nombre: _____ Teléfono: _____

Correo electrónico: _____ Sitio web: _____

Solicitud de exención de tarifa escolar

- NO se cobrará ninguna tarifa por actividades durante la jornada escolar regular en los grados K-6. Las tarifas de actividades llevadas a cabo por fuera de la jornada escolar regular están sujetas a exenciones de tarifa.
- Las tarifas quedan suspendidas mientras la exención de tarifa se encuentre bajo consideración y durante el proceso de apelación a una exención de tarifa denegada.
- Luego de ser aprobada, se suspenderán todas las tarifas escolares. No se puede exigir al padre o estudiante completar el servicio, aceptar un plan de pago a plazos ni firmar un pagaré en lugar de una exención.
- Para obtener información adicional, consulte "Aviso sobre tarifas escolares para los grados de 7 a 12" o "Aviso sobre tarifas escolares para los grados K-6".

Información del estudiante:

Nombre del estudiante: _____ Estudiante n.º: _____

Dirección: _____

Escuela: _____ Grado: _____

Nombre del padre: _____ Número de teléfono: _____

Bases de la exención de tarifa:

Verifique el criterio de elegibilidad que aplica: (solo se requiere uno)	Comprobante para presentar: *
1. Recibos familiares: Asistencia provisional para familias necesitadas (TANF, por sus siglas en inglés), Programa de empleo familiar (FEP, por sus siglas en inglés), o Programa de asistencia de nutrición complementaria (SNAP, por sus siglas en inglés).	• comprobante del beneficio del Departamento de Servicios Laborales de Utah por el periodo para el cual se solicita la exención de tarifa, puede ser en forma de una captura de pantalla electrónica de la determinación de elegibilidad o estatus.
2. El estudiante recibe el Ingreso de seguridad complementario (SSI, por sus siglas en inglés) por una discapacidad calificada (solo se exenta de las tarifas al estudiante con discapacidad).	• documentos de comprobación del beneficio de la Administración del Seguro Social
3. El estudiante califica para la ley McKinney-Vento.	• comprobación a través del enlace McKinney-Vento del distrito o escuela privada.
4. El estudiante se encuentra en acogida temporal (bajo la supervisión del gobierno local o del estado de Utah).	• el formulario de admisión requerido del joven en acogida y la carta de inscripción de la escuela, provistos por un trabajador de caso de la Utah Division of Child and Family Services o el Utah Juvenile Justice Department.
5. El estudiante se encuentra bajo la custodia del estado.	
6. El estudiante es elegible de acuerdo a la verificación de ingresos de la familia o el hogar. Proporcione el resumen de los ingresos en la página 2.	• comprobante de los ingresos familiares en forma de talones de pago o devoluciones de impuestos.

Si no es elegible para ninguno de los casos mencionados anteriormente pero desea solicitar exenciones de tarifas por otras circunstancias atenuantes, declare las razones de la solicitud en el siguiente cuadro:

Presente los documentos de comprobación y la solicitud completa* al director de la escuela o al administrador de tarifas escolares.

YO CERTIFICO POR LA PRESENTE QUE LA INFORMACIÓN Y LA DOCUMENTACIÓN ADJUNTA QUE HE PRESENTADO ES VERDADERA Y CORRECTA A MI LEAL SABER Y ENTENDER.

FECHA: _____ FIRMA DEL PADRE: _____

COMPLETE ESTA PÁGINA SOLO SI SELECCIONÓ LA OPCIÓN N.º 6 EN LA SECCIÓN BASES DE LA EXENCIÓN DE TARIFA

VERIFICACIÓN DE INGRESOS DE TODOS LOS MIEMBROS DEL HOGAR:

Los ingresos del hogar se calculan sumando todos los ingresos del hogar de todas las fuentes y luego comparándolo al número de personas en el hogar. Definición de hogar: un grupo de individuos con o sin vínculo familiar, que no son residentes de una institución o pensión y que viven como una unidad económica. Esto significa que generalmente residen en la misma vivienda y comparten gastos como alquiler, servicios públicos y alimentos.

Enumere todos los ingresos **MENSUALES** antes de las deducciones en la(s) columna(s) correspondiente(s).

Nombre: Apellido	Primer nombre	Inicial del segundo nombre	Ingresos laborales (antes de las deducciones)	Pensión/jubilación Seguridad social	Beneficios sociales, pensión alimenticia, subsidio infantil, otros ingresos	Ingreso mensual total por persona
1			\$	\$	\$	\$
2			\$	\$	\$	\$
3			\$	\$	\$	\$
4			\$	\$	\$	\$
Tamaño del hogar				Ingreso mensual total		\$

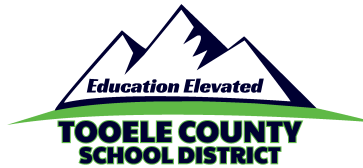
EJEMPLOS DE INGRESOS:

Ingresos laborales	Pensión/jubilación, seguridad social	Beneficios sociales, pensión alimenticia, subsidio infantil	Otros ingresos
Sueldos, salarios y propinas, subsidio de desempleo, compensación para trabajadores, ingresos netos de una empresa o granja propia	Pensiones, pagos por jubilación, Ingreso de seguridad social (incluido el SSI que recibe un niño)	Pagos por beneficios sociales, pensiones alimenticias y pagos por subsidios infantiles	Beneficios por discapacidad; intereses y dividendos; ingresos por herencias; créditos e inversiones; contribuciones regulares de personas que no residen en el hogar; regalías y anualidades netas; ingresos de renta netos; cualquier otro ingreso

PAUTAS DE ELEGIBILIDAD POR INGRESOS

Para el año escolar:
1 de julio de 2024 -
30 de junio de 2025

Tamaño del hogar	Anual	Mensual	Dos veces por mes	Cada dos semanas	Semanal
1	19,578	1,632	816	753	377
2	26,572	2,215	1,108	1,022	511
3	33,566	2,798	1,399	1,291	646
4	40,560	3,380	1,690	1,560	780
5	47,554	3,963	1,982	1,829	915
6	54,548	4,546	2,273	2,098	1,049
7	61,542	5,129	2,565	2,367	1,184
8	68,536	5,712	2,856	2,636	1,318
Por cada miembro familiar adicional, ume:	6,994	583	292	269	135



Book	Policies
Section	08000 Records Access and Management
Title	Student Records
Code	8017
Status	Active
Adopted	October 1, 1996
Last Revised	September 15, 2020
Prior Revised Dates	09/11/2018

A. Education Records

For the purposes of this policy, the term “education defined records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by an education agency or institution or by a person acting for such agency or institution

The term “education records” does not include:

1. Records that contain only information about a student after he or she is no longer a student in the District.
2. Records made by district personnel that are kept in the sole possession of the maker and are not accessible or revealed to anyone other than a temporary substitute for the maker of the records. 20 U.S.C. § 1232g(a)(4)(2)

B. List of Types and Locations

The District shall maintain a list of types and locations of information of education records and of the titles and addresses of the officials responsible for those records. 34C.F.R. §99.6

C. Screening Records

The Principal of each school shall maintain records of screening for special senses and communication disorders and spinal screening for each student in the school. Records shall be open for inspection by the state or local health department. Individual screening records may be transferred among schools in accordance with provisions below concerning access by other persons.

D. Immunization Records

The District shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by representatives of local health departments or the Utah Department of Health. The District shall cooperate with other districts in transferring students’ immunization records between schools. Specific approval from students, parents, or guardians is not required prior to making such record transfers.

E. Assessment Records

The results of individual student performance on basic skills' assessment instruments or other achievement tests administered by the District are confidential and may be made available only to the student, the student’s parents or guardian, and to the school personnel directly involved with the student’s educational program. However, overall student performance data shall be aggregated by school and District and made available to the public, with appropriate interpretations, at the regularly scheduled Board meetings. The information may not contain the names or other identifying information of individual students or teachers.

F. Academic Achievement Record

The District shall maintain a student academic record achievement record on each student enrolled in the District. This record shall reflect courses of studies completed and shall substantiate the fulfillment of course requirements toward qualifying for high school graduation. A copy of this record shall be furnished to each student transferring to another school district.

G. Access to Education Records

1. Access to the education records of a student who is or records has been in attendance at a school in the District shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes. "Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. 34 C.F.R. § 99.3 (2006)
2. The District shall presume that a parent has the authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. 34 C.F. R. § 99.4 (2006)
3. Whenever a student has attained 18 years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents regarding the student's education records transfer from the parents to the student. 34 C.F.R. § 99.5(2006)

H. Request Procedure

Upon request of a properly qualified individual, access to a student's education record shall be granted within a reasonable period of time, not to exceed 45 days. The District shall respond to reasonable requests for explanations and interpretations of the records. 34 C.F.R. § 99.10

I. Access by Other Persons

1. Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:
 - a. School officials, including teachers, who have a legitimate educational interest. An administrator or teacher is entitled to access to student's medical records maintained by the District only if he or she has completed in-service training on HIV infections.
 - b. Officials of other schools or school systems in which the student seeks or intends to enroll provided that the District either:
 1. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
 2. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent.)In either case, the District shall furnish a copy of the transferred records to the parent if requested, and give the parent an opportunity for a hearing to challenge the content of the record.
 - c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal or state-supported education programs or in connection with the enforcement of or compliance with the federal legal requirements that relate to such programs. 34 C.F.R. §§ 99.31, 35 (2006)
 - d. Personnel involved with a student's application for, or receipt of financial aid.
 - e. State and local officials to whom such information is specifically required to be reported or disclosed by state statute.
 - f. Organizations conducting studies for educational agencies or for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies. Such information must be destroyed when no longer needed for the original purposes of the studies.
 - g. Accrediting organizations that require the information for purposes of accreditation.
 - h. Parents of a student who is a dependent for tax purposes.
 - i. Appropriate persons who, in an emergency, must have such information in order to protect the health or safety of the student or other person.
 - j. Any person requesting directory information, as defined in local policy, after the District has given public notice of the definition. 34 C.F.R. §§ 99.31, 37 (2006)

Information may also be released in compliance with a judicial order or subpoena provided that the District makes a reasonable effort to notify the parent and student of the order or subpoena in advance of compliance. 34 C.F.R. § 99.31 (2006)

J. Transfer Not Permitted

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent.

K. Notice of behavior that may threaten safety

1. Notwithstanding any other provision of this policy, in the event a student is expelled for a period of more than ten (10) days for use or distribution of alcohol or a controlled substance, or for possession of an incendiary device or firearm, a record stating the cause of expulsion shall be created and provided only to the following persons:
 - a. The Principal and Vice-Principal over students in any alternative educational setting where the student will be educated;
 - b. Any teachers of the student in the alternative education placement; and

- c. Counselors in any school where the student attends who may provide counseling services to the student.

If appropriate, the record shall state also any appropriate precautions to be observed in the education of the student.

- 2. The Board finds that dissemination of such information to those persons identified is necessary to provide an appropriate and safe education to the student or the District. The District shall not provide copies of such private records to any persons except those identified by the parent or legal guardian of the student without a court order.
- 3. If the student is being educated pursuant to an Individual Education Program, then that student's education records shall be considered by the Individual Education Program Team to determine appropriate placement in the least restrictive environment consistent with the safety and well-being of all students in the District.
- 4. A copy of this policy shall be made available to parents and students upon request.

L. Record of Access to Student Record

- 1. Each school shall maintain a record, kept with the education record of each student that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records. The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as the District maintains the student's education record. The record of access shall be available only to parents, school officials responsible for the custody of the records, and those state, local, and federal officials authorized to audit the operation of the system. 20 U.S.C. §1232g(b)(A)(2002)
- 2. The record shall not include requests for access by, or access granted to, parents of the student or officials of the District, requests accompanied by prior written consent of the parent, or requests for directory information. 34 C.F.R. §99.32

M. Right to Amend Records

- 1. The parent of a student whose records are covered by this policy may ask the District to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If the District decides not to amend the education records requested, it shall inform the parent of its decision and the right to a hearing to challenge the content of the student's education records.
- 2. If the District decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, the District decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of the District. Any explanation shall be maintained with the contested part of the record as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed. 34 C.F.R. § 99.20, 21 (2006)

N. Annual Notification of Rights

- 1. The District shall give parents of students in attendance and eligible students annual notification of their rights under the Family Educational Rights and Privacy Act of 1974 and of the places where copies of this policy may be located, including notice of the right to file complaints concerning alleged failures by the District to comply with the provisions of the Act.
- 2. A Notification similar to the following shall be used to provide the annual notice required by this policy.

O. Notice of Parent and Student Rights (Family Education Rights and Privacy Act, 20 USC § 1232g)

- 1. The Tooele County School District maintains general education records required by law. A student's school records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.
- 2. By law, both parents, whether married, separated, or divorced, have access to the records of a student who is a minor or a dependent for tax purposes, as do students who are 18 years of age or older. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.
- 3. The principal is the custodian of all records for currently enrolled, withdrawn, and graduated students at the assigned school. Records may be reviewed during regular school hours. The record custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The addresses of the schools are:

Anna Smith Elementary PO Box 879 Wendover, UT 84083	Copper Canyon Elementary 1600 N Broadway Tooele, UT 84074	Dugway School (K-12) Bldg. 5010 School Street Dugway, UT 84022
Grantsville Elementary 50 South Park Street Grantsville, UT 84029	Ibapah Elementary 116 Eagle's Nest Ibapah, UT 84034	Middle Canyon Elementary 751 East 1000 North Tooele, UT 84074

Northlake Elementary 268 North Coleman St. Tooele, UT 84074	Old Mill Elementary 130 E Brigham Road Stansbury Park, UT 84074	Overlake Elementary 2052 N 170 W Tooele, UT 84074
Rose Springs Elementary 5349 N Insbrook Place Stansbury Park, UT 84074	Settlement Canyon Elem 935 W. Timpie Rd Tooele, UT 84074	Stansbury Park Elementary 485 Country Club Stansbury Park, UT 84074
Sterling Elementary 135 S. Seventh Street Tooele, UT 84074	Twenty Wells Elementary 636 Nygreen St Grantsville, UT 84029	Vernon Elementary 70 North Main Vernon, UT 84080
West Elementary 451 West 300 South Tooele, UT 84074	Willow Elementary 439 So. Willow St. Blu Grantsville, UT 84029	
Blue Peak High 211 S. Tooele Boulevard Tooele, UT 84074	Digital Education Center 211 S. Tooele Boulevard Tooele, UT 84074	Clarke N. Johnsen Junior High 2152 North 400 West Tooele UT 84074
Grantsville High 155 E Cherry St. Grantsville, UT 84029	Grantsville Jr. High 318 South Hale St. Grantsville, UT 84029	Stansbury High 5300 North Aberdeen Lane Stansbury Park, UT 84074
Tooele High 301 W. Vine St. Tooele, UT 84074	Tooele Junior High 411 West Vine St. Tooele, UT 84074	Wendover High PO Box 610 Wendover, UT 84083

4. Parents of a minor child or a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Board Members of the District, or of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of handicapped students, as well as their attorneys and consultants, who are (1) working with the student; (2) considering disciplinary or academic actions, the student's case or a handicapped student's individual education plan; (3) compiling statistical data; or (4) investigating or evaluating programs.
5. Certain other officials from various governmental agencies may have limited access to the records. The District forwards a student's records on request to a school in which a student seeks or intends to enroll without the necessity of the parent's permission. Parental consent is required to release the records to anyone else. When the student reaches 18 years of age, the right to consent to release of records transfers to the student.
6. The parent's or student's right of access to and copies of, student records does not extend to all records. Materials such as, but not limited to, teachers' personal notes on a student that are shared only with a substitute teacher and records on former students do not have to be made available to the parents or students.
7. Students over 18 and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the students privacy or other rights. If the District refuses the request to amend the records, the requestor has the right to a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the Student's record. Although improperly recorded grades may be challenged, parents and students are not allowed to contest a student's grade in a course through this process. Parents or students have the right to file a complaint with the U.S. Department of Education if they feel that the District is not in compliance with the law regarding student records.
8. Copies of student records are available at a cost of \$1.00 for the first page and \$.25 per page thereafter, payable in advance. Parents may be denied copies of student's records (1) after the student reaches age 18 and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; or (3) if the parent fails to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record will be provided at no charge.
9. Certain information about District students is considered directory information. This information will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about his child. This objection must be made in writing to the Principal within ten school days after the issuance of this notice. Directory information includes: a student's name, address, telephone number, date and place of birth, participating in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended.

10. The District's complete policy regarding student records is available from the Principal's or Superintendent's office.

20 U.S.C. § 1232g(e)

34 C.F.R. § 99.7

P. Director Information

The District may release information if it has given public notice of:

1. The types of personally identifiable information that it has designated as directory information.
2. The right of the parent to refuse to permit the District to designate any or all of the information about the student as directory information.
3. The period of time within which the parent must notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information.

34 C.F.R. § 99.37 (2006)

Q. Fees for Copies

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis. 34 C.F.R. § 99.11

R. Records of Students with Disabilities

The District shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

34 C.F.R. §300.562(a)(2006)

S. Access Rights to Records for Students with Disabilities

In addition to policies applicable to all student records, the following guidelines shall apply when parents request to review or inspect District records relating to the education of their child with a disability:

1. Parents may request that a representative inspect and review the records. 34 C.F.R. §300.562(b)(3) (2006)
2. The District shall comply with a requested request without unnecessary delay and before any meeting regarding an individual education plan (IEP) or hearing relating to the identification, evaluation, or placement of a child. 34 C.F.R. §300.562(a)(2006)
3. The District shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees) including name, date of access, and the purpose for which the person is authorized to use the records. 34 C.F.R. §300.563(2006)

T. Access Records

The date of access shall be included in the access record. 34 C.F.R. §300.562(a)

U. Parental Consent to Use of Information of Students with Disabilities

1. Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the Individuals with Disabilities Education Act (IDEA) or disclosed to anyone other than officials of agencies collecting or using this information. The District may not release information from these records without parental consent except as provided in the Family Educational Rights and Privacy Act (FERPA). 34 C.F.R. §300.571(2006)
2. No student shall be required to submit to psychiatric examination, testing or treatment of which the primary purpose is to reveal information concerning:
 - a. Political affiliations;
 - b. Mental or psychological problems potentially embarrassing to the student or the student's family;
 - c. Sex behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating or demeaning behavior;
 - e. Critical appraisals of close family members;
 - f. Any legally privileged information;
 - g. Income (except as required to receive financial assistance for fee waivers); and
 - h. Religious affiliations or beliefs. Unless the District has first obtained the written consent of the parent or guardian of the student (unless the student is 18 years of age). The parent shall be notified in writing of the means and purposes of the testing and the person(s) doing the testing at least two weeks, but not more than five months before information protected by this policy is sought. UCA 53A-13-302(1)

The data collected through an authorized test or survey is a private record which may not be shared except in accordance with the Family Educational Records and Privacy Act "(FERPA)". Such data also may not be included in a student's Student Achievement Backpack, as that term is defined in Utah Code 53E-3-511. Utah Code 53E-9-203(2020).

V. Confidentiality

The District shall protect the confidentiality of personally identifiable information in a collection, storage, disclosure, and destruction of records relating to students with Disabilities. One official in the District shall assume responsibility for ensuring the confidentiality of personally identifiable information. All persons

collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. The District shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information. 34 C.F.R. §300.572(2006)

W. Destruction of Information

The District shall inform parents when personally identifiable information pertaining to the education of a student with a disability is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parent. A permanent record of the student's name, address, and phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without a time limit. 34 C.F.R. § 300.573(2006)

X. Comprehensive System

The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.

Y. Cumulative Record

1. A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.
2. This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent.

Z. Custodian of Records

The Principal is the custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of records for students who have withdrawn or graduated. The student handbook distributed annually to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address, Types and Locations of Records

AA.

Each record custodian, at the location listed in the student handbook, shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluation.
4. Health services record, including:
 - a. The results of any tuberculin tests administered by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides.
 - c. Information and follow-up to ensure the parents have been notified of identified problems and of how they can obtain needed services for the students.
 - d. Immunization records.
 - e. Attendance records.
 - f. Student questionnaires.
 - g. Records of teachers, counselors, or administrative conferences with the student or pertaining to the student.
 - h. Verified reports of serious or recurrent behavior patterns.
 - i. Copies of correspondence with parents and other concerned with the student.
 - j. Records transferred from other districts the student has been enrolled in.
 - k. Records pertaining to participation in extracurricular activities.
 - l. Information relating to student participation in special programs.
 - m. Records of fees assessed and paid.
 - n. Other records that may contribute to an understanding of the student

BB.

The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent's, Principal's, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school

CC.

Directory information shall include a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent previous school

attended by a student.

DD.

Directory information shall be released to any individual or organization that files a written request with the Superintendent or designee.

EE.

Student Rights

Whenever a student has attained 18 years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

FF.

Access by School Officials

1. For the purposes of this policy, "school officials" shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of handicapped students. The term also includes attorneys, consultants, and independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of handicapped students.
2. School officials have a "legitimate educational interest" in a student's records when they are working with the student, considering disciplinary or academic actions, or developing a handicapped student's individualized education program; compiling statistical data; or investigating or evaluating programs.

GG.

Access by Parents

Parents may be denied copies of records after the student reaches age 18 and is no longer a dependent for tax purposes, when the student is attending an institution of post-secondary education, or if they fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon the written request of the parent, one copy of the record shall be provided at no charge.

HH.

Fee for Copies

Copies of records are available at a per-copy cost, payable in advance, as specified in the annual notice to parents of their privacy rights.

II.

Transcripts and Transfer of Records

1. The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.
2. The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll.
UCA §53A-11-504 (2007) UCA §53A-11-502(1998)

JJ.

Records Responsibilities for Students with Disabilities

1. The official responsible for ensuring the confidentiality of any personally identifiable information in records of students with disabilities shall be the Superintendent.
2. A current listing of names and positions of persons who have access to such student records is maintained at the office of the Superintendent.

KK.

Procedure to Amend Records

1. Within 15 school days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school days after the request is received. Parents shall be notified in advance for the date, time, and place of the hearing.
2. An administrator appointed by the superintendent who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and at their own expense, may be assisted or represented at the hearing. The parents shall be notified of the decision in

writing within ten school days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 school days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

NOTICE OF PARENT AND STUDENT RIGHTS FAMILY EDUCATION RIGHTS AND PRIVACY ACT

The Tooele County School District maintains general education records required by law. A student's school records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time that the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is a minor or a dependent for tax purposes, as do students who are 18 years of age or older. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

The principal is custodian of all records for currently enrolled students at the assigned school. The superintendent is the custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours. The record custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

The address of the Superintendent's office is:

Dr. Mark Ernst
Superintendent
Tooele County School District
92 S Lodestone Way
Tooele, UT 84074

The addresses of the Principals' offices are:

Anna Smith Elementary 731 Aria Blvd. Wendover, UT 84083	Copper Canyon Elementary 1600 N. Broadway Tooele, UT 84074	Dugway School 5010 E School Street Dugway, UT 84022
Grantsville Elementary 50 S. Park Street Grantsville, UT 84029	Ibapah Elementary PO Box 6087 Ibapah, UT 84034	Middle Canyon Elementary 751 E. 1000 N. Tooele, UT 84074
Northlake Elementary 268 N. Coleman Street Tooele, UT 84074	Old Mill Elementary 130 E. Brigham Rd Stansbury Park, UT 84074	Overlake Elementary 2052 N. 170 W. Tooele, UT 84074
Rose Springs Elementary 5349 N. Innsbrook Place Stansbury Park, UT 84074	Settlement Canyon Elem 935 W. Timpie Road Tooele, UT 84074	Stansbury Park Elementary 485 Country Club Stansbury Park, UT 84074
Sterling Elementary 251 N. 1 st Street Tooele, UT 84074	Twenty Wells Elementary 636 Nygreen St Grantsville, UT 84029	Vernon Elementary 70 N. Main St Vernon, UT 84080
West Elementary 451 W 300 S Tooele, UT 84074	Willow Elementary 439 S. Willow St. Grantsville, UT 84029	Clarke N. Johnsen Jr. High 2152 North 400 West Tooele, UT 84074

Grantsville Jr. High 318 S. Hale Street Grantsville, UT 84029	Tooele Jr. High 411 W. Vine Street Tooele, UT 84074	Blue Peak High 211 S. Tooele Blvd. Tooele, UT 84074
Digital Education Center 211 S. Tooele Blvd Tooele, UT 84074	Grantsville High 155 E. Cherry St. Grantsville, UT 84029	Stansbury High 5300 N. Stallion Way Stansbury Park, UT 84074
Tooele High 301 W. Vine Street Tooele, UT 84074	Wendover High 110 S. Wildcat Blvd. Wendover, UT 84083	

Parents of a minor child or a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Board Members of the District, or of cooperatives of which the District is a member or of facilities with which the District contracts for placement of handicapped students, as well as their attorneys and consultants, who are (1) working with the student; (2) considering disciplinary or academic actions, the student's case or a handicapped student's individual education plan; (3) compiling statistical data; or (4) investigating or evaluating programs.

Certain other officials from various governmental agencies may have limited access to the records. The District forwards a student's records on request to a school in which a student seeks or intends to enroll without the necessity of the parent's permission. Parental consent is required to release the records to anyone else. When the student reaches 18 years of age, the right to consent to the release of records transfers to the student.

The parent's or student's right of access to and copies of, student records does not extend to all records. Materials such as, but not limited to, teachers' personal notes on a student that are shared only with a substitute teacher and records on former students do not have to be made available to the parents or students.

Students over 18 and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If the District refuses the request to amend the records, the requestor has the right to a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the Student's record. Although improperly recorded grades may be challenged, parents and students are not allowed to contest a student's grade in a course through this process. Parents or students have the right to file a complaint with the U.S. Department of Education if they feel that the District is not in compliance with the law regarding student records.

Copies of student records are available at a cost of \$1.00 for the first page and \$.25 per page thereafter, payable in advance. Parents may be denied copies of student's records (1) after the student reaches age 18 and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; or (3) if the parent fails to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record will be provided at no charge.

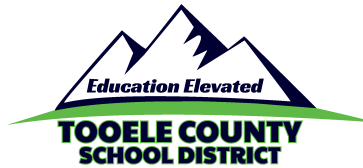
Certain information about District students is considered directory information. This information will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about his child. This objection must be made in writing to the Principal within ten school days after the issuance of this notice. Directory information includes: a student's name, address, telephone number, date and place of birth, participating in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended.

Dated this 17th day of July 2024

By Order of the Board of Education
Of the Tooele County School District

Dr. Mark Ernst
Superintendent

FERPA
Tooele County School District 7/17/04



Book	Policies
Section	05000 Students
Title	Attendance-Compulsory Education
Code	5021
Status	Active
Last Revised	March 12, 2024
Prior Revised Dates	04/10/2018, 12/10/2019, 10/13/2020, 9/21/2021

A. Purpose

The Tooele County School District Board of Education recognizes the importance of regular student attendance as foundational to a successful learning experience. Research supports the fact that attendance is crucial to improving student achievement (Ginsburg et al., 2014). On-time attendance is a critical starting point for high levels of student achievement. The opportunities lost through student absence and tardiness leave learning gaps that are difficult to fill.

B. Compulsory Education

Under Utah's compulsory education law, parents/guardians of a student who is at least six (6) years of age and not more than eighteen (18) years of age shall enroll and send their school-age students to school unless an exception applies as set forth in Tooele County School District Policy 5021, releasing minors from school attendance.

C. Definitions, Roles, and Responsibilities

Parent(s)/guardians(s), students, and school personnel should make decisions that lead to excellent classroom attendance:

1. Students are expected to arrive on time and attend each period for each class in which they are enrolled unless excused.
2. Parents/guardians are expected to ensure that their school-age child attends school as required by Utah law and to notify the school when their student is absent for a valid reason.
3. A parent may excuse an absence via a school-approved messaging method within a reasonable timeframe as determined by the individual school but not to exceed one week after the absence.
 - a. Valid Excuse:
 - i. An illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
 - ii. mental or behavioral health of the school-age child;
 - iii. a family death;
 - iv. an approved school activity;
 - v. an absence permitted by a school-age child's
 - a. Individual Education Program; or
 - b. Section 504 Accommodation plan;
 - vi. An absence permitted in accordance with Subsection 53G-6-803(5); or
 - vii. any other excuse established as valid by a local school board, charter school governing board, or school district.
 - viii. "Valid excuse" does not mean a parent's acknowledgment of an absence for a reason other than a reason described above, unless specifically permitted by the local school board or school district.
4. Teachers shall create a safe and engaging classroom that will encourage students to come to school and reach out to chronically absent students to find out in a supportive manner why they are missing school and what would help them attend more regularly and
5. The school's administrative staff shall reasonably accommodate parents and document efforts to resolve a student's truancy and chronic absenteeism problems.

6. The Board directs the Superintendent to develop procedures for managing student attendance, the requirements outlined in the State's Compulsory attendance law, and this policy to help students benefit from the District's education program. Included in the procedures will be:
- a. Definitions - key definitions, expectations, and tracking for policy implementation. Definitions should include those listed in this policy under definitions.
 - b. General Procedures and Requirements - roles of students, parents, and employees.
 - c. Tiered Responses to Truancy and Chronic Absenteeism - outline of communication, interventions, and progressive support provided to students and parents.
 - d. School-Based Attendance Procedures - allowances for site-based attendance guidelines.
 - e. Student Membership and Enrollment - guidance in accounting for student attendance and engagement in calculating student membership; and
 - f. Appeal Process - due process for procedures for appealing district intervention and disciplinary actions.

Legal

Ginsburg, Alan, Phyllis Jordan and Hedy Chang, "Absences Add Up: How School Attendance Influences Student Success," Attendance Works, August 2014.

Utah Administrative Rule R277-607

Utah Code § 53G-6-201 et seq.

Utah Code § 53G-6-801, et seq.

Utah Code 53G-8-211

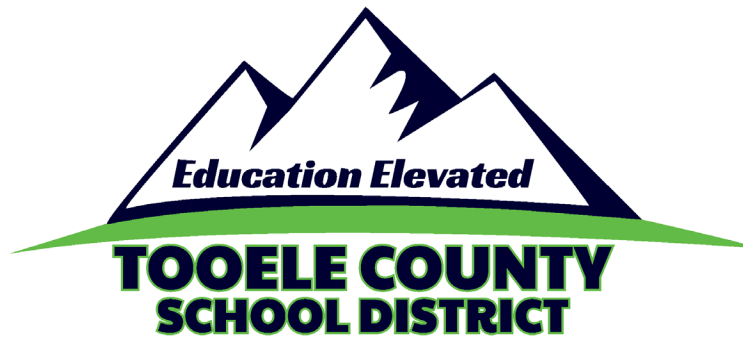
Utah Code § 53G-9-202

Utah Code § 53G-69-801, et seq.

Utah Administrative Rule R277-419

Cross References

Tooele County School District Policy 7007



COMPULSORY SCHOOL ATTENDANCE LETTER

First Notification

July 17, 2024

Dear Parent:

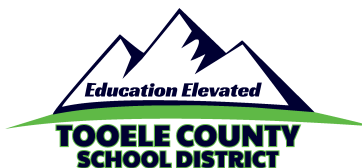
By law, the Tooele County School District is required to provide written notice to parents of students in grades 1-12 about Compulsory Education prior to the beginning of a school year. This document also becomes a notification to students who move into the Tooele County School District during the school year.

Attached to this letter is a copy of the Tooele County School District Compulsory Attendance Policy and the Utah Code 53-A-11-103.

School attendance is very important. Every absence from school interferes with your child's opportunity to learn. Tooele County School District administrators and teachers look forward to assisting parents with getting students to school.

Sincerely,

Dr. Mark Ernst
Superintendent



Book	Policies
Section	06000 School Conduct and Discipline
Title	Philosophy of Safe School conduct and Discipline
Code	6001
Status	Active
Adopted	February 3, 1998
Last Revised	October 14, 2014

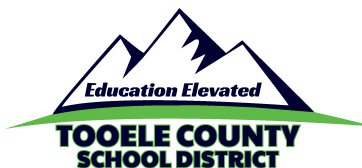
Tooele School District affirms that every student is a person of value, and is committed to help each student reach his or her potential.

In order to be successful in teaching basic skills the school must also teach basic behavior skills. The student who has learned a repertoire of appropriate behaviors will be prepared to learn and to achieve to his or her potential.

The application of discipline should be directed toward improving individual and group behavior, and toward creating and maintaining an atmosphere conducive to learning, order, safety, and control. This method of obtaining discipline places major emphasis on training, individual responsibility, and mutual respect. Discipline so conceived is developmental rather than punitive. Based upon faith in the worth and dignity of each individual, discipline becomes a guide rather than a punitive device.

Should corrective action become necessary, the measures taken should be positive, constructive, fair, and directed toward educational ends. All concerned must understand that the purpose of such action is to teach appropriate, alternative behavior. As with every other learned skill, some students seem to acquire behavior skills automatically while others require extensive remedial assistance. Schools must expect every range of ability in this area as in every other. Prior to the assessment of any penalties under this policy, the student shall be entitled to a notice and hearing before the school administrator.

The Tooele County School District Board of Education also recognizes that the use, possession, distribution, or sale of alcohol, drugs, or drug paraphernalia constitutes a hazard to the welfare of students, staff, and education programs, and is illegal under the laws of the State of Utah. Alcohol and drug education programs which provide students with the opportunity to build skills, enhance self-concepts, and assimilate information on the harmful effects of alcohol and drugs will be included in the district K-12 curriculum. These programs are designed to have a positive effect upon student values and aid in preventing the abuse of these substances. The Board supports the concept that parents share a responsibility with the school in attempting to prevent or intervene with problems of substance abuse, and further, that parents should seek help from public and private agencies when their child has substance abuse problems.



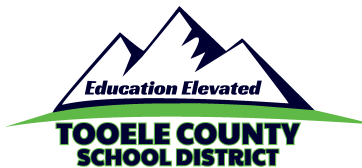
Book	Policies
Section	06000 School Conduct and Discipline
Title	Goals and Objectives
Code	6002
Status	Active
Adopted	February 3, 1998

The primary purpose of education in our country is to maintain, perpetuate and improve our American way of life. The school is the social agency through which this purpose is to be achieved. In order to maintain a school "climate" in which the children and youth of our country can live, learn, and flourish, it is vitally necessary for all students to assume responsibility for their behavior while enrolled in the public schools in Tooele County.

Therefore, in order to aid students in making appropriate decisions governing their behavior, a standard of conduct identifying rules and procedures has been established.

While the rules are not intended to be exclusive, they are illustrative of the types of behavior that are inconsistent with the proper maintenance and function of an effective program in our school system. These standards of student conduct are to be applied and enforced in addition to other rules in effect at any individual school in our system with due respect for the constitutional rights of every student.

The objective of these standards is to establish in one compilation such rules with regard to the conduct of students in the Tooele County Schools which have been deemed appropriate and necessary for the maintenance of a wholesome "school climate" and which shall be applicable to all students.

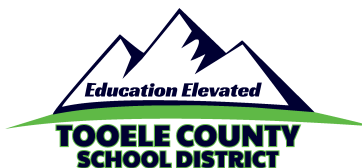


Book	Policies
Section	06000 School Conduct and Discipline
Title	General Discipline Authority
Code	6003
Status	Active
Adopted	March 3, 1998

If a particular type of conduct has the effect of disrupting the learning atmosphere, it should be subject to regulation. The Board retains discretion in promulgating regulations for the proper conduct of students.

This policy is adopted by the Board of Education of the Tooele County School District pursuant to Utah Code Annotated Sections 53A-11-901 through 907 and Gun Free Schools Act 18 U.S.C. Section 3351. It is the intent of the Board to provide every student in the district with the opportunity to learn in an environment which is safe, conducive to the learning process, and free from unnecessary disruption. The Board has invited and received input from district employees, parents and guardians of students, students, and the community. The Board now adopts this policy, based on the principle that every student is expected to follow rules of conduct, and to show respect for others and to obey persons in authority at the schools.

Legal	Utah Admin. R. 300-609-3
	Gun Free Schools Act 18 U.S.C. Section 3351
	Utah Code Annotated Sections 53A-11-901 through 907



Book	Policies
Section	06000 School Conduct and Discipline
Title	Delegation of Authority
Code	6004
Status	Active
Adopted	March 3, 1998

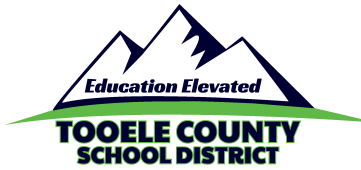
The Board hereby delegates the authority to school administrators to take the necessary steps to provide a safe environment for learning to take place.

Students should be aware that certain behavior outlined herein and in other policies of the district, is unacceptable and will result in disciplinary action. The Superintendent and his/her designees will enforce district policies with the aim to make students and their parents or guardians understand that unacceptable behavior will not be tolerated and will be dealt with in accordance with the Board's discipline policies.

The building principal of each attendance area in Tooele County School District, under the supervision of the Superintendent of Schools, is authorized by the Board of Education to establish individualized rules and regulations deemed necessary for the proper operation and administration of his/her school. Such rules and regulations may supplement the rules established in this policy. Building principals should consult with faculty members, community groups, and in areas of practicality with student councils, in the preparation of a school's rules and regulations.

The Board hereby delegates its authority to suspend students to principals and vice-principals in each school in the district for up to ten days. The Board hereby delegates its authority to suspend a student for up to one school year to the District's Superintendent or Superintendent's designee.

Legal	18 U.S.C. § 3351(1) U.C.A. § 53A-11-901
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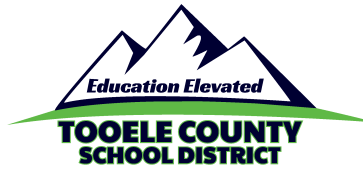


Book	Policies
Section	06000 School Conduct and Discipline
Title	Student Rules - Applicability
Code	6005
Status	Active
Adopted	March 3, 1998

Student Rules of Conduct and the Policies adopted by the Board of Education shall apply to all students enrolled in the Tooele County District and shall apply to students when they are at District campuses, school property or buildings, while at or traveling to or from school activities and at other areas designated by the Board of Education as a School Campus even if such area is not owned by the School District.

A. Tooele City Park: Designated as School Campus

Since the Tooele City Pool at the Tooele City Park has been leased by the School District and is used as an instructional setting and the Tooele City Park is regularly used by students for parking and other school purposes, the Board of Education hereby designates the Tooele City Park and adjoining parking areas as a part of the campus of the Tooele High School. Students at the Tooele City Park and adjoining parking areas are subject to the jurisdiction of the Tooele County Schools, their administrators, teachers, or agents during school hours and school activities including one half hour prior thereto and one half hour thereafter. The Student Rules of Conduct and Board Policies of the Tooele County School District shall apply to the Tooele City Park, during said school hours and activities.

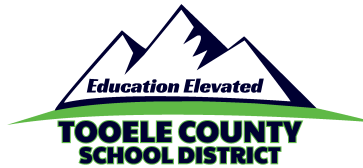


Book	Policies
Section	06000 School Conduct and Discipline
Title	Publication of Discipline Policies
Code	6006
Status	Active
Adopted	March 3, 1998
Last Revised	October 13, 2020

A copy of this policy and a school's individual conduct and discipline policy shall be given to each student upon enrollment in the school. Each student transferring from a non-district school shall receive a copy of the policies. U.C.A. § 53G-8-204.

A copy of this policy and a school's individual conduct and discipline policy shall be posted in a prominent place in each school in the district. Any significant change to these policies shall be posted in each school in the district. U.C.A. § 53G-8-204).

Legal U.C.A. § 53G-8-204



Book	Policies
Section	06000 School Conduct and Discipline
Title	Standards for Individual School Discipline Programs
Code	6007
Status	Active
Adopted	March 3, 1998

Each school in the district shall develop a discipline program which shall include at least the following:

A. In-service

In-service sessions will be held each year that will develop and train educators in classroom management, intervention techniques, and behavior modification which will include positive reinforcement, consistency, and modeling appropriate behaviors.

B. Self-discipline

Each school's discipline plan will include a plan to help students learn to be effective decision makers and problem solvers who demonstrate elements of self-direction, self-responsibility, and self-discipline. This should include a reward system for "model" behavior.

C. Evaluation

Each school will develop an evaluative committee that will include faculty, students, and parents to evaluate the goals and objectives of the schools discipline plan and to make recommendations for up-dates and possible changes.

D. Rules Committee

Each school in Tooele School District shall organize a Rules Committee to effectively implement this policy. This committee may include the following: A representative from faculty, students or a student council representative(s), community groups and administration. The committee shall be chaired by the school administrator or his/her designee. In addition to these committees it is suggested that schools utilize their student councils and faculties to develop and strengthen desirable behaviors.

E. Procedures

This discipline policy should be implemented through a series of conferences designed to sequentially enlarge the circle of school-community resources needed to help students having difficulty learning appropriate school behaviors. The school policy should provide for such students to be advised, counseled, restricted, and suspended while focusing on teaching the desired behaviors. If it is ultimately agreed that when a student's behavior has become habitually disruptive or that the student will not profit from the school experience, that such a student shall be recommended for release from school.

F. Conferences

A conference may be a positive, helpful, problem-solving process. Effective problem-solving requires an empathetic, understanding attitude. A record of all conferences should be kept and filed for future reference. Possible steps to use during the conference include:

1. Define the problem
2. Generate several possible solutions
3. Evaluate possible solutions
4. Decide upon a mutually satisfactory solution
5. Establish a reasonable time frame
6. Implementation procedures
7. Monitoring of the student's behavior
8. Evaluation of results at the end of the agreed upon time frame

G. Student-Teacher Conference

A Student-Teacher conference shall take place when acts of misconduct or academic problems are of a minor nature (which may be interpreted as a signal for help). Student-Teacher conference should take place prior to a referral to counselor, vice principal, or principal. If a record of this conference is made it should be signed by both student and teacher.

H. Student-Teacher-Parent Conference

A Student-Teacher-Parent Conference should take place if the student behavior has not improved as agreed upon at the Student-Teacher Conference. If a record of this conference is made it should be signed by the student, parent, and teacher.

I. Student-Counselor Conference

If the student continues to have difficulty, the teacher may contact the student's counselor, provide him/her with a copy of the records of previous conferences and any other pertinent data accumulated since the Student-Teacher-Parent Conference.

The purpose of this conference is to determine what other school or community resources are needed to help the student learn more appropriate behaviors than those causing the referral.

If a record of this conference is made it shall be signed by the student and counselor.

J. Student-Principal Conference

Students who commit serious offenses or students who have aggravated problems shall be referred to the principal. The purpose of the conference with the principal is to:

1. Review the problem and previous action(s) taken on behalf of the student.
2. Allow the student to have an opportunity to review the allegation and to respond to the person(s) who have made the referral.
3. Determine what further action is required to help the student learn more appropriate behavior.
4. Specify those persons responsible for whatever action is outlined. A record of this conference shall be made and signed by the student and principal. A copy shall be sent to the referring teacher, the parents, and the student's cumulative record.

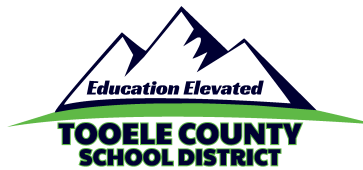
K. Teacher Authority

A teacher may send a student to the Principal's office in order to maintain effective discipline in the classroom. The Principal shall respond by employing appropriate discipline management techniques.

A teacher may request the removal of a student who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class. Not later than the third class day after the day on which the student is removed from the class, the administrator shall schedule a hearing among the Administrator, teacher, parent or guardian of the student, and the student.

Following the hearing, and whether or not all requested parties are in attendance after valid attempts to require their attendance, the Principal shall take one or more of the following actions:

1. Place the student back in class.
2. Assign the student to an alternative educational placement.
3. Suspend the student for a period not to exceed six days.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Grounds for Suspension or Expulsion
Code	6008
Status	Active

A. A student may be suspended or expelled from school for participation in any of the following prohibited behavior(s) when it occurs in a school building, in or on school property, in conjunction with any school-sponsored activity, or when it occurs in the presence of or is directed at or against another student or a district employee. If a student has a disability under IDEIA or Section 504, refer to Sections 11.23-11.29 of TCS policy manual.

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

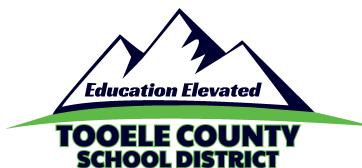
1. Frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language;
 2. Willful destruction or defacing of school property;
 3. Behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students or school personnel or to the operation of the school;
 4. Possession, control, or use of an alcoholic beverage as defined in Section 32A-1-105 or a tobacco product; or
 5. Possession of prescription drugs not in the possession of the person prescribed for; or possession of more prescription drugs than are needed for the school day or school activity during which they are to be used.
 6. Unexcused absences or being tardy from school attendance.
 7. Failure to follow school rules.
 8. Gambling.
 9. Behavior proscribed under the following section which threatens harm or does harm to the school or school property, to a person associated with the school, or property associated with any such person, regardless of where it occurs.
 10. Hazing, demeaning, or assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under Utah law.
- B. Hazing is a criminal offense under Utah law. A person is guilty of hazing if that person intentionally, knowingly, or recklessly commits an act or causes another to commit an act that:
1. Endangers the mental or physical health or safety of another; or
 - a. Involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements; or
 - b. Involves consumption of any food, liquor, drug, or other substance or any other physical activity that endangers the mental or physical health and safety of an individual; or
 - c. Involves any activity that would subject the individual to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects another to extreme embarrassment, shame, or humiliation; or
 - d. Involves cruelty to any animal; and
 2. Is for the purpose of initiation, admission into, affiliation with, holding office in, or as a condition for continued membership in any organization; or
 3. If the person knew that the victim is a member of or candidate for membership; with a school team or school organization to which the person belongs or did belong within the preceding two years. U.C.A. § 53A-11-904
 4. To be knowingly present where conduct that is prohibited by this policy is taking place.
 5. Failure of a student to fully cooperate in reasonable and appropriate school or law enforcement investigations relative to any violation of this policy or school rules.
 6. A student may be denied admission to a public school on the basis of having been expelled from that or any other school during the preceding 12 months.

C. A suspension or expulsion under this Section is not subject to the age limitations under U.C.A. Subsection 53A-11-102(1).

Legal

U.C.A. Subsection 53A-11-102(1)

U.C.A. § 53A-11-904



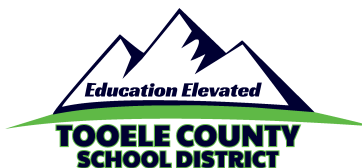
Book	Policies
Section	06000 School Conduct and Discipline
Title	Grounds for Mandatory Suspension or Expulsion
Code	6009
Status	Active
Last Revised	May 9, 2017

A student shall be suspended or expelled from school for any of the following reasons:

- a. Any serious violation affecting another student or a staff member.
- b. Any serious violation occurring in a school building, in or on school property, or in conjunction with any school activity, including the possession of a real or pretend weapon, explosive, or noxious or flammable material under U.C.A. § 53A-3-502.
 1. Weapons may include, but are not limited to, firearms, knives, explosives, fireworks, chemical devices or any object used to cause harm to another individual.
 2. If a pretend weapon is necessary for a school approved program (Criminal Justice competition, Drill team, School Play, Etc.), written approval will be given by the principal prior to the use of the pretend weapon. Use of the pretend weapon will occur only under the direct supervision of the program advisor/teacher. While not in use, all pretend weapons will be securely stored.
- c. The possession, sale, control, or distribution of a drug or controlled substance as defined in U.C.A. § 58-37-2, an imitation controlled substance defined in U.C.A. § 58-37b-2, or drug paraphernalia as defined in U.C.A. § 58-37a-3.
- d. The commission of an act involving the use of force or threatened use of force which if committed by an adult would be a felony or class A misdemeanor.
- e. A student who commits a violation of this section involving a weapon, either real or pretend, explosive, or flammable material shall be expelled from school for a period of not less than one year, unless the district superintendent, or designee, determines, on a case-by-case basis, that a lesser penalty would be more appropriate.

A suspension or expulsion under this Section is not subject to the age limitations under U.C.A. Subsection 53A-11-102(1).

Legal	UCA § 58-37b-2
	UCA § 58-37a-3
	UCA § 58-37-2
	UCA § 53A-11-904
	UCA § 53A-11-102(1)
	UCA § 53A-3-502

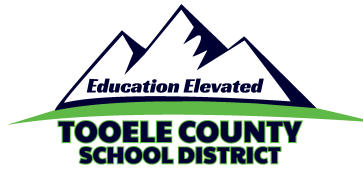


Book	Policies
Section	06000 School Conduct and Discipline
Title	Alternatives to Suspension
Code	6010
Status	Active

Schools may provide alternative educational placements to suspension when the students' conduct alternatives may include but are not to be limited to:

1. Parents in the Classroom: When it has been determined that a student shall be suspended for any period of time, the parent, or guardian, upon meeting with the principal or assistant principal, and with the consent of the teacher or teachers, shall be given the option of attending all classes with the student in lieu of excluding the student from school during the period of suspension. The parent or guardian must agree to attend all of the student's classes with the student for each day of the suspension, if this option is accepted. If the parent or guardian wishes to accept this option, the student shall not be excluded from classes for the period of suspension provided the student's parent or guardian attends every class with the student. If the parent or guardian fails to attend a class period with the student, or does not agree to attend class with the student, then the student will be excluded from classes and school activities from that time forward for the remaining period of suspension.
2. In-School Suspension: Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.
3. Saturday School: Saturday School may be provided at the discretion of the building administrator. Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.
4. Extended Day/Night Classes: Extended Day/Night Classes may be offered. Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.

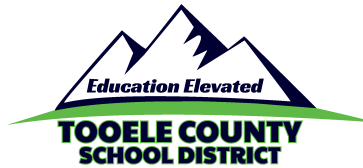
Legal	U.C.A. Subsection 53A-11-102(1)
	U.C.A. § 53A-11-906
	U.C.A. § 53A-11-904



Book	Policies
Section	06000 School Conduct and Discipline
Title	Continued Educational Services for Suspended Students - Responsibility of Parent or Guardian
Code	6011
Status	Active

- A. If a student is suspended or expelled from a school under these policies for more than 10 school days, the parent or guardian is responsible for undertaking an alternative education plan which will ensure that the student's education continues during the period of suspension or expulsion.
- B. The parent or guardian shall work with designated school officials to determine how that responsibility might best be met through private education, an alternative program offered by or through the district, or other alternative which will reasonably meet the educational needs of the student.
- C. The parent or guardian and designated school official may enlist the cooperation of the Division of Child and Family Services, the juvenile court, or other appropriate state agencies to meet the student's educational needs.
- D. Costs for education services which are not provided by the school district are the responsibility of the student's parent or guardian.
- E. The school district shall maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the individual student's transcript.
- F. The district shall contact the parent or guardian of each suspended or expelled student under the age of 16 at least once each month to determine the student's progress.
- G. This section applies to students with disabilities to the extent permissible under applicable law or regulation.
- H. If application of any requirement of this section to a student with a disability is not permissible under applicable law or regulation, the responsible school authority shall implement other actions consistent with the conflicting law or regulation which shall most closely correspond to the requirement of this part.

Legal	U.C.A. §53A-11-907
	U.C.A. §53A-11-102(1)
	U.C.A. §53A-11-904



Book	Policies
Section	06000 School Conduct and Discipline
Title	Procedures for Suspension
Code	6012
Status	Active

- A. If the conduct described does not require mandatory suspension, or mandatory expulsion, the principal or assistant principal, at his/her discretion, may suspend the student for up to ten days, and in addition may recommend that the Superintendent suspend the student for up to an entire school year, or its equivalent imposed over consecutive portions of two school years.
- B. If the conduct described requires mandatory expulsion/suspension, then the principal or assistant principal shall suspend the student for ten days and in addition shall recommend that the superintendent suspend the student for up to an entire school year, or its equivalent imposed over consecutive portions of two school years.
- C. If a student is suspended for a period of time less than or equal to ten days, the principal or assistant principal shall immediately provide notice to the student's parent or guardian. Notice shall, if possible, be given by telephone. If reasonable efforts to contact the parent or guardian by telephone are unsuccessful, then written notice shall be sent to the parent or guardian. The notice, whether verbal or written, shall include the following:
1. That the student has been suspended.
 2. The grounds for the suspension.
 3. The period of time for which the student is suspended.
 4. The date, time and place for the parent or guardian to meet with the principal or assistant principal to review the suspension. This meeting shall be scheduled to occur as soon as is practicable, but in all cases prior to the end of the tenth day of the suspension.

If the principal or assistant principal has recommended that the Superintendent suspend the student for a period longer than ten days, that fact shall be included in the notice to the parent or guardian. The student shall also attend the meeting.

- D. At the meeting with the student, the parent or guardian, and the principal or assistant principal, the student shall be informed of the charges and evidence against him. If the student denies the charges he shall be given an opportunity to tell his side of the story. If the parent or guardian and/or the student fails or refuses to attend the meeting at the scheduled date, time and place, and reasonable efforts to contact them are unsuccessful, the principal or assistant principal shall mail notification to the parent or guardian describing the charges against the student and the evidence against him. *Goss v. Lopez*, 410 U.S. 565 (1975)
- E. Upon the conclusion of the meeting or upon a determination that the parent or guardian has not appeared for the meeting, the principal or assistant principal shall take one of the following actions, if the reported conduct provides for discretionary suspension/expulsion:
1. Take no further disciplinary action to extend the suspension beyond the previous stated period of suspension.
 2. Increase the time of suspension up to a total of ten days.
 3. Increase the time of suspension up to a total of ten days, with a recommendation to the superintendent that the student be suspended for a period of time greater than ten days up to an entire school year or its equivalent imposed over consecutive portions of two school years.

Rescind the suspension already imposed and return the student to classes or impose disciplinary measures not including suspension.

- F. If the student is expelled for willful disobedience, defiance of authority or disruptive behavior which is not so violent or extreme that immediate removal is required, then good faith efforts shall be made to implement a remediation plan that would allow the student to return to school.
- G. If the reported conduct requires mandatory suspension or expulsion the Principal or Assistant Principal shall increase the time of suspension up to a total of ten days, with a recommendation to the superintendent that the student be suspended for a period of time equivalent to an entire school year, or be imposed as necessary over consecutive portions of two school years.

- H. The following guidelines shall be considered when it has been determined that a student has violated the controlled substance policies as indicated. Deviations from these guidelines may be made when the individual circumstances warrant such a deviation.
1. When a student violates the provisions of this policy regarding the possession or control of a drug or controlled substance as defined in U.C.A. § 58-37-2, an imitation controlled substance defined in U.C.A. § 58-37b-2, or drug paraphernalia as defined in U.C.A. § 58-37a-3 or under circumstances when a student is knowingly present where use or possession is taking place the following action should be considered:
 - a. For the first violation the student should be immediately suspended from school for three (3) to ten (10) days. Prior to re-admittance the student and parents shall sign a contract agreeing to comply with this policy and school rules. The student shall successfully complete an approved drug and alcohol program at the student or parent's expense.
 - b. For the second violation the student should be immediately suspended from school for ten (10) days. The student may also be placed on a home-bound alternative education program for a minimum period of six (6) weeks. The principal after consultation with the Superintendent may grant re-admittance to the school when the student demonstrates a readiness to return. The student may be requested to successfully complete an approved alcohol and drug treatment program prior to consideration for re-admittance at the student or parent's expense and may be required to demonstrate by reliable evidence that he or she is drug free.
 - c. For the third violation the student should be immediately suspended from school for ten (10) days. The student may also be suspended for a longer period of time as may be appropriate and may be placed on a home-bound alternative educational program for at least the remainder of the year. The Superintendent may with a recommendation of the Principal, grant re-admittance to the school when the student demonstrates a readiness to return. The student may be requested to successfully complete an approved alcohol and drug treatment program prior to consideration for re-admittance at the student or parents' expense and be required to demonstrate by reliable evidence that he or she is drug free.
 2. When a student violates the provisions of this policy regarding the distribution or sale of a drug or controlled substance as defined in U.C.A. § 58-37-2:
 - a. For the first violation the student should be immediately suspended from school for ten (10) days. The Principal and Superintendent should consider whether a suspension for longer than ten (10) days or expulsion is appropriate and may direct placement on a homebound alternative educational program for at least nine (9) weeks. The Superintendent, with a recommendation of the Principal, may grant re-admittance to the school when the student demonstrates a readiness to return. The student shall be requested to successfully complete an approved alcohol and drug treatment program prior to consideration for re-admittance at the student or parents' expense and may be required to demonstrate by reliable evidence that he or she is drug free.
 - b. For the second violation the student should be suspended or expelled from school for at least one (1) year.
 - I. If the principal or assistant principal recommends suspension for a period greater than ten days, he or she shall notify the Superintendent of that recommendation as soon as possible. The Superintendent shall then schedule a hearing to be held with the student's parent or guardian, the student and the Superintendent. The hearing shall be scheduled to take place prior to the tenth day of the student's suspension where possible.
 - J. The superintendent shall provide written notice of the date, time and place of the hearing to the student and his/her parent or guardian. The notice shall include a statement of the charges against the student, that suspension has been recommended beyond the ten-day suspension imposed by the principal or assistant principal, and the period of time for which suspension has been recommended.
 - K. The superintendent or the superintendent's designee shall preside at and conduct the hearing at the appointed time and place. A person of their choice may represent each the district and the student. Each side may present witnesses, cross-examine witnesses and make legal arguments relevant to the issues. An audio recording device shall record this hearing.

At the conclusion of the hearing, the Superintendent or designee shall make a final determination of the matter, and shall state his/her determination to those attending the hearing. The determination shall then be placed in writing and mailed to the student and his parent or guardian.

If the conduct provides for discretionary suspension/expulsion, then the determination shall be one of the following:

1. No further disciplinary action beyond the ten day suspension imposed by the principal or assistant principal.
 2. Rescission of the suspension already imposed and return the student to classes.
 3. An increase in the time of suspension for a period up to an entire school year or its equivalent imposed over consecutive portions of two school years.
- L. If the conduct requires mandatory suspension or expulsion then the determination shall be one of the following:
1. Rescission of the suspension already imposed and return the student to classes.
 2. An increase in the time of suspension for a period up to or equivalent to an entire school year, imposed as necessary over consecutive portions of two school years.

3. When it has been determined that a student shall be suspended for any period of time, the parent or guardian, upon meeting with the principal or assistant principal, shall be given the option of attending all classes with the student in lieu of excluding the student from school during the period of suspension. The parent or guardian must agree to attend all of the student's classes with the student for each day of the suspension, if this option is accepted. If the parent or guardian wishes to accept this option, the consent of the student's teachers shall be requested. If granted, the student shall not be excluded from classes for the period of suspension provided the student's parent or guardian attends every class with the student. If the parent or guardian fails to attend a class period with the student, or does not agree to attend class with the student, then the student will be excluded from classes and school activities from that time forward for the remaining period of suspension.
4. A recommendation of expulsion to the Board of Education when the Superintendent recommends that a student be expelled for a period in excess of one year or an indefinite period of time. The Student shall be temporarily suspended until the Board of Education reviews the record of the hearing conducted by the Superintendent and enters its determination. The Board of Education shall hold a hearing and shall allow the Student, his or her parents or guardians and a representative to attend and participate. Written Notice of the hearing shall be provided by the Superintendent. The Board may rely solely on the record of the hearing conducted by the Superintendent or it may allow additional evidence to be presented upon good cause shown. Upon conclusion of the hearing the Board may expel the student from school or may take any other action authorized by law. The decision of the Board of Education shall be placed in writing and mailed to the student and his parent or guardian.

Legal

Goss v. Lopez, 410 U.S. 565 (1975)

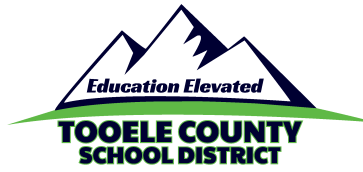
UCA § 58-37b-2

UCA § 58-37a-3

UCA § 58-37-2

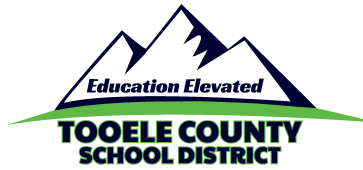
UCA § 53A-11-102(1)

UCA § 53A-11-904



Book	Policies
Section	06000 School Conduct and Discipline
Title	Annual Review of Expelled Students
Code	6013
Status	Active
Last Reviewed	October 13, 2020

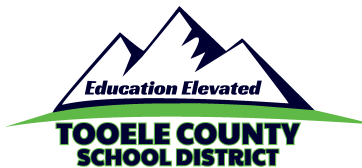
The Superintendent or designee shall review the expulsion of any student expelled by the Board of Education at least annually and report to the board his conclusions.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Provisions for Extended Suspension
Code	6015
Status	Active

A suspended student shall immediately leave the school building and school grounds following a determination by the parent or guardian of the student and the school of the best way to transfer custody of the student to the parent or guardian.

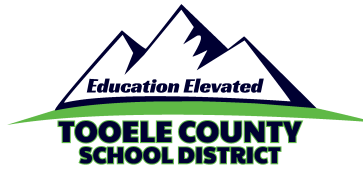
A suspension may not extend beyond 10 days unless it is determined by the District's case management team (CMT) that an extended suspension is appropriate based on District policy.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Expulsion Checklist
Code	6016
Status	Active

As a helpful guideline to follow when any student is expelled, district personnel may consider the following nonbinding checklist:

1. Has the policy been distributed to all students?
2. Are copies of and all changes to the policies posted?
3. Has the student exhibited conduct defined in the policies and the statutes?
4. To whom has the authority to suspend been delegated?
5. Has the student's parent or guardian been notified:
 - a. That the student has been suspended,
 - b. The grounds for the suspension,
 - c. The period of time of suspension and
 - d. Time and place of informal hearing?
6. How long has the student been suspended? If more than ten days, has the required informal hearing taken place?
7. What alternatives to suspension have been offered?
8. Is the student disabled under IDEA or Section 504? If so, provisions of those laws must be followed.

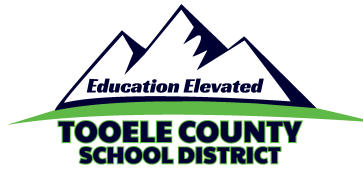


Book	Policies
Section	06000 School Conduct and Discipline
Title	Detention of Students After Regular School Hours
Code	6017
Status	Active

Students in grades K through six may be detained in school after regular school hours in the event the responsible school administrator determines that such action is justified in disciplining the student. No student may be detained after regular school hours until his or her parent or guardian has received prior notice of the detention to take place on a particular school day.

The notice provided for under this policy need not be completed prior to detention of the student if detention is necessary for the student's health or safety.

Legal	UCA § 53A-3-415 Utah Admin. R 277-609
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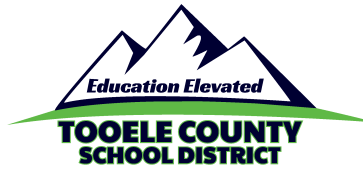
Book	Policies
Section	06000 School Conduct and Discipline
Title	Withholding Goods - Payment for Damage
Code	6018
Status	Active

If the district determines that school or district property has been lost or willfully cut, defaced or otherwise injured by a student, the district may withhold the issuance of official written grade reports, diplomas and transcript of the student responsible for the damage or loss until the student or student's parent or guardian has paid for the damages.

No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.

If the Department of Human Service or a licensed child placing agency has been granted custody of the student, that student's record, if requested by the department or agency, may not be withheld from the department or agency for non-payment of damages under this section.

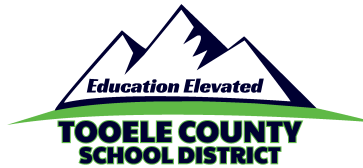
Legal	U.C.A. § 53A-11-806
	U.C.A. § 53A-11-806(5)
	U.C.A. § 53A-11-806 (6)



Book	Policies
Section	06000 School Conduct and Discipline
Title	Defacing or Damaging School Property-Work Program Alternative
Code	6019
Status	Active
Last Revised	November 10, 2020

- A. A student who willfully defaces or otherwise damages any school property may be suspended or otherwise disciplined.
- B. If a school's property has been lost or willfully cut, defaced, or otherwise damaged, the school may withhold the issuance of an official written grade report, diploma, or transcript of the student responsible for the damage or loss until the student or the student's parent has paid for the damages. The student's parent is liable for damages as otherwise provided in Section 78A-6-1113 of the Utah Code.
- C. If the student and the student's parent are unable to pay for the damages or if it is determined by the school in consultation with the student's parent that the student's interests would not be served if the parent were to pay for the damages, the school shall provide for a program of work the student may complete in lieu of the payment. The school shall release the official grades, diploma, and transcripts of the student upon completion of the work.
- D. Before any penalties are assessed under this section, the school shall adopt procedures to ensure that the student's right to due process is protected.
- E. No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.
- F. If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, the student's records, if requested by the department or agency, may not be withheld from the department or agency for nonpayment of damages under this section.

Legal U.C.A. § 53G-8-212



Book	Policies
Section	06000 School Conduct and Discipline
Title	Notification Received from Juvenile Court (Superintendent to Notify Schools)
Code	6020
Status	Active
Last Revised	February 8, 2022

Notifications received from the Juvenile Court pursuant to U.C.A. § 78-3a-516(1)(b) shall be governed by this policy.

A. Superintendent to Notify Principal

1. Within three days of receiving a notification from juvenile court or a law enforcement agency that a student of the district has been taken into temporary custody or admitted to a detention facility for a violent felony as defined by [Utah Code § 76-3-203.5](#) or a violation of Utah Code Title 76, Chapter 10 Part 5, Weapons, the superintendent shall notify the principal of the school that the juvenile attends or last attended. The superintendent shall inform the principal:
 - a. The name of the student
 - b. The offense for which the student was taken into temporary custody or admitted to detention; and
 - c. If available, the name of the victim, if the victim is a student of the District and;
 - i. Resides in the District; or
 - ii. Attends the same school as the student in custody.
2. Within three days of receiving a notification that a student of the District has been adjudicated for an offense of violence or an offense in violation of Utah Code Title 76, Chapter 10, Part 5, Weapons, the superintendent shall notify the principal of the school that the student attends or last attended. The superintendent shall inform the principal:
 - a. the name of the student.
 - b. The offense for which the student was adjudicated.
 - c. If available, the name of the victim, if the victim is a student of the District and;
 - i. Resides in the District; or
 - ii. Attends the same school as the student in custody.
3. Within three days of receiving notification of a juvenile court's disposition and orders following a detention hearing for a student of the District who is alleged to have committed a violent felony as defined by [Utah Code § 76-3-203.5](#) or a violation of Utah Code Title 76, Chapter 10, Part 5, Weapons, the superintendent shall inform the principal of the court's disposition and orders.
4. Upon receipt of the information from the superintendent, the principal shall make a notation in a secure file other than the student's permanent file and shall, with the school multidisciplinary team, use the information to assess the level of threat the student poses, including potential for self-harm, suicide ideation, harm to others, or harm to school property. In making this assessment, the principal and multidisciplinary team shall use an evidence-based threat assessment approved by the State Board of Education.
[Utah Code § 53G-8-402 \(2021\)](#)
[Utah Code § 53G-8-403 \(2018\)](#)
[Utah Code § 80-6-102\(19\) \(2021\)](#)
[Utah Code § 80-6-103 \(2021\)](#)
[Utah Admin. Rules R277-736-3\(1\) to \(3\) \(June 22, 2020\)](#)

B. Dissemination of Information to School Staff

1. The principal and the multidisciplinary team shall determine, based on the level of threat posed by the student, the appropriate school staff who should receive the information about the student. In cases where the information demonstrates possible imminent harm to the student or others, the principal may share information as necessary to ensure the safety of the student, the victim, and the school's general population without first consulting with the multidisciplinary team. In determining what information should be shared and which staff members should receive the information, the principal and multidisciplinary team should share only the information and data needed to ensure the safety of the student, the victim, and the school's general population.
Utah Admin. Rules R277-736-3(1), (4), (5) (June 22, 2020).
 2. The superintendent, principal, and any other staff member notified by the principal shall not intentionally cause the information to become public knowledge.
- C. Action Against Student Based on Information
1. Any action taken against a student based on the information received must be consistent with restorative justice practices.
Utah Admin Rules R277-736-3(6) (June 22, 2020).

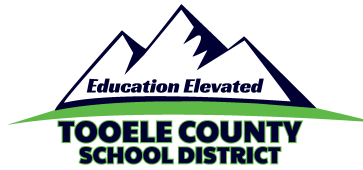
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U.C.A. § 78-3a-516(1)(b)

U.C.A. § 53A-11-1002

U.C.A. § 53A-11-1003

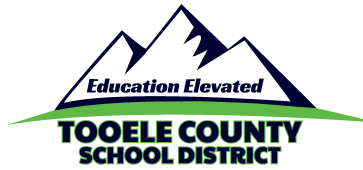
U.C.A. § 53A-11-1004(1)



Book	Policies
Section	06000 School Conduct and Discipline
Title	Notification of Weapons on School Property
Code	6021
Status	Active

Whenever a student is found on school property during school hours or a school sponsored activity in possession of a dangerous weapon and that information is reported to or known by the principal, the principal shall notify appropriate law enforcement personnel as well as school and district personnel who, in the good faith opinion of the principal, should be informed.

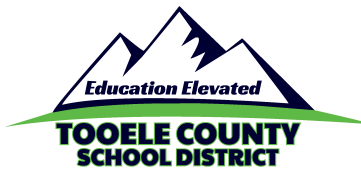
Legal	U.C.A. § 53A-11-1101
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Book	Policies
Section	06000 School Conduct and Discipline
Title	Students With Disabilities
Code	6022
Status	Active
Last Revised	February 3, 2009

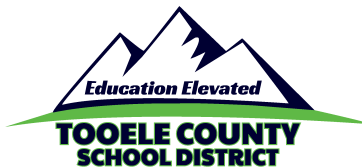
This Section includes rules and regulations to be used for students with disabilities. The term "students with disabilities" includes students who have been identified and are being served under IDEIA (Individuals with Disabilities Improvement Act) of 2004 and/or Section 504 of the Rehabilitation Act of 1973.

The procedures outlined within the main body of the discipline policy apply to students with disabilities. This Section outlines specific requirements/safeguards which must be made in accordance with Utah State Board of Education Rules and Federal Regulations.



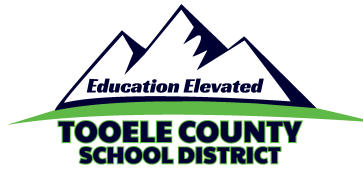
Book	Policies
Section	06000 School Conduct and Discipline
Title	Short Term Suspension from School - Students with Disabilities
Code	6023
Status	Active
Last Revised	February 3, 2009

- A. A student with disabilities may be suspended from school for a period not to exceed 10 official school days if the School District, after following the procedures in paragraph 2 below determines that:
 - 1. Maintaining the student in his/her current placement is substantially likely to result in injury to self or to other persons; or
 - 2. The student has engaged in conduct which would otherwise warrant suspension or removal for a non-disabled student.
- B. School personnel may remove a student with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten (10) consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- C. After a student with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal the LEA must provide services to the extent required.
- D. For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and of the same duration as the procedures would be applied to the students without disabilities, except after the 10th day of removal that constitutes a change in placement, the LEA must provide services to the student.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Long Term Suspension from School - Students with Disabilities
Code	6024
Status	Active
Last Revised	February 3, 2009

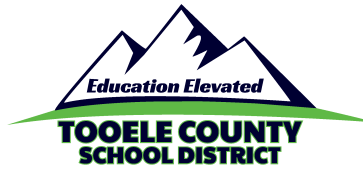
- A. For purposes of removals of a student with a disability from the student's current educational placement, a change of placement occurs if:
1. The removal is for more than ten (10) consecutive school days; or
 2. The student has been subjected to a series of removals that constitute a pattern:
 - a. Because the series of removals total more than ten (10) school days in a school year;
 - b. Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - c. Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.
- B. The LEA determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.
1. In the event the school district needs to suspend a student for more than ten official school days, the school district will request parental written approval for continued suspension, or agreement to an interim alternative educational setting placement.
 2. During a period of continued suspension, the school district shall provide an alternative educational placement to provide educational services as determined by the student's IEP team. The period of continued suspension shall not exceed forty-five (45) school days.
 3. In the event the school district needs to suspend a student for more than ten official school days and the school is not able to obtain parental agreement for an interim placement or continued suspension, the school district may request an order from a hearing officer for a change of placement, or apply to a court of competent jurisdiction for permission to do so. A court of competent jurisdiction is a court to which a state level review decision can be appealed pursuant to Section 615 of IDEIA.
 4. If a disciplinary action that would result in a change of placement is contemplated, a manifestation determination review shall be conducted to determine the relationship between the child's disability and the behavior subject to the disciplinary action. This shall be done within ten (10) days of the decision to take disciplinary action.
 5. If the LEA, the parent, and relevant members of the IEP team make the determination that the conduct was a manifestation of the student's disability, the IEP team must either:
 - a. Conduct a functional behavioral assessment (FUBA), unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the student; or
 - b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and UT State Bd. of Ed. Rules p.89 IV Q 3



Book	Policies
Section	06000 School Conduct and Discipline
Title	Emergency Removal - Students with Disabilities
Code	6025
Status	Active
Adopted	February 3, 2009

Where the student poses an immediate threat to self or others, the school district may promptly suspend him/her for up to ten school days, without prior notice. As soon as possible (no longer than 24 hours), parents will be provided with notice and justification for such action, and procedures begun to remediate the situation. A suspension of more than ten school days constitutes a change of placement, governed by the long term suspension section above.

Legal UT State Bd. of Ed. Rules p. 89 IV Q 3

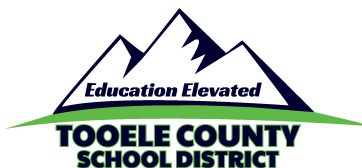


Book	Policies
Section	06000 School Conduct and Discipline
Title	Emergency Situations - Students with Disabilities
Code	6026
Status	Active
Adopted	February 3, 2009

If an emergency situation arises that requires the immediate use of intrusive procedures (as referenced in Least Restrictive Behavioral Interventions*) to protect the individual or others from harm, staff must notify the student's parents within 24 hours. A copy of the Emergency Contact Form** must be submitted to the local Director of Special Education for each emergency occurrence. This form must be submitted within 24 hours of the incident. If an "emergency" behavior occurs more than once per week, two times in a month, or a total of four times in a year, a program must be designed to correct the problem behavior, and the behavior must no longer be considered a crisis and must be addressed in the IEP and through the Local Human Rights Committee procedures.

* The "LRBI" manual may be obtained from any administrator, special educator, or the Director of Special Ed. It may also be obtained online at <http://www.schools.utah.gov/sars/lawsregs/rules.htm>

** The Emergency Contact form can be obtained from the LRBI manual, any special educator, or the Director of Special Education.

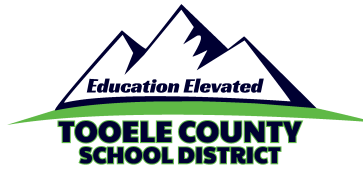


Book	Policies
Section	06000 School Conduct and Discipline
Title	Grounds for Suspension or Expulsion
Code	6027
Status	Active
Adopted	February 3, 2009

School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an LEA;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an LEA; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA.
4. Definitions. For purposes of this section, the following definitions apply:
 - a. Controlled substance means a drug or other substance that cannot be distributed without a prescription, identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC 812(c)).
 - b. Illegal drug means a controlled substance but does not include a drug controlled, possessed, or used under the supervision of a licensed health-care professional or one legally possessed or used under the Controlled Substances Act or under any other provision of Federal law (21 USC 812).
 - c. Serious bodily injury means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty (18 USC 1365). Serious bodily injury does not include a cut, abrasion, bruise, burn, disfigurement, physical pain, illness, or impairment of the function of a bodily member, organ or mental faculty that is temporary (20 USC 1365).
 - d. Weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2-1/2 inches (18 USC 930).

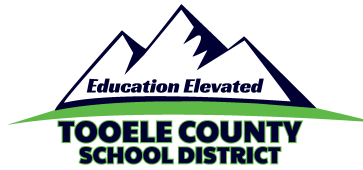
Legal	21 USC 812
	21 USC 812(c)
	20 USC 1365
	18 USC 930
	18 USC 1365



Book	Policies
Section	06000 School Conduct and Discipline
Title	Discipline Checklist for Students with Disabilities
Code	6028
Status	Active
Adopted	February 3, 2009

Six general rules apply to disciplining students with disabilities.

1. All students, disabled and non-disabled, are entitled to certain rights before they can be excluded from public school for any period of time.
2. Expulsion or long-term suspension (removal from school for more than 10 consecutive days) is a "change of placement" for a disabled student that cannot be made without following the procedures of the IDEIA.
3. A manifestation determination review must be conducted to determine the relationship between the child's disability and behavior subject to disciplinary action involving a change of placement.
4. When the suspension of a disabled student is made according to the rules, there can be no complete cessation of services during the suspension period.
5. No matter how dangerous or disruptive a disabled student might be, a LEA cannot, on its own, suspend a student for more than 10 days or expel the student.
6. A LEA can go to court to obtain a court order to temporarily exclude a dangerous or disruptive disabled student.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Case Management Team
Code	6029
Status	Active
Adopted	December 7, 2004
Last Revised	February 8, 2022
Prior Revised Dates	10/05/2010, 02/11/2020

The Case Management Team has been formed in Tooele County School District to manage student placement and safe school issues and to ensure due process for the student.

A. The purpose of the Case Management Team will:

1. Support schools as they deal with serious discipline issues.
2. Assist schools with due process issues to assure that all appropriate steps have been taken in the discipline process.
3. Assure appropriate educational placement of students in the Tooele County School District. (Advanced Placement, Retention, Out-of-Boundary Resolutions, Credit Evaluation, etc.)
4. Provide leadership in the district to develop appropriate educational opportunities for all students.

B. The scope of the Case Management Team will:

1. Review all discipline cases in which a student is recommended for more than ten days suspension from school.
2. Provide a hearing opportunity for cases in which the consequences of student discipline results in a change in educational placement. A change of placement is made only when supported by clear documentation which may include evidence in the following areas:
 - Student/staff safety
 - Disruption which cannot be resolved at the school level
 - Severe, habitual truancy that has not been solved at the school level
 - Other serious incidents of unusual circumstances.
3. Provide clear detailed expectations for referred students, formulating and communicating specific re-entry plans when students are removed from placement in a traditional program.
4. Ensure due process for students is consistent and essential to ensure fair treatment and protection for all.
5. Determine appropriate placement for all Youth in Custody students.
6. Determine credit reductions for students from other districts.
7. Approval of replacement grades.
8. Approve evaluative tools.

C. The Case Management Team will include:

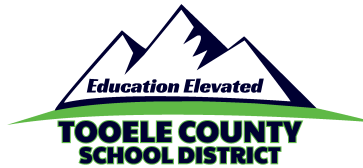
1. Director of Student Services
2. Director of Safety and Emergency Services
3. Safe Schools Coordinator
4. Director or Assistant Director of Special Education
5. Director of Curriculum. (as needed)
6. P Student Services Secretary
7. Administrator from the school presenting the case.
8. The Principal of Blue Peak High School
9. Director of the Youth and Family Resource Center
10. Director of Title I
11. Director of Counseling

12. Behavior Specialist

13. Other members may be added as needs become apparent.

D. Appeal of CMT Decision

1. A student may appeal the determination of the District's case management team (CMT) by filing a written notice of appeal with the Area Director of Boundary school within 10 school days of the date the student is informed of the decision of CMT. A hearing will be scheduled for the Area Director of Boundary school to review the evidence and make a final decision. The Area Director of Boundary school may affirm or modify CMT's decision. The Area Director of Boundary school will issue a written decision within 30 days of receipt of the student's written notice of appeal.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Risk Evaluation for Students
Code	6030
Status	Active
Adopted	November 9, 2004
Last Revised	February 11, 2020

Whenever students indicate that they present a risk or danger to themselves or others, the Tooele County School District has the responsibility to assess that risk and determine the educational placement of the student.

A. Definitions:

1. Risk/Dangerousness: Are conditions and represent a propensity for an individual to exhibit some intentional harmful behavior towards him/herself or others.
2. Risk Assessment: This is a procedure to evaluate the level of supervision or monitoring required to manage a specific student.
3. Predicts Risk Evaluator: A trained evaluator that is appointed by the Tooele County School District Case Management Team (CMT) to give the Risk Evaluation and to respond to the referral questions assessing risk to self/or others.
4. Previdence Risk Evaluation: *Threat of School Violence Worksheet* and/or *Predicts Risk: School Sexual Harassment/Assault Worksheet* are the assessment worksheets used by evaluators. (Hawks, Rick D. *Predicts Risk Threat of School Violence User Manual: A Model for Assessing Imminent Risk*, Ogden, Utah: Hawks 1995).
5. Case Management Team (CMT): A Tooele County School District team composed of the district and school administrators who review principal recommendations for student placement. CMT is the approving authority for any Previdence Risk Evaluation
6. Hearing Officer: A district administrator appointed by the superintendent to continue the due process for any student being suspended for more than ten (10) days.

B. Considerations for Referral for a Risk Evaluation :

1. Does this student have more problems than others of a similar age?
2. Are the issues more severe in intensity and frequency than those of similar age?
3. Has the student violated the safe school policy?
4. Is the student's behavior generally appropriate for the age group?
5. Are there issues in the student's environment that may help explain the behaviors?
6. Have there been dramatic changes in the student's behavior?
7. Has the student made threats or made comments about harming self or others?
8. Additional considerations: Withdrawn, isolated, secretive, belligerent/uncooperative, physically or sexually inappropriate, moody/irritable, bed-wetting, threatening others, preoccupied with weapons/explosives, assaultive/violent behavior, cruelty to animals, fire starting, lack of empathy, prior self-harm.

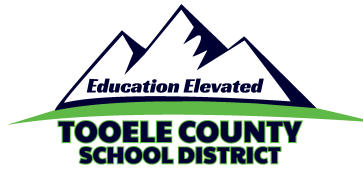
C. Risk Evaluation Procedure:

1. The principal makes a referral to the Case Management Team (CMT) for a Risk Evaluation based upon the considerations found in 6030.2.
2. The CMT approves or denies the reason for the Previdence Risk Evaluation during regular team meetings, or during emergency team meetings, or if necessary the director responsible for CMT can make the decision.
3. If approved, the CMT contacts the trained Predicts Risk Evaluator and has the person coordinate with the requesting principal.

4. After conferencing with the principal the Predicts Risk Evaluator establishes an appointment with the parent and the student. The parent gives permission for the Previdence Risk Evaluation to be completed. The parent initials the limited confidentiality block, which indicates that the information can be shared with school personnel and others who have a need to know. The parent is welcome to be present during the assessment.
5. The Predicts Risk Evaluator completes the assessment and makes an estimate of the risk the student presents in his/her current placement. The Evaluator explains this information to the parent and student. The evaluator submits a written copy of the evaluation to the principal and to the Case Management Team.
6. The principal and the CMT use the Previdence Risk Evaluation and other information to determine their recommendation as to the placement of the student and the conditions of that placement. If the recommendation is to place the student out of school for more than ten days, the Hearing Officer is notified; so, the student's due process may continue. The Hearing Officer will use the Previdence Risk Evaluation in identifying the determinations for the student.
7. If the student is suspended from school for more than ten (10) days he/she may be required to complete another Previdence Risk Evaluation before returning to school.

D. Students with Disabilities:

1. Students with disabilities follow the procedures listed in 6022. The IEP Team could request a Previdence Risk Evaluation through CMT. In specific safe school situations involving weapons, drugs, or the sale of drugs; where the student's actions are not a manifestation of his/her disability: CMT could request a Previdence Risk Evaluation



Book	Policies
Section	06000 School Conduct and Discipline
Title	Search and Seizure
Code	6031
Status	Active
Adopted	January 23, 2024
Last Revised	February 13, 2024

The Utah State Legislature and the Utah State Board of Education have charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. Utah Code Ann. § 53G-8-509 directs the Utah State Board of Education and local boards of education to have rules in place to protect individual student rights and guard against excessive intrusion. In the discharge of that responsibility, school authorities of Tooele County School District may search property such as lockers used by students, or the person or property, including backpacks, purses and belongings, electronic devices, and vehicles of students, in accordance with the following policy:

A. Definitions

1. "Appropriate school official: means the most appropriate school employee, considering all the circumstances, who should search a student. Usually, the appropriate school official will be the school principal or a designee by the school principal. Generally, the more intrusive the search, the higher the level the appropriate school official should be who conducts the search. Other factors may include the age of the student, gender of the student if the student has an IEP, the student's background, the seriousness of the item(s) being searched for, which appropriate school official is reasonably available, and the urgency of the situation.
2. "Electronic Cigarette" means.
 - a. an electronic device used to deliver or capable of delivering vapor containing nicotine or another substance to an individual's respiratory system;
 - b. a component of the device described in Subsection (a); or
 - c. an accessory sold in the same package as the device described in Subsection (a). "Electronic cigarette" includes an e-cigarette as that term is defined in Utah Code Ann. § 26-38-2.
3. "Electronic cigarette product" means an electronic cigarette, an electronic cigarette substance, or a prefilled electronic cigarette.
4. "Electronic cigarette substance means any substance, including liquid containing nicotine used or intended for use in an electronic cigarette.
5. "Electronic device" means a privately owned device that is used for audio, video, or text communication or any other type of computer or computer-like instrument.
6. "Local School Board" means the Tooele County School District Board of Education.
7. "Reasonable Suspicion" means a particularized and objective basis, supported by specific articulable facts, for suspecting a person of criminal activity, reasonableness extends to both the reason for the search and the appropriateness of the scope of the search.
8. "Reasonable suspicion for a search" means grounds sufficient to cause an adult of normal intellect to believe that the search of a particular person, place, or thing will lead to the discovery of evidence that the student:
 - o has violated or is violating a rule or behavioral norm provided in school policy;
 - o has violated or is violating a particular law;
 - o possesses an item or substance that presents an immediate danger of physical harm or illness to students, staff, or school district property.
9. "Dangerous Weapon" means a firearm or an object that in the manner of the object's use or intended use is capable of causing death or serious bodily injury to an individual as defined in Utah Code Ann. § 53G-8-510.

B. Searches of School-Owned Property

1. School-owned electronic devices and storage areas (including lockers, desks, etc.) remain under the exclusive control of the school and are subject to search at any time— with or without reasonable suspicion. Students shall have no expectation of privacy with respect to school-owned electronic devices or storage areas. Students shall provide passwords used to protect data on any school-owned electronic devices. Locks may be destroyed while searching school-owned storage areas.
2. All lockers and other storage areas provided for student use remain the property of the school. These lockers and storage areas are subject to inspection, access for maintenance, and search pursuant to this policy. A student using the locker or storage area has no expectation of privacy in that locker or storage area or the contents contained therein. In the course of any search, students' privacy rights will be respected regarding any items that are not illegal or against local school board policy. No student shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the teacher or school administrator. Unapproved locks may be removed and destroyed.
3. An appropriate school official may search student lockers and storage areas and the contents contained therein at any time for any justifiable reason.
4. An appropriate school official may, at any time, request assistance from the appropriate law enforcement agency having jurisdiction over the facilities of the school. The law enforcement officer must have probable cause, consent, or a warrant, however, to personally orchestrate or conduct a search of the lockers and storage areas and their contents.

C. Using Dogs in Searching School Property

1. The school also authorizes the use of canines, trained in detecting the presence of drugs and drug paraphernalia, firearms, and explosives when the appropriate school official has reasonable suspicion that illegal drugs or drug paraphernalia, firearms, or explosives may be present in a school. This means of detection shall be used only to determine the presence of drugs, drug paraphernalia, firearms, or explosives in locker areas, student desks, and other places in the school where such items could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and will not be used to search students personally unless either a warrant or parental permission has been obtained prior to the search. Where a dog sniff search is otherwise appropriate, it is acceptable to detain students or restrict their movement to facilitate the search.

D. Student Person and Possessions

1. The school recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no students are searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the urgency and seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

E. Personal Search of a Student and Student Consent to Search

1. Except as provided below, a request for the search of a student or a student's possessions will be directed to the appropriate school official. The appropriate school official shall attempt to obtain the freely offered consent of the student to the inspection; however, provided there is reasonable suspicion, the appropriate school official may conduct the search without such consent.
2. Whenever possible, a search will be conducted by the appropriate school official in the presence of the student and a staff member in addition to the appropriate school official. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.
3. The search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.
4. The personal search of a student may be conducted by the appropriate school official when the appropriate school official has reasonable suspicion for a search of that student. Authorized searches of the student's personal are as follows:
 - a. the student's pockets;
 - b. purses, backpacks, or any objects in the possession of the student;
 - c. removal of an article of exterior clothing such as a jacket, watch, or hat;
 - d. a student's electronic device if warranted and to the extent warranted.

F. Searching Students and Property While at School-Sponsored Activities

1. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the school—including all students participating in extracurricular activities and athletics, dual-enrolled students and students taking online courses, when applicable.

G. Documentation of Search

1. The appropriate School official shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found, and the disposition made of them; and any subsequent action taken. The appropriate School official shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or objects taken from a student. The appropriate school official shall report a student's possession of a dangerous weapon consistent with Utah Code Ann. § 53G-8-510.

2. The appropriate School official may prepare administrative guidelines to further implement this policy of documentation, maintenance, and disposal of items.

H. Search Procedures

1. Pursuant to this policy, appropriate school officials shall use the following steps when appropriate school officials have reasonable suspicion that a student possesses evidence that a rule or law has been violated:
 - a. All requests or suggestions for the search of a student or student's possessions shall be directed to the appropriate school official or the person in charge of the students if students are out of the district or school.
 - b. Wherever possible, before conducting the search, the appropriate school official shall notify the students, request the student's consent to the inspection, and inform the student that she/he may withhold consent. Such consent, if offered, shall be voluntary. The appropriate school official shall conduct the search, however, with or without the consent.
 - c. Wherever possible, an adult third party shall be present at any search of a student or student's possessions.
 - d. The appropriate school official may conduct a student search upon reasonable suspicion of the presence of an illegal or dangerous substance or object, or anything that would be considered contraband under school rules.

I. Health/Safety of Students

1. Whenever the search is prompted by the reasonable suspicion that possession of a substance or object immediately threatens the safety and health of the student or others, the appropriate school official shall act with as much speed and dispatch as is required to protect persons and property in the school while keeping clearly in mind the student's rights and the potential consequences of inappropriate or hasty action.

J. Method and Scope of Search

1. The scope of any search should be limited by the reasonable suspicion that motivated the search. If an item is found that leads to reasonable suspicion that additional, related items may also exist, the search may be extended. If the initial search produces no evidence of contraband, there should be no extension of the search based on simple curiosity or unreasonable teacher/administrator suspicion.

K. Items Found

1. Anything found in the course of a search that is evidence of a student violation of School rules or federal/state laws may be seized and admitted as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the School official until it is presented at the hearing. It may also be turned over to any law enforcement officer after proper notation and receipt.

L. Vehicles

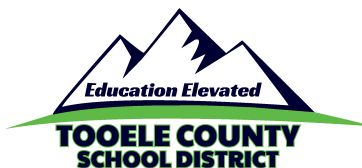
1. Vehicles in the possession of students and parked on school premises may be searched, based on reasonable suspicion, by the appropriate school official. Searches of vehicles of staff members or visitors shall be conducted by law enforcement personnel.

M. Electronic Cigarette Products

1. Students are prohibited from possessing or using electronic cigarette products while on school property and electronic cigarette products will be confiscated. School officials will properly store and arrange for the electronic cigarette products to be released Student Services Department for proper disposal.
2. If a school official has reason to believe the confiscated electronic cigarette product contains an illegal substance, the school may release the confiscated electronic cigarette product to local law enforcement.

N. Parent Notification

1. School officials have no legal obligation to contact parents before detaining and questioning students. However, it is good practice when a student is questioned about serious allegations of the student's own misbehavior that another responsible adult should be notified to protect the interest and well-being of the student. Parents will be advised of all student searches and seizures of property.



Book	Policies
Section	06000 School Conduct and Discipline
Title	Student Prohibition of Bullying, Cyber-bullying, Harassment, Hazing and Retaliation
Code	6032
Status	Active
Adopted	February 11, 2014
Last Revised	December 8, 2020
Prior Revised Dates	01/22/2019

A. Purpose

1. Bullying, cyber-bullying, harassment, abusive conduct and hazing of students and employees are against federal, state and local policy, and are not tolerated by the Tooele County School District (TCSD). TCSD is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, TCSD has in place policies, procedures, and practices that are designed to reduce and eliminate bullying, cyber-bullying, harassment, abusive conduct, and hazing—including but not limited to civil rights violations—as well as processes and procedures to deal with such incidents.
2. Bullying, cyber-bullying, harassment, abusive conduct, and hazing of students and/or employees by students and/or employees will not be tolerated in TCSD.
3. School officials have the authority to discipline students for off-campus speech that causes or threatens a substantial disruption on campus or school activities, including violent altercations, or a significant interference with a student's educational performance and involvement in school activities. If after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Admin Rule R277-613-(4) to(5) and in accordance with the U.S. Department of Education Office for Civil Rights, loss of participation in extracurricular activities, and/or probation. If after an investigation, a school employee is found to have violated this policy, the employee shall be disciplined by appropriate measures up to, and including, termination.

B. Definitions

1. "Abusive conduct" means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee or student that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine to be intended to cause intimidation, humiliation, or unwanted distress.
2. "Bullying:" means intentionally committing a written, physical, or verbal act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have one of the following effects:
 - a. causing physical or emotional harm to the school employee or student ;
 - b. causing damage to the school employee or student's property ;
 - c. placing the school employee or student in reasonable fear of:
 1. harm to the school employee's or student's physical or emotional well-being or;
 2. damage to the school employee's or student's property.
 - d. creating a hostile, threatening, humiliating or abusive educational environment due to:
 1. the pervasiveness, persistence, or severity of the actions; or
 2. a power differential between the bully and the target; or
 - e. substantially interfering with a student having a safe environment that is necessary to facilitate educational performance, opportunities, or benefits.

- f. the foregoing conduct constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.
- 3. "Civil rights violation" means bullying, cyber-bullying, or hazing that is targeted at a student or employee upon the students' or employees' identification as part of any group protected from discrimination under the following federal laws:
 - a. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin.
 - b. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex.
 - c. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability.
- 4. "Communication" means the conveyance of a message, whether verbal, written, or electronic.
- 5. "Cyber-bullying" means:
 - a. Using the internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, acquiesced in the conduct, or voluntarily accessed the electronic communication.
 - b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.
- 6. "Harassment" means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual. This includes rumor spreading and social aggression intended to demean and disparage another individual and that contributes to a hostile environment for that individual.
- 7. "Hazing" means a student or employee intentionally or knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that meets one of the following
 - a. Endangers the mental or physical health or safety of a school employee or student; or
 - b. 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;
 - c. involves consumption of any food, alcoholic product, drug, or other substance or involves other physical activity that endangers the mental or physical health and safety of a school employee or student; or;
 - d. 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 either is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school-sponsored team, organization, program, or event; or
 - e. 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.

Utah Code § 53-9-601(5) (2019)

- 8. "Incident means on or more infractions committed by a student or school employee or a group of students or school employees acting in concert, at the same time and place. Utah Admin Rules R277-613-2 (May 26, 2019)
- 9. "Infraction means an act of prohibited behavior. Utah Admin Rules R277-613-2 (May 26, 2020)
- 10. "Restorative Justice Practice" means a disciplined practice that brings together students, school employees, families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and healing.
- 11. "Retaliation" means an act of communication intended:
 - a. As retribution against a person for reporting bullying, cyber-bullying, harassment, abusive conduct or hazing; or
 - b. To improperly influence the investigation of, or the response to, a report of bullying, cyber bullying, abusive conduct, or hazing.
- 12. "School employee" means school administrators, teachers, and staff members, as well as others employed or authorized as volunteers, directly or indirectly, by the school, school board or school district and who works on a school campus.
Utah Code §53G-9-601(10) (2019)
- 13. "Volunteer" means a person working under the direct supervision of a licensed educator.

14. "Trauma-Informed Care" means 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 targeted individual and the individual who is alleged to have engaged in prohibited conduct, and that creates opportunities for targets to rebuild a sense of control and empowerment.

C. Bullying Prohibited

1. No school employee or student may engage in bullying or harassing a school employee or student:
 - a. On school property;
 - b. At a school related or sponsored event;
 - c. On a school bus;
 - d. At a school bus stop; or
 - e. While the school employee or student is traveling to or from a location or event described above.
2. No school employee or student may engage in hazing or cyber-bullying a school employee or student at any time or in any location.
3. No school employee or student may engage in retaliation against:
 - a. A school employee;
 - b. A student; or
 - c. An investigator for, or witness of, an alleged incident of bullying, harassing, cyber-bullying, hazing, or retaliation
4. No school employee or student may make a false allegation of bullying, harassing, cyber-bullying, hazing, or retaliation against a school employee or student.
5. Any bullying, cyber-bullying, harassing, or hazing that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to compliance regulations from the Office for Civil Rights.
6. School officials should make appropriate exemptions to dress codes and reasonably accommodate students who wear hairstyles, clothing, head wear, jewelry, cosmetics, or other apparel as a personal expression of sincerely held religious beliefs. Student dress is a form of individual expression and any regulation of religious apparel must be done in the least restrictive manner possible to maintain a safe, inclusive, and welcoming school environment.
7. Religious attire that should be appropriately accommodated in school includes, but is not limited to: hairstyles, yarmulkes; hijabs, turbans; religious jewelry; appropriate religious messages on clothing, badges, and/or insignias; and ceremonial attire.
8. School officials should also appropriately accommodate student requests to not wear certain gym clothes and/or uniforms that students regard, on a religious basis, as immodest.
9. No school employee or student may engage in retaliation against a school employee, a student, or investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, or retaliation against a school employee or student, or an alleged incident of abusive conduct.
10. School employees or student who engage in retaliation are in violation of this policy and verified infractions shall result in disciplinary action up to and including termination consistent with the District's Orderly Termination policy.
11. Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.
12. The school shall inform students who have reported being subject to bullying, cyberbullying, or hazing and these students' parents that retaliation is prohibited and shall encourage the students and parents to be aware of and report any subsequent problems or new incidents.

Utah Code § 53G-9-605 (2019)

Utah Admin Rules R277-613-4(1)(a) (May 26, 2020)

D. Making a False Report Prohibited

1. No school employee may make a false allegation of bullying, abusive conduct, cyberbullying, hazing, or retaliation against a school employee or student.
2. School employees who engage in making such false allegations are in violation of this policy and verified infractions shall result in disciplinary action up to and including termination, consistent with the District's Orderly Termination Policy.

Utah Code § 53G-9-605 (2019)

Utah Admin Rules R277-613-4(1)(a) (May 26, 2020)

E. Investigations

1. School will promptly and reasonably investigate allegations of bullying, cyber-bullying, and/or hazing. The school investigators of at least 2 school employees, preferably one male and one female, in appropriate positions of authority, who are responsible to receive, investigate, and respond to reports will be responsible for handling all complaints by students and employees alleging bullying, cyber-bullying, or hazing as outlined in the procedures below.
2. It is the TCSD's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the school's internet system, and routine monitoring or maintenance may lead to discovery that a user has violated district policy or law. Also, individual targeted searches

will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of the above policy will be confiscated for investigation and may be turned over to law enforcement.

3. TCS D shall adopt an action plan in accordance with State Board of Education Administrative Rule Subsection R277-613-4(1)(c), including a plan to:
 - a. investigate allegations of incidents of bullying, cyber-bullying, hazing, and retaliation in accordance with this section; and
 - b. provide an individual who investigates allegations of incidents of bullying, cyber-bullying, hazing, and retaliation with adequate training on conducting an investigation.
4. TCS D is required to investigate allegations of incidents described in Subsection D.1. above by interviewing at least the alleged victim and the individual who is alleged to have engaged in prohibited conduct.
 - a. TCS D may also interview the following as part of an investigation:
 1. parents of the alleged victim and the individual who is alleged to have engaged in prohibited conduct;
 2. any witnesses;
 3. school staff; and
 4. other individuals who may provide additional information
 - b. An individual who investigates an allegation of an incident shall inform an individual being interviewed that:
 1. to the extent allowed by law, the individual is required to keep all details of the interview confidential; and
 2. further reports of bullying may become part of the investigation.
 - c. The confidentiality requirement in Subsection D.2. above does not apply to:
 1. conversations with law enforcement professionals;
 2. requests for information pursuant to a warrant or subpoena;
 3. a state or federal reporting requirement; or
 4. other reporting required by this rule
 - d. In conducting an investigation under this section, TCS D may:
 1. review disciplinary reports of involved students; and
 2. review physical evidence, consistent with search and seizure law in schools, which may include:
 - video or audio;
 - notes;
 - email;
 - text message;
 - social media; or
 - graffiti.
 - e. TCS D is required to adopt a policy, consistent with state law and state board rule, outlining under what circumstances the TCS D employees will report incidents of bullying, cyber-bullying, and retaliation to law enforcement.

F. Actions Required if Prohibited Acts are Reported

1. Upon receipt of a reported incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, the school principal or designee shall promptly review and investigate the allegations. At a minimum, this investigation shall include interviewing the alleged targeted individual and the individual alleged to have engaged in prohibited conduct. The principal or designee may also interview other individuals who may provide additional information, including the parents of the alleged target and alleged perpetrator any witness to the conduct, and school staff. The principal or designee may also review physical evidence, including but not limited to video or audio recordings, notes, email, text messages, social media, and graffiti. The principal and designee shall inform any person being interviewed that the principal or designee is required to keep the details of the interview confidential to the extent allowed by law and further reports of bullying will become part of the investigation
2. When the available information indicates that an infraction may also constitute a civil rights violation, the principal or designee shall also investigate that possible violation and take such disciplinary or other action as may be warranted.
3. When it is determined that a student has been bullied, cyber-bullied, or hazed, this plan of action should include consideration of what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to function in the school setting.
4. The plan of action may include supporting involved students through trauma-informed care practices, if appropriate, as defined. .

Utah Admin Rules R277-613-2(13), (May 26, 2020)

5. The plan of action may also include positive restorative justice practice action if permitted. Restorative justice practice is a discipline practice that brings together students, school personnel, school families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and promote healing. An alleged targeted student is not required to participate in a restorative justice practice with an alleged perpetrator. If the principal or designee desires to have an alleged targeted student participate, the principal or designee shall first inform that student's parent about the restorative justice practice and obtain the parent's consent prior to such practice.

Utah Admin Rules R277-613-2(12), (May 26, 2020)

Utah Admin Rules R277-613-5(7), (8) (May 26, 2020)

6. If any retaliation occurs, the principal or designee shall take strong responsive action against it, including but no limited to providing assistance to any targeted individuals and his or her parent in reporting subsequent problems and new incidents.

Utah Admin Rules R277-613-2(12), (May 26, 2020)

G. Training and Education

1. TCSD shall establish procedures for training school employees, coaches, volunteers and students on bullying, cyber-bullying, abusive conduct, harassment, hazing, or retaliation. Training shall include information on: :

- a. Discrimination under 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.
- b. How bullying, cyber-bullying, hazing, abusive conduct, harassment, and retaliation are different from discrimination and may occur separately from each other or in combination.
- c. Bullying, cyber-bullying, hazing and retaliation based on the students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation or other physical or mental attributes, or conformance or failure to conform with stereotypes, and
- d. The right to free speech and how it differs for students, employees, and parents.
- e. Complement the suicide prevention program required for students and the suicide prevention training required for licensed educators as defined by USBE, and
- f. Include information on when issues relating to these standards may lead to employee or student discipline.

2. School employees, coaches, and volunteers shall complete bullying prevention training prior to the beginning of the school year or prior to start of position with school district.

3. This training shall be provided to all new employees, coaches, and volunteers and shall be provided to all employees, coaches, and volunteers at least once every three years.

Utah Admin Rules R277-613-4(5)(B), (May 26, 2020)

Utah Admin Rules R277-613-4(6), (May 26, 2020)

4. In addition to training school employees and educating students mentioned above, all volunteer coaches, employees, and students involved in any curricular athletic program or any extra-curricular club or activity shall:

- a. Complete the Utah High School Activities Association (UHSAA) bullying, cyber-bullying, harassment, and hazing prevention training prior to participation as defined by UHSAA;
- b. Repeat UHSAA bullying, cyber-bullying, harassment, and hazing prevention training yearly at least every three years or as defined by UHSAA;
- c. Be informed annually of the prohibited activities list provided by the UHSAA and the potential consequences for violation of the UHSAA Policy.

5. The content of this activity training shall be developed in collaboration with the Utah High School Activities Association (UHSAA) and the training shall also be provided in collaboration with UHSAA. The school shall obtain and keep signature lists of the participants in the activity training.

6. Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying, harassment, hazing, or cyber bullying.

7. The District may also offer voluntary training to parents and students regarding abusive conduct.

8. The principal or designee responsible for reviewing and investigating allegations of bullying, cyber-bullying, hazing, and retaliation shall receive training on conducting a review and investigation as provided for in this policy.

Utah Code § 53G-9-605, (2019)

Utah Code § 53G-9-607(1), (B) (2019)

Utah Admin Rules R277-613-5 (1)(B), (May 26, 2020)

H. Assessment

1. Subject to the requirement of Utah Code § 53E-9-203 regarding parental consent for certain types inquiries of students, each school shall regularly (and once per year) conduct assessment through student input (surveys, reports, or other methods) of the prevalence of bullying, cyber bullying, and

hazing in the school, and specifically in locations where students may be unsafe and adult supervision may be required such as playgrounds, hallways, and lunch areas.

Utah Admin Rules R277-613-4 (3), (May 26, 2020)

I. Publication and Acknowledgement

1. A copy of this policy shall be included in employee handbooks, shall be provided to the parent of each student enrolled in the District, and shall be available on the District website.
2. Each employee shall annually complete the mandatory safe school training indicating that the employee has received this training.

Utah Code § 53G-9-605(3), (h) (2019)

J. Parental Notification of Incidents

1. The school shall notify the parent or guardian of a student who is involved in an incident of bullying, hazing, cyber-bullying, abusive conduct, or retaliation (whether as a target or perpetrator).
2. The school is also required to notify the parent or guardian of a student who threatens to commit suicide. In addition, the school shall produce and maintain a record that verifies that the parent or guardian was notified of the threats or incidents listed above. The record is a private record for purposes of the Government Records Access and Management Act.
3. The process for notifying a parent shall consist of:
 - a. The school principal or designee shall attempt to make personal contact with a parent or guardian when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent or guardian may be contacted by phone. A second school person should witness the phone call.
 - b. Contact with the parent or guardian must be documented in a "Verification of Parent or Guardian Contact Regarding Threat or Incident."
 - c. (A copy of the "Verification of Parent or Guardian Contact Regarding Threat or Incident" is attached.) Subject to laws regarding confidentiality of student educational records, at the request of a parent or guardian, a school may provide information and make recommendations related to an incident or threat.

Utah Code § 53G-9-604, (2019)

Utah Admin Rules R277-613-4 (3), (May 26, 2020)

4. The record of parental notification shall be maintained in accordance with policy FE, Policy FEA Utah Code 53E, Chapter 9, Part 3, Student Data Protection Act, Title 53E, Chapter 9, Part 2 Student Privacy and the Federal Family Educational Rights and Privacy Act ("FERPA"). A copy of the record of parental notification shall upon request be provided to the student to whom the record relates. After the student has graduated, the District shall expunge the record of parental notification upon request of the student.

Utah Code § 53G-9-604, (2)(b) (2019)

K. Grievance Process for Incident of Abusive Conduct

1. For purposes of this policy, "abusive conduct" means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.
 - a. a school employee who has experienced an incident of abusive conduct and is not satisfied with initial efforts to resolve the issue, may submit a written grievance with the school employee's principal within thirty (30) calendar days of the incident.
 - b. the written grievance described above shall include:
 1. the date of the incident;
 2. circumstances of the incident; and
 3. the signature of the school employee submitting the grievance to the principal.
 - c. within ten (10) business days of receiving the written grievance, the principal shall meet with the school employee to discuss the grievance and possible resolutions.
 - d. within ten (10) business days after the meeting described above, the principal shall respond to the school employee in writing explaining the principal's position and offer options for substantive resolution of the complaint.
 - e. if the response by the principal described above does not satisfactorily resolve the issue, the school employee may appeal the principal's response in writing within ten (10) business days after receipt of the response to TCSD.
 - f. within ten (10) business days after receipt of the grievance appeal described above, TCSD designee shall meet with the school employee to discuss the grievance and possible resolutions.
 - g. within fifteen (15) calendar days after the meeting, TCSD's designee shall respond in writing with a final resolution of the grievance.
 - h. TCSD designee written response shall be the final administrative action in the matter.

L. Report to State Superintendent

1. Each year, on or before June 30, the District shall submit a report to the State Superintendent which includes:
 - a. a copy of the Districts bullying policy;
 - b. confirmation of compliance with the requirement to obtain a signed acknowledgment of the policy from students, parents, and employees;
 - c. verification of required training regarding bullying, cyberbullying, hazing and retaliation; and
 - d. the number and type of those incidents that either included a student who is part of a federally protected class or was bullied, cyber-bullied, hazed, or retaliated against because of the student's actual or perceived disability, race, national origin religion sex, gender identity, sexual orientation or other characteristics.
 - e. the number of incidents described in Subsection (d) required to be reported separately under federal law, including the reporting requirements in:
 1. Title VI of the Civil Rights Act of 1964;
 2. Title IX of the Education Amendments of 1972; or
 3. Section 504 of the Rehabilitation Act of 1973 and the Title II of the Americans with Disabilities Act of 1990; and
 4. the number of incidents described in Subsection (4) that include a student who was bullied, cyber-bullied, hazed, or retaliated against due to of based on the student's actual or perceived characteristics, including disability, race, national origin, religion, [or] sex, gender identity, or sexual orientation.
- Utah Admin Rules R277-613-5 (2019)

M. Additional Notes

1. This policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution. However, if off-campus speech that may constitute a bullying, cyber-bullying, or hazing, incident creates a substantial disruption to the school environment, under Tinker v. Des Moines, 393 U.S. 503 (1969), TCSD may take disciplinary action against the student who initiated the speech. Factors that TCSD may consider in determining whether a substantial disruption has occurred are:
 - a. whether there is a verbal or physical confrontation over the incident at school;
 - b. whether administrators who dealt with the incident were pulled from their ordinary tasks to address the incident and how much time it took out of an administrator's day to do so;
 - c. whether there is a widespread whispering campaign or rumor sparked by the off-campus incident that disrupts the school environment and students' abilities to focus on school;
 - d. whether students are discussing the incident during class or if it otherwise is disrupting school work;
 - e. whether any part of the speech that gave rise to the incident was repeated at school;
 - f. whether there is likely to be a verbal or physical confrontation based on evidence of a prior relationship between the victim and the student who initiated the speech;
 - g. whether speech similar to the off-campus speech in this incident has occurred in the past and has resulted in violence or near violence at school.

Legal

Title II of the Americans with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

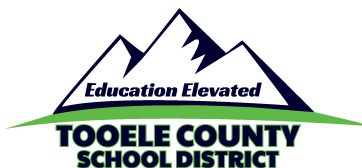
Title VI of the Civil Rights Act of 1964

Utah State Board of Education Model Policy

Utah Code 53A 11a 101-402, 53A 15 1301. 53A 1 603, 53A 11 904

[Waiver for Quit Line.pdf \(260 KB\)](#)

[Parent Contact Regarding Threat or Incident 18.pdf \(28 KB\)](#)



Book	Policies
Section	06000 School Conduct and Discipline
Title	Video and Audio Surveillance
Code	6033
Status	Active
Adopted	February 11, 2014
Last Revised	November 10, 2020

A. Purpose

The purpose of this policy is to establish guidelines for the placement and use of video and audio surveillance systems for monitoring activity on school district property and in vehicles in order to protect the health, welfare, and safety of students, staff, patrons, and school district property.

B. General Statement of Policy

The Tooele County School District (TCSD) is committed to providing a safe, secure environment where teaching and learning can occur. Any video and/or audio recording used for surveillance purposes on school district property shall be the sole property of the District. All video recordings will be stored and secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations. Placement of system "security cameras" and devices will be in public locations where areas of concern can be monitored and such monitors need to be placed within a secured area to minimize tampering or misuse. With the exception of rest rooms and changing rooms, security cameras may be placed in classrooms, hallways, common areas, gymnasiums, cafeterias, offices, conference rooms, athletic fields, entrances, school buses and vehicles, and any other areas as deemed appropriate. The Information Technology Director and Department have the primary responsibility for placement and maintenance of security cameras with feedback from the site administrator and safety team. Violation of this policy may result in disciplinary action for students and/or staff and may constitute grounds for appropriate legal action.

C. District Security

Video and/or audio recording devices may be used to monitor the health, safety, and welfare of all students, staff, and visitors to district property and to safeguard district facilities. Such recordings may be stored as evidence of unsafe, disruptive, inappropriate and/or illegal behavior and may become part of a student record, a personnel file, and/or a legal proceeding. The superintendent or his/her designee shall ensure the secure storage of these records against tampering and according to the district's record retention schedule. Video and audio footage is retained for 30 days before being replaced by current data (overwritten on DVR).

D. Notification

The district administration shall notify staff and students through student/parent and personnel handbooks that video/audio surveillance **may** occur on district property. The district **may** also provide notification through the posting of such notice at the main entrances of all district buildings and property, and on all buses in which video/audio surveillance may occur.

E. Declaration of Records Status

The Board of Education declares the surveillance recordings as protected records under The Government Records Access Management Act (GRAMA).

F. Access to Recordings

Recordings may be shared with appropriate school and district administration and law enforcement. Surveillance recordings will be released to the public only in conformance with applicable GRAMA provisions. In addition, the content of the surveillance recordings used as evidence in or investigation of specific student matters constitutes student records that are confidential and protected under Family Education Rights and Privacy Act (FERPA). The content of surveillance recordings used as evidence or in the investigation of specific personnel matters are private records under GRAMA.

Staff and students are prohibited from tampering or otherwise interfering with the surveillance equipment and records. District administrative staff and school resource officers (SRO) may review surveillance recordings to verify the occurrence of disruptive, unsafe, inappropriate and/or illegal behavior. Parents or legal guardians shall only be allowed to view material that concerns their child in relation to an alleged incident. Requests to inspect video/audio surveillance recordings must be made in writing via GRAMA guidelines.

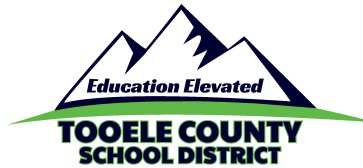
The District Transportation Director, IT Director or designee, any Building Administrator, and/or the Superintendent or designee may review all recordings that may be created from surveillance equipment on district vehicles including school buses.

If the record becomes the subject of a disciplinary proceeding, it shall be treated like all other evidence in the hearing as confidential and protected. Viewing of such records shall only be permitted at school-related sites including the transportation office, school buildings, or district office. All viewing will include the building principal or his/her designee.

Legal

Utah Code 63G-2-302(2)(a)

20 U.S.C. §1232g; 34 CFR Part 99



Book	Policies
Section	06000 School Conduct and Discipline
Title	Sexual Harassment (Student Policy)
Code	6034
Status	Active
Adopted	April 13, 2021

A. Board Policy

1. The Board of Education of the Tooele County School District does not discriminate on the basis of sex in its programs and activities. It is required by Title IX and 34 CFR Part 106 not to discriminate on the basis of sex, including but not limited to such discrimination in admission and employment. The Board adopts this policy to meet its obligations under Title IX to provide appropriate treatment of and response to complaints or reports of sexual harassment and seek to provide a learning environment free from sexual harassment and discrimination on the basis of sex. Therefore, the District will promptly respond to notice of sexual harassment or allegations of sexual harassment and take appropriate action.
2. This policy addresses sex discrimination in the form of sexual harassment by students. Other forms of sexual harassment and discrimination are addressed in TCSO Policy "Sexual Harassment (Employee Policy)". It is a violation of this policy and any other Safe Schools Policy for any student to sexually harass any other student or employee.
3. The District encourages all victims of sexual harassment and persons with knowledge of sexual harassment to immediately report that to the Title IX Coordinator or an administrator. Employees with knowledge of sexual harassment or possible sexual harassment are required to report that information to their supervisor and/or the Title IX Coordinator. (Failure to make such reports may result in disciplinary action according to District policy.) All complainants have the right to be free from retaliation of any kind.
4. Notice of this policy shall be given to all students seeking admission and their parents and shall be included in student handbooks. Questions about rights under Title IX and about the application of Title IX to the District can be directed to the Title IX Coordinator identified in this policy or to the Assistant Secretary for Civil Rights of the US Department of Education, or both.

34 CFR § 106.8(b)(1)

34 CFR § 106.45(a)

B. No Expansion or Reduction of Other Legal Rights

Nothing in this policy shall be construed to give any right, claim, or action beyond this policy's specific process.

Nothing in this policy restricts rights that may be available under other District policies or under applicable laws or regulations.

C. Prohibition of False Statements

Students and employees are prohibited from knowingly making false statements or knowingly submitting false information in connection with allegations of sexual harassment or a sexual harassment investigation, or a sexual harassment grievance procedure. Any student or employee doing so is subject to disciplinary action.

D. Definitions

1. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the District.
2. "Complainant" means an individual who is alleged to be the victim of Conduct that could constitute sexual harassment.
3. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. (The complainant must be participating or attempting to participate in a District program or activity at the time of filing.) Although the Title IX Coordinator may sign a formal complaint, the Title IX Coordinator does not thereby become the complainant or a party to the grievance proceeding.

4. A "program or activity" of the District includes all locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs. 34 CFR § 106.44(a)
5. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
6. "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:
 - a. An employee of the District conditioning the provision of aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; or
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a program or activity of the District; or
 - c. "Sexual assault" as defined in 20 USC § 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC § 12291(a)(10), "domestic violence" as defined in 34 USC § 12291(a)(8), or "stalking" as defined in 34 USC § 12291(a)(30).
 - d. "Sexual harassment" for purposes of this policy does not include all improper Conduct based on sex. Conduct that is not sexual harassment may violate other District policies and be subject to disciplinary action.
7. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to any District program or activity without unreasonably burdening the other party, including measures designed to protect all parties' safety or the District's educational environment or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures. 34 CFR § 106.30(a).

E. Title IX Coordinator

1. The District shall designate one or more employees to serve as Title IX Coordinator. The Title IX Coordinator is responsible and has the authority to coordinate the District's compliance with Title IX, including but not limited to responding to sexual harassment of any type.
2. The contact information for the Title IX Coordinator shall be prominently displayed on the District's website and in employment application materials and student admission materials.
3. Reports about any form of sex discrimination (including sexual harassment) may be made to the Title IX Coordinator by any person (whether or not the discrimination was directed at that person) using any of the contact methods listed above or by any other means and at any time (including during non-business hours). 34 CFR § 106.8(a)

F. District Response to Education Program Sexual Harassment

1. As directed and coordinated by the Title IX Coordinator, the District shall, after receiving "actual knowledge" of "sexual harassment" in a District "program or activity," respond promptly and reasonably to fulfill its obligations under Title IX. The District shall treat the complainant and respondent equitably and may not impose disciplinary actions or sanctions on a respondent before a determination of responsibility is made through the grievance procedure set out below. The response shall include prompt contact by the Title IX Coordinator with the complainant to:
 - a. Discuss the availability of supportive measures;
 - b. Consider the complainant's wishes with respect to supportive measures;
 - c. Inform the complainant that supportive measures are available with or without filing a formal complaint; and
 - d. Explain the process for filing a formal complaint.
2. Regardless of whether a formal complaint is filed, the District shall respond appropriately, including implementing appropriate supportive measures as determined by the Title IX Coordinator.
3. In response to a formal complaint of sexual harassment, the District shall follow the grievance procedure set out below. In appropriate circumstances, the District's response to actual knowledge of sexual harassment may include the Title IX Coordinator signing a formal complaint to initiate the grievance procedure even when the complainant does not wish to do so.
4. The District may remove a respondent from a District program or activity on an emergency basis if, following an individualized safety and risk analysis, the District determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. (However, such actions are subject to restrictions relating to change in placement under IDEA and restrictions under Section 504).
5. The District may place a non-student employee respondent on administrative leave during the pendency of a grievance proceeding following a formal complaint, consistent with the District policy relating to leave relating to possible employment action.

34 CFR § 106.44(a)

G. Sexual Harassment Grievance Procedure

The sexual harassment grievance procedure is initiated by the filing of a formal complaint with the Title IX Coordinator. The parties to the procedure are the complainant and the respondent. The complaint may be filed in person, by mail, or by email. A formal complaint can be in the form of a document or electronic submission and must either contain the physical or electronic signature of the complainant or the Title IX Coordinator or otherwise indicate that the complainant is the person filing the formal complaint.

34 CFR § 106.30(a)

1. Generally Applicable Requirements

The following standards and requirements apply generally throughout the grievance and appeal process:

- a. The respondent is presumed to be *not* responsible for the alleged conduct until a determination regarding responsibility is made at the grievance process's conclusion. 34 CFR § 106.45(b)(1)(iv)
- b. The District is to shoulder the burden of gathering evidence sufficient to determine responsibility and is not to place that burden on the parties. 34 CFR 106.45(b)(5)(i)
- c. Legal evidentiary privileges are to be respected: The District will not require, allow, rely on, seek disclosure of, or otherwise use information protected under a legally recognized privilege unless the person holding the privilege has waived it. 34 CFR 106.45(b)(1)(x)
- d. The parties will be given equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. 34 CFR 106.45(b)(5)(ii)
- e. The District will not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence within the procedural framework. 34 CFR 106.45(b)(5)(iii)
- f. The parties will have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding. 34 CFR 106.45(b)(5)(iv)
- g. For any investigative interviews or other meetings at which a party's participation is expected or invited, the party will be given written notice of the date, time, location, participants, and purpose of the interview or meeting at a time sufficiently in advance to enable the party to prepare to participate. 34 CFR 106.45(b)(5)(v)
- h. The time frames provided in this policy are intended to provide reasonably prompt resolution of complaints. However, the District may, for a good cause and with written notice to the complainant and respondent explaining the reasons, temporarily delay the grievance process or extend a time frame for a limited time. Good cause may include (but is not limited to) considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or an accommodation of disabilities. 34 CFR 106.45(b)(1)(v)

2. Supportive Measures During the Grievance Process

During the pendency of the grievance process, either party may request, or the Title IX Coordinator may offer supportive measures as defined above, and such measures shall be provided as the Title IX Coordinator determines appropriate. 34 CFR § 106.45(b)(1)(ix)

3. Potential Disciplinary Sanctions for Responsible Respondents

A respondent who is found responsible following the conclusion of the grievance procedure may be subject to disciplinary action in the form of remedies that are in the nature of supportive measures for the complainant, but which impose a burden on the respondent and are punitive in nature. A responsible respondent may also be sanctioned by the loss of participation privileges in a District activity, including extracurricular activities. The same sanctions may be imposed on a respondent who admits to being responsible for sexual harassment without challenging the charge through the formal grievance process. 34 CFR § 106.45(b)(1)(vi)

4. Consolidation of Complaints

Where the allegations of sexual harassment arise out of the same facts or circumstances, the Title IX Coordinator may consolidate formal complaints made against more than one respondent or made by more than one complainant against one or more respondents or made by one party against another party. When complaints are consolidated, singular references in this policy (for example, "complainant") also include the plural as is applicable. 34 CFR § 106.45(b)(4)

5. Summary Dismissal of Complaint

After receiving the formal complaint, the Title IX Coordinator shall review the allegations in the complaint and make a determination whether, accepting the allegations as true, any of the following circumstances are present:

- a. The conduct alleged does not constitute sexual harassment as defined in this policy.
- b. The conduct alleged did not occur in a District program or activity.
- c. The conduct alleged did not occur against a person in the United States.

If any of these circumstances are present, the Title IX Coordinator shall dismiss the complaint for purposes of sexual harassment and this policy and shall promptly send simultaneous written notice of the dismissal and the reason(s) for dismissal to the parties. If the alleged conduct constitutes misconduct under other District

policies regulating employee or student conduct, the Title IX Coordinator shall refer the complaint to the appropriate administrator for consideration for investigation and possible disciplinary action. 34 CFR § 106.45(b)(3)(i)

6. Permissive Dismissal of Complaint

At any time during the investigation of a formal complaint or the determination process, the Title IX Coordinator may dismiss a complaint or particular allegations in the complaint if:

- a. The complainant gives written notice to the Title IX Coordinator that the complainant wants to withdraw the formal complaint or particular allegations in the complaint;
- b. The respondent is a student and is no longer employed by the District or is a student and is no longer enrolled in the District; or
- c. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the complaint or the allegations in the complaint.

If the Title IX Coordinator determines to dismiss the complaint on any of these grounds, then the coordinator shall promptly send simultaneous written notice of the dismissal and the reason(s) for dismissal to the parties. 34 CFR § 106.45(b)(3)(ii)

7. Appointment of Investigator and Decision Maker

- a. Upon receipt of a formal complaint, the Title IX Coordinator shall either determine that the Title IX Coordinator will investigate the complaint or shall appoint a qualified and trained District employee to investigate the complaint.
- b. The Title IX Coordinator shall also appoint one, three, or five qualified and trained District employees to render the decision on the complaint as provided below. Neither the Title IX Coordinator nor any investigator on a complaint may serve as a decision maker. 34 CFR § 106.45(b)(7)(i)

8. Written Notice of Complaint

- a. Notice of the grievance procedures, including the availability of voluntary mediation as provided in this policy;
- b. Notice of the allegations potentially constituting sexual harassment. This notice shall include, as known at the time of the notice, the identities of the parties involved, a description of the conduct allegedly constituting sexual harassment, and the date(s) and location(s) of the alleged incident(s). This information must be provided with sufficient time for a party to prepare a response before an initial interview;
- c. The statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- d. Notice that each party may have the assistance of an advisor of their choice (who may be an attorney but is not required to be an attorney);
- e. Notice that each party may inspect and review evidence;
- f. Notice that under this policy, parties are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

If during the course of the investigation, the District decides to investigate allegations (about the complainant or the respondent) that are not included in the initial written notice, then the District will provide notice of the additional allegations to all known parties. 34 CFR § 106.45(b)(1)(v),(2)

9. Investigation, Initial Response to Evidence, and Investigative Report

The investigation will be completed as soon as reasonably possible and generally not more than 30 days after the investigator is assigned. 34 CFR § 106.45(b)(1)(v)

- a. The investigation should be conducted to obtain the evidence necessary to make a determination regarding responsibility. Typically, this would include interviewing and/or obtaining written or recorded statements from the complainant and the respondent, as well as any witnesses to the alleged conduct. It would also include gathering relevant physical and documentary evidence, including but not limited to video or audio recordings, notes, email, text messages, and social media. However, the District may not obtain, access, or use a party's treatment records in any way unless the party has given voluntary written consent for those records to be used in the grievance process. (If the party is under 18 years old and is not attending an institution of postsecondary education, the consent must be given by the student's parent.) For purposes of this restriction, "treatment records" means records made or maintained in connection with providing treatment to a party by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity. 34 CFR § 106.45(b)(5)(i)
- b. Prior to the conclusion of the investigation and the completion of the investigative report, the District will provide to the parties copies of all evidence obtained in the investigation which is directly related to the allegations in the complaint, including any inculpatory or exculpatory investigation and even if the District does not intend to rely on the evidence in making a responsibility determination. The copies will be provided in either electronic format or a hard copy. Each party may, within ten days of being provided the evidence, submit a written response to the investigator regarding the evidence. 34 CFR § 106.45(b)(1)(v), (5)(vi)
- c. After considering the evidence and any written response by the parties to the evidence, the investigator will complete an investigative report which fairly summarizes the relevant evidence. The

completed report will be provided to each party and the party's advisor (if any) in electronic format or hard copy for review and written response. The report shall be provided at least 15 days before the time when the decision-maker begins consideration of the evidence. 34 CFR § 106.45(b)(1)(v), (5) (vii)

10. Determination by Decision-Maker

Upon the completion of the investigative report, the Title IX Coordinator shall notify the parties of the date when the decision-maker will begin consideration of the evidence.

a. Position statement

- i. On or before the date the decision-maker begins consideration of the evidence, a party may submit a written statement that outlines the party's position regarding the allegations and evidence and states the party's requested a determination regarding responsibility.

b. Written questions

- i. Each party may, no later than five days before the time the decision maker begins consideration of the evidence, submit written, relevant questions that the party wants to be asked of any party or witness. Proposed questions may refer to or rely on any of the evidence disclosed to the parties by the investigator.
- ii. The decision-maker shall determine whether each question is relevant to the allegations and whether the respondent is responsible for sexual harassment. However, questions and evidence regarding the complainant's sexual predisposition or prior sexual behavior are not relevant unless the questions and evidence either:
 1. Are being offered to show that someone other than the respondent committed the alleged conduct, or
 2. Are being offered to show consent and concern specific instances of the complainant's prior sexual behavior with respect to the respondent.
- iii. For any question excluded as not relevant, the decision-maker must explain the decision to the party proposing the question.
- iv. The decision-maker shall submit the approved questions and shall provide copies of the answers to all parties. Each party may, within two days of being provided answers, submit limited additional follow-up questions.
- v. The decision-maker shall determine whether follow-up questions are relevant and may also impose reasonable limitations on the number of follow-up questions allowed. The decision-maker must explain to the party proposing the question any decision to exclude a follow-up question based on relevance.
- vi. The decision-maker shall submit the approved follow-up questions and shall provide copies of the answers to all parties. 34 CFR § 106.45(b)(5)(vi), (6)(ii)

c. Written determination

- i. After weighing the evidence and considering the materials submitted (including the investigative report and the parties' written submissions), the decision-maker shall determine responsibility. In so doing, the decision-maker shall apply a preponderance of the evidence standard. Evidence must be evaluated objectively, and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. 34 CFR § 106.45(b)(1)(ii), (vii), (b)(7), (b)(7)(i)
- ii. If the decision-maker consists of a panel of three or five individuals, the decision will be based on a majority vote.
- iii. The decision-maker will issue a written statement setting forth the determination, which must include the following elements:
 1. Identification of the allegations potentially constituting sexual harassment as defined above;
 2. 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, and methods used to gather other evidence;
 3. Findings of fact supporting the determination;
 4. Conclusions regarding the application of the District's conduct policies (including this policy and student and employee discipline policies) to the facts;
 5. A statement of and rationale for the result of each allegation, including a determination regarding responsibility.
 - When a respondent is found responsible for sexual harassment against the complainant, the determination shall provide appropriate remedies to the complainant, which shall be designed to restore or preserve the complainant's equal access to the District's program or activity.
 - Such remedies may include the kinds of services that are included in "supportive measures" as defined above but need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

6. A description of the appeal procedures and the permissible grounds for appeal by the complainant or respondent (as set forth below). 34 CFR § 106.45(b)(1)(i), (b)(7)(ii)
- iv. The written determination shall be provided promptly and generally within 14 days after the date the decision-maker begins consideration of the evidence. The written determination must be provided simultaneously to the parties. 34 CFR § 106.45(b)(1)(v), (b)(7)(iii)
- v. The decision maker's determination becomes final on the date when the time to appeal expires (if no appeal is timely filed) or on the date that the District provides the written determination on a timely appeal. 34 CFR § 106.45(b)(7)(iii)
- vi. The Title IX Coordinator is responsible for the effective implementation of any remedies.

11. Appeal

a. Grounds for appeal

A complainant or a respondent may appeal a dismissal decision or the determination of the decision-maker based on the following grounds:

- i. A procedural irregularity which affected the outcome;
- ii. New evidence that could affect the outcome which was not reasonably available at the time the dismissal was made or the decision-maker made the determination; or
- iii. There was a conflict of interest or bias on the part of the Title IX Coordinator, an investigator, or a decision-maker (either for or against complainants or respondents generally or for or against the individual complainant or respondent) that affected the outcome. 34 CFR § 106.45(b)(8)

b. Time for appeal

An appeal must be submitted within 14 days after the decision (the notice of dismissal or the decision maker's written determination) is provided to the party. Appeals submitted after that date will not be considered, and the decision will be final. 34 CFR § 106.45(b)(1)(v)

c. Appeal process

The appeal must be delivered to the Title IX Coordinator, must be in writing, and must identify each ground for appeal, together with supporting evidence and argument. Upon receipt of a timely appeal, the following process will be implemented:

- i. The Title IX Coordinator will appoint a qualified and trained District employee as the appeal officer. This person must be someone other than a decision-maker on the complaint appealed by the Title IX Coordinator or any investigator on the complaint.
- ii. The Title IX Coordinator will give the other party written notice of the appeal, including a copy of the appeal.
- iii. The other party may provide a written response to the appeal within 14 days of being provided the appeal, including supporting evidence and argument.
- iv. After the time for response has expired, the appeal officer shall consider the appeal and any response and, within 14 days, issue a written decision describing the result of the appeal and the rationale for that result.
- v. The appeal officer considers only whether the appealing party has shown that one or more of the grounds for appeal have been demonstrated. The appeal officer must not reweigh the evidence considered by the decision-maker and may consider new evidence only as it is relevant to the particular ground of appeal.
- vi. If the appeal officer determines that a ground for appeal has been established, the appeal officer will determine what remedy is appropriate.
- vii. The appeal officer shall provide the appeal decision simultaneously to both parties. 34 CFR § 106.45(b)(1)(v), (viii)

12. Mediation

- a. Except for complaints that an employee has sexually harassed a student after a formal complaint has been filed, the parties may engage in mediation facilitated by the District as follows. Mediation may occur at any time before the decision-maker issues the written determination.
- b. The mediator will keep all information or evidence shared with the mediator strictly confidential and not disclose that information outside the mediation process. In the complaint proceeding, the parties may not refer to or use any statements or information received only through the mediation process. (This does not include a written agreement by the parties resolving the complaint.) Either party may withdraw from mediation for any reason before the party has agreed to a resolution of the complaint.
- c. Once mediation is initiated, the complaint process will be suspended until the mediation ends (either with the signing of a written agreement by the parties or by one or both parties withdrawing from the mediation). However, if mediation is not completed within 30 days of being initiated, the complaint process will resume.
- d. If one or both parties express interest in mediation, the Title IX Coordinator will provide both parties with a written notice that describes the allegations of the complaint and explains the mediation process's requirements and conditions. Before mediation may proceed, both parties must have been provided the written notice above and must give voluntary written consent to participate in mediation.

(If a party is a student under 18 who is not attending a postsecondary institution, this consent must be provided by the student's parent).

- e. If the parties agree to mediation, the Title IX Coordinator will appoint a District employee with appropriate training to serve as the mediator. The mediator may not be the Title IX Coordinator and may not participate in the complaint resolution in any other way (may not serve as an investigator, decision-maker, or appeal officer).
- f. If the parties reach an agreement to resolve the complaint through mediation, the mediator will reduce that agreement to writing, and upon signing of the agreement by the parties will provide a copy of the agreement to the Title IX Coordinator. The Title IX Coordinator will implement the agreement, subject to the coordinator's authority to reject the agreement or request the parties to modify the agreement as needed for the District to meet its obligations under Title IX or avoid unreasonable burdens on the District.

34 CFR § 106.45(b)(1)(v), (b)(9)

R. Qualification and Training

To be qualified to serve as a Title IX Coordinator, investigator, decision-maker, appeal officer, or mediator, an individual must not have a conflict of interest or bias for or against complainants or respondents generally or against a specific complainant or respondent.

1. The District will provide training on the following issues to Title IX coordinators, investigators, decision-makers, appeal officers, and mediators:
 - a. The definition of sexual harassment;
 - b. The scope of the District's programs and activities;
 - c. How to conduct an investigation and grievance process including hearings, appeals, and mediations, as applicable;
 - d. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 - e. Issues of the relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant;
 - f. For investigators, training on issues of relevance relating to creating an investigative report that fairly summarizes relevant evidence;
2. Training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Records of training materials shall be kept for seven years by the Title IX Coordinator and shall be made available to the public on the District's website.

34 CFR § 106.45(b)(1)(iii), (10)(i)(D)

S. Retaliation Prohibited

It is prohibited to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or implementing regulations or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing relating to sexual harassment or other types of sex discrimination.

1. Prohibited retaliation includes acting with the purpose of interfering with any right or privilege secured by Title IX or implementing regulations or this policy by intimidation, threats, coercion, or discrimination.
2. If brought for the purpose of interfering with these rights, prohibited retaliation includes charges against an individual for violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination.
3. Reports of retaliation should be made as another form of sex discrimination under TCSD Policy "Equal Education Opportunities" (for students) or TCSD Policy #4013 Employee Discrimination and Harassment (for employees). Complaints regarding retaliation against a student may be raised under Policy #6032 Student Prohibition of Bullying, Cyber-Bullying, Harassment, Hazing & Retaliation or regarding retaliation against an employee under TCSD Policy #4012 Grievance Procedures or as applicable under TCSD Policy #4030 Employee Prohibition of Bullying, Abusive Conduct, Hazing and Cyber-Bullying or TCSD Policy #4031 Grievances Regarding Abusive Conduct.

34 CFR § 106.71(a)

T. Records

Records relating to sexual harassment shall be maintained by the Title IX Coordinator in a confidential manner and shall be kept for at least seven years.

1. The Title IX Coordinator shall create a record regarding each instance when the District has actual knowledge of sexual harassment (that is, when the District is required to respond in some way). This record shall include any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, shall document the basis for the conclusion that the District's response was not deliberately indifferent, and shall document that the District has taken measures designed to restore or preserve equal access to the District's education program or activity. If a complainant was not provided with supportive measures, then the Title IX Coordinator must document why that was not clearly unreasonable in light of the known circumstances.
2. In addition to the records in the prior paragraph, the Title IX Coordinator shall maintain records regarding each sexual harassment investigation, any disciplinary sanctions imposed, any remedies provided to the

complainant designed to restore or preserve equal access to the District's program or activity, and regarding any appeal (including the result).

34 CFR § 106.45(b)(10)

U. Dissemination of Policy

Notice of this policy and of the name and contact information of the Title IX Coordinator shall be provided to applicants for employment or for admission, employees, employee associations, students, and parents of students. The Title IX coordinator's contact information shall be prominently displayed on the District's website and in employment application materials and student admission materials. Also, a copy of this policy shall be published on the District website and included in employment application materials, student admission materials, materials provided to employees, and student handbooks. A copy of this policy shall also be provided to the appropriate officer of each employee association.

34 CFR § 106.8(b)(2), (c)

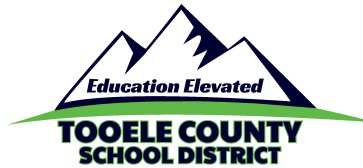
Legal

34 CFR § 106 et seq.

20 U.S.C. § 1092(f)(6)(A)(v)

34 U.S.C. § 12291(a)(8), (10),(30)

[Sexual Harassment Report Form 22.pdf \(136 KB\)](#)



Book	Policies
Section	05000 Students
Title	Section 504 of the Rehabilitation Act and Americans with Disabilities Act
Code	5033
Status	Active
Adopted	March 7, 2006
Last Revised	September 4, 2012

A. Policy

1. It shall be the policy of Tooele County School District to inform applicants for admission and employment, students, parents, persons with disabilities, employees and all unions or professional organizations holding collective bargaining or professional agreements with the Tooele County School District are hereby notified that this district does not discriminate on the basis of race, sex, color, national origin, age, or disability in admission or access to, the treatment or employment in, its programs and activities. Any person having inquiries concerning school compliance with the regulations implementing Title VI, Title IX, The Americans with Disabilities Act (ADA) or Section 504 is directed to contact school administration at each building, or the district 504 director. (This Paragraph will be printed in every Student/Parent Handbook at each school and will list the School Section 504 Coordinator and the District 504 Director.)
2. Each school in Tooele County School District is responsible to identify and locate qualified children with disabilities within their jurisdiction.
3. Each school with more than 15 employees must designate an employee to coordinate compliance with Section 504/ADA.
4. Each school shall provide notice to students and parents in their student/parent handbook of the nondiscrimination policy of TCSD.
5. Each school shall annually notify persons with disabilities and their parents or guardians of the school's responsibilities under Section 504 /ADA.
6. Each school will provide parents or guardians with procedural safeguards if they have a child that is protected by Section 504/ADA.
7. Each school will ensure that students with disabilities are included in all programs and services offered to their non-disabled peers in the same manner to the extent appropriate to their individual needs.
8. Each school will fully consider the needs of students with disabilities when acquiring and distributing new technology and teaching materials. This may be done by including special education personnel on school leadership teams, technology committees, and other committees in the school.
9. Each school shall conduct a self-evaluation of the school facilities, programs and policies to ensure that discrimination is not taking place. This study should be conducted with the assistance of interested persons, including persons with disabilities. (See Attached Form)
10. The Section 504 School Coordinator shall be responsible to conduct Section 504 accommodation meetings annually, for each student that has been identified. Each teacher of the identified student is responsible to insure that the needed accommodations are made available to the student.
11. Tooele County School District will make every effort to insure that our students are given the accommodations that the Section 504 teams have agreed upon. Should there be a disagreement between the Parents and Schools then the grievance policy should be followed.

B. TCSD Grievance Policy and Procedures Available Under Section 504/ADA

1. If any person believes that the school or any of the school's staff have inadequately applied the regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973, (4) The Americans with Disabilities Act, he/she may bring forward a grievance to the school's Section 504/ADA coordinator. It should be understood by the individual(s) involved that a complaint can be made directly to the District Section 504 Coordinator or Office for Civil Rights without

going through a school or district grievance procedure. The grievance procedures are to provide for a prompt and equitable resolution of a complaint.

2. The school's Section 504/ADA coordinator will provide a copy of the district's grievance procedure to the parent. The individual who is filing the grievance should fill out the discrimination/grievance form, attached, and return it to the school's Section 504 coordinator.
3. In turn the school Section 504 coordinator shall forward a copy of the grievance to the District Section 504 coordinator within 48 hours.

C. TCSD Grievance Procedures for Section 504/ADA issues

1. **Rationale:** TCSD will always try to solve any disagreements at the lowest possible administrative level. If that can't be done then the following grievance procedure will be followed.
 - a. **Step One:** The school 504 coordinator, on request, will provide a copy of the district grievance procedure and investigate all complaints in accordance with this procedure. The grievance procedure should include a statement that a copy of each of the acts and the regulations on which this notice is based, may be found in the coordinator's office. The person who believes he/she have been discriminated against based on disability shall discuss the grievance and give the completed grievance form to the school Section 504/ADA coordinator who shall in turn investigate the complaint and reply with an answer to the complaint in writing.
 - b. **Step Two:** A written grievance form signed by the complainant shall be submitted to the school Section 504/ADA coordinator. The coordinator shall further investigate the matters of the grievance and reply in writing to the complainant within 10 business days.
 - c. **Step Three:** If the complainant wishes to appeal the decision of the school Section 504/ADA coordinator, he/she may submit a signed statement of appeal to the district 504 director within 10 business days after receipt of the school coordinators response. The coordinator and the district director cannot be the same individual. The district 504 director shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within 10 business days.
 - d. **Step Four:** If the complainant remains unsatisfied, he/she may appeal through a signed written statement to the district Superintendent within 10 business days of his receipt of the district 504 director's response in step three. In an attempt to resolve the grievance, the Superintendent shall meet with the concerned parties and their representatives within 40 days of the receipt of such an appeal. A copy of the Superintendent's disposition of the appeal shall be sent to each concerned party within 10 business days of this meeting.
 - e. **Step Five:** When a grievance has come to conclusion and is settled the school Section 504 coordinator must notify the District 504 Director. This is to be done by forwarding the written report to the District Director within 48 hours of the resolution of the grievance.
 - f. **Mediation:**
 1. Most of the time parents and school staff agree upon issues regarding evaluation, eligibility, program, and placement of students with disabilities. However, there are times when disagreement occurs. Conflict is often inevitable, but it need not produce negative results. If the parent and school are unable to resolve a conflict concerning a student with disabilities, then mediation is an available alternative.
 2. A mediator is a trained neutral third party and, therefore, has no power to make a decision regarding the dispute. **Mediation is completely voluntary.** It should not interfere with any procedural safeguards, including a request for a due process hearing or filing a complaint with the OCR. **Mediation costs are the responsibility of the school district.** If you have questions after reviewing these materials, please do not hesitate to contact the district Section 504/ADA director, or the Utah State Office of Education.
 - g. **Due Process:** Section 504 Due Process Hearing Procedure.
 1. Due Process is defined here as an opportunity to present objections and reasons for the objections to the decisions and/or procedures used by the school under Section 504. A Section 504 due process hearing may be called: At the request of the school, or a parent, a guardian, or a surrogate parent of the student.
 2. The proceedings will be presided over and decided by an impartial hearing officer. An impartial hearing officer is a person selected to preside at a due process hearing to assure that proper procedures are followed and to assure the protection of the rights of both parties.
 3. A copy of the hearing officer's decision shall be delivered to the school and the parent or guardian following completion of the hearing which in no event shall be later than 45 days after receipt of the request for a hearing.
 4. Written or verbatim recording of the due process hearing shall be on file at the district office and shall be available for review upon request to the parents or involved parties.
 5. It is important that parents or guardians be notified of their right to request a hearing regarding the identification, evaluation, or educational placement of persons with disabilities.
 6. If the school proposes to change the student's placement and the parent files a request for a hearing, the school is obligated to maintain the student's placement until administrative proceedings are completed.

[SECTION 504 DISCRIMINATION.pdf \(31 KB\)](#)



Book	Policies
Section	05000 Students
Title	Personal Technology and Communication Devices
Code	5031
Status	Active
Last Revised	October 8, 2019

Tooele County School District recognizes that technology can enhance teaching and learning. Student-owned/provided devices should be viewed as a resource. Utilizing student-owned devices is subject to common sense and legal guidelines. Teachers and administrators with the permission of parents are encouraged to utilize student-owned devices as part of the teaching and learning process.

Resources: this rule is authorized by;

- A. The Utah Constitution Article X, Section 3, which vests general control and supervision over public education to the Board.
- B. Subsection 53G-8-202(2)(c)(i), which directs the Superintendent to develop a conduct and discipline policy model for elementary and secondary public schools; and.
- C. 47 CFR, part 54, Children's Internet Protection Act, which requires schools and libraries that have computers with internet access to certify they have internet safety policies and technology protection measures in place to receive discounted internet access and services.
- D. All schools under the LEA supervision shall be required to have a policy or policies for students, employees and where appropriate, for guests governing the use of electronic devices on school premises and at school-sponsored activities. R277-495-3 (1),

1. Definitions

- a. Acceptable use Policy means a document stipulating constraints and practices that a user shall accept prior to a user accessing an LEA's or any school within an LEA's, network or the internet.
- b. Electronic Devices: means a device that is used for audio, video or text communication or any other type of computer or computer-like instrument including, but not limited to the following, smartphone; smart or electronic watch; a tablet; virtual reality device.
- c. Guest means an individual; who is not a student, employee, or designated volunteer of the public school; and who is on school property or at the site of a school-sponsored activity or event.
- d. Inappropriate matter means pornographic or indecent material as defined in Subsection 76-10-1253(1)(a).
- e. District-owned electronic device means a device that is used for audio, video, text communication, or any other type of computer or computer-like instrument that is identified as being owned, provided, issued or lent by the LEA to a student or employee.
- f. Privately owned electronic device means a device, including an electronic device that is used for audio, video, text communication, or and another computer or computer-like device that is not owned or issued by the LEA to a student or employee.
- g. Public school means a school or public-school program grades kindergarten through 12 grades, which is part of the Utah Public School System, including a school with a distance learning program or an alternative program.
- h. The Children's Internet Protection Act (CIPA) means federal regulations enacted by the Federal Communications Commission (FCC) and administered by the Schools and Libraries Division of the FCC.
- i. CIPA and companion laws, the Neighborhood Children's Internet Protection Act (NCIPA) and the Protecting Children in the 21st Century Act, require recipients of federal technology and to comply with certain internet filtering and policy requirement.

j. Utah Education Telehealth Network (UETN) means the Utah Education and Telehealth Network created in section 53B-17-105

k. Individual suspicion means information that an individual has violated policy; generally required for constitutional search (including personal belongings; exceptions are possible when privacy interests implicated in the search are minimal and where other safeguards are available; not as exacting in the public school setting as in criminal law.

l. Reasonable suspicion; need not be based on a single factor, but on the totality of the circumstances; aggregate effect of all information available at the time of the 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.

m. Instructional time are the hours during the school day designated by the school or school district, cumulative hours and days during the course of the school year must equal 990 hours of instructional hours and 180 instructional days, consistent with R277-419; also includes the time during the class when the teacher is instructing the students.

2. Use of Electronic Devices. Electronic devices may be used during the school day, during school-sponsored activities or transportation as follows:

a. Student may have electronic devices in their possession during the regular school day.

b. The devices must remain out of sight during the instructional time and be turned off or on a silent mode.

c. If students intentionally use or respond to electronic devices during instructional time or during time identified by teachers, electronic devices may be confiscated.

d. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.

e. A school shall, develop a written procedure to establish a warning schedule for student violations which all school employees shall follow. Exceptions may be made for individual students or for specific time periods as warranted. The time period shall be interpreted with flexibility.

f. Electronic devices must be either turned off or held in a secure place by the teacher, as determined by the individual teacher, during class quizzes, tests, and standardized assessments.

g. Electronic devices inappropriately used or disclosed may be subject to search by school administrators based on reasonable suspicion.

h. Students may not use any electronic device to access inappropriate matter while on school property or while using District connectivity. Students may not use any electronic device to hack any school or district network. Students may not use any electronic device in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees, or guests.

3. Use of District-owned Electronic Devices. District-owned electronic devices must be used in accordance with the specific rules and conditions related to the issuance of the device to the student, including rules on care and maintenance of the device, and restrictions on personal uses of the device, and rules relating to the installation or use of software on the device. Students may not use any District-owned electronic device to access inappropriate matter, nor may students use a District-owned electronic device to hack, any network or any electronic device. Students may not use any District-owned electronic device in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees or guests.

4. Exceptions to the general electronic device policy shall be made consistent with the school district and school policies but in the judgment and discretion of individual teachers.

a. Medical reasons: School administrators may give permission for students to possess electronic devices for good cause shown if the devices do not distract from the instructional or education process.

b. Parent request: parents may request that a student possess an electronic device on active mode at all times during the school day, with exception to during course or subject test and standardized assessments. Teachers shall grant such request for good cause shown. (good cause may include medical needs or unusual family situations.)

c. Teacher permission: The teacher may permit a student to have an electronic device in his possession at all times during the regular school day, including during assessments, based on a written 504 plans, and IEP or legitimate circumstances as determined by the individual teacher.

d. Emergency; students may use electronic devices in situations that threaten the health, safety or well-being of students (including themselves), school employees or others.

e. Parents shall make requests for exceptions to the school district/school policy to the school principal, designee or individual teacher. The school shall have forms available at the main office and in the counseling center for parent/student requests.

5. Reporting misuse of electronic devices. Students should report any misuse of electronic devices by an employee to the principal or other appropriate administrators. Students should report misuse of electronic devices by other students to a teacher or an administrator. Misuse of electronic devices by guests should be reported to the principal or other appropriate administrators.

6. Consequences for violation of policy.

- a. Students will receive one warning prior to discipline for violation of this policy
- b. Designated individuals, upon identification, may retrieve their child's electronic device during school hours or by appointment.
- c. A school may impose other consequences for a student's violation of the electronic device policy only following notice of such policy to the school community. Such penalties are not exhaustive, and more than one penalty may be imposed if warranted. Such penalties may include:
 - Loss of electronic device privileges
 - Disciplinary letter
 - In-school suspension
 - Suspension
 - Loss of extracurricular or honor privileges or recognition
 - If students are defiant and will not cooperate with school administrators and/or will not surrender electronic devices, the designated school administrator may take appropriate action for the safety and well-being of the student or other students or employees at the school. The school principal or designee shall notify a parent immediately of additional penalties.

7. Notice to Students and Parents of Policy.

- a. Parents and students shall receive annual written notice of the school district's school's electronic device policy and procedure. Written notice may be satisfied by posting the policy on the school district/school's website, publishing the policy in the school handbook or directory, sending the policy to the students home or any other reasonable means.
- b. Parents and students shall receive annual notice of the policy;
 - Parents and students shall receive notice of changes in the school district/school 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 school website if a school has a website.
- c. Schools may require that parents return a copy of the policy with a signature indicating that parents have had access to the policy.
- d. Information to parents should include exceptions to the policy and potential consequences for students.
- e. Information to parents shall provide clear information on how best to contact students during school hours or activities, in lieu of immediate contact by electronic device.
- f. Students and parents shall be notified that law enforcement may be contacted, at the school's discretion if circumstances warrant such contact.

8. Confiscated Electronic Devices.

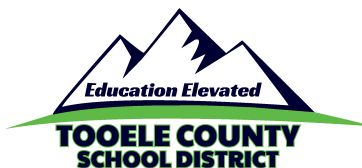
- a. Only licensed school personnel (unless other employees are specifically identified in policy) may confiscate student electronic devices.
- b. Licensed school employees are discouraged from searching or reviewing material or numbers stored on student electronic devices except under compelling circumstance.
- c. Licensed school employees may search an electronic device if the device is found by the employee for the limited purpose of determining the device's owner.
- d. Schools will do their best to guarantee and protect confiscated electronic devices but are not responsible for loss, damage or theft.
- e. Schools will make a good faith effort to notify parents or designated individuals that electronic device is in the school's possession and time and resources permitting, will maintain electronic devices until the end of the school year. Prior to disposal of devices school/school districts shall clear all personal data.

9. Creative and Innovative Uses for all Electronic Devices.

- a. Individual teachers, school employees, and schools are encouraged to use electronic devices creatively to communicate effectively with students and parents and to enhance instruction
- b. Creative uses might include:
 - Notifying absent students of assignments.
 - Communicating with parents when students excel or if a student falls behind or is absent
 - Parents notifying school when students are absent or tardy
 - Teachers notifying students of news articles or events that would enhance discussion or student research
 - Providing immediate feedback to student on written work or assignments
 - Using student electronic devices in class as response systems.

10. Other Provisions.

- a. Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, washrooms, and dressing areas.
- b. Students bring electronic devices on school property or to school activities at their own risk. The school is not responsible for lost stolen or damaged electronic equipment.
- c. Students are strictly responsible for their own electronic devices. If devices are borrowed or taken and misused by non-owners, device owners are jointly responsible for the misuse or policy violation(s).
- d. Student and parents should be informed and understand that confiscated electronic devices may be subject to search by school officials.
- e. A student's penalties for violation(s) of an electronic device policy provision may vary depending upon the intentional nature of the violation, other disciplinary actions the student may have received and specific circumstances of the violation.



Book	Policies
Section	05000 Students
Title	Student Bus Transportation
Code	5028
Status	Active
Adopted	January 3, 1994
Last Revised	December 11, 2018

A. Pupil Transportation

1. School Buses and Operation Standards <http://www.schools.utah.gov>
 - a. Bus eligibility (R277-600-4)
 1. Transportation eligibility for elementary students who live further than 1½ miles distance from school and for secondary students who live further than two (2) miles distance from school is determined according to the following:
 - a. The distance from home to school is determined from the center of the public route (road, thoroughfare, walkway, or highway) open to public use, opposite the regular entrance of the one where the pupil is living, over the nearest public route (thoroughfare, road, walkway, or highway) open regularly for use by the public, to the center of the public route (thoroughfare, road, walkway, or highway) open to public use, opposite the nearest public entrance to the school grounds which the student is attending.
 2. The transportation department will look at accommodating as many students as can be safely transported on routes that have seating available. Students who are not eligible may fill out a space available request. An eligible student may not be displaced or required to stand in order to make room for an ineligible student. This request may take up to the first month of school to process.
 2. Students are bused to assigned schools and no out-of-boundary students are bused.
 3. Extra-curricular classes or school of choice like dual immersion, math, science, band, orchestra and other school related activities are not bus eligible.
 4. Secondary students will only be permitted to ride to and from same route and same stop daily.
 5. Elementary students will only be permitted to ride to and from same route and same stop daily unless alternative stop along same route is requested for babysitter pick up/drop off. Transportation to scouts, dance, piano, birthday party, sports, etc., is not allowed.
 - a. Parent/Guardian requesting an alternate bus stop along the same route must send a written request directly to the Transportation Department. Request must include the students name, parent/guardian's name, home address, alternate address, and telephone numbers. The district will review the request with a written or verbal response back to the requesting party pursuant to the timeframe of the request.
 6. Students with disabilities are transported on regular buses and regular routes whenever possible, unless the Individualized Education Plan (IEP) team determines otherwise.
 - a. A student whose IEP identifies transportation as a necessary related service is eligible for transportation regardless of distance from the school attended by assignment of the local board in accordance with Utah State Board of Education [Rule 277-600-5](#) and federal requirements.

B. Rules and Regulations Governing Student Transportation

1. Pupils shall observe classroom conduct and obey the driver promptly and respectfully. The driver is in complete charge of all students during loading, unloading of the bus and during transit.
2. Pupils shall respect the rights and safety of others.

3. Pupils shall arrive at the bus stop five (5) minutes before the bus arrives.
4. Pupils shall wait in a safe place, clear of traffic and away from where the bus stops.
5. Pupils shall wait in an orderly line and avoid horseplay.
6. Pupils shall cross the road or street in front of the bus only after the bus has come to a complete stop and upon direction of the driver.
7. When entering the bus, pupils shall go directly to an assigned seat or as directed by the driver.
8. Pupils shall keep aisles and exits clear and remain seated facing forward with feet on the floor while the bus is moving.
9. Pupils shall refrain from throwing or passing objects on, from or into bus.
10. Pupils are permitted to carry only objects that can be held on one's lap/backpack. Skateboards and scooters are not allowed.
11. Pupils shall refrain from the use of profane language, tobacco, alcohol, drugs, or any other illegal controlled substance on the bus.
12. Pupils shall refrain from eating and drinking on the bus.
13. Pupils shall not carry hazardous materials, nuisance items, and animals onto the bus. Weapons or fireworks of any kind are not allowed on the bus.
14. Students are bus eligible only for their own assigned pickup and dropped off at their designated stops only.
15. Pupils shall refrain from sticking head, arms or objects outside of the bus.
16. Pupils shall refrain from coming in contact with a moving bus.
17. Any pupil damaging transportation property in any way shall pay for all such damages.
18. Buses leave schools 10 minutes after scheduled release times.
19. Students not following rules and regulations will be written up on the Bus Violation Report form.

C. Video Camera on School Buses

1. Purpose and Philosophy

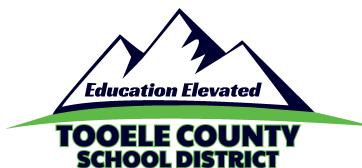
- a. The objective of student management is the desirable behavior of all students riding on school buses.
 1. The school day begins one-half hour before school and ends one-half hour after school. As students go to meet the bus before school and leave the bus to go home after school, the school is responsible for the students.
 2. Although the prime responsibility for a student's conduct rests with the administrator of the school, the school bus driver is responsible for the health, safety and welfare of each passenger while in transit.
- b. School systems should promote, communicate and enforce procedures to be followed by the students when they are riding the bus.
 1. Local school disciplinary codes should include pupil behavior and discipline while on the bus. Rules can be enforced only with the cooperation of every person concerned with transportation.
 2. Observance of these rules will ensure safety, prompt arrivals and departures of buses, and proper attitudes on the part of the students. Violation of these rules may result in the suspension of bus riding privileges and/or some other sanction.
- c. Student behavior on the school bus and the driver's management of that behavior are the two key elements to a safe and enjoyable bus ride.
- d. The use of a video camera on a school bus is an aide to monitor bus discipline.
 1. It does not replace the discipline policy, the authority of the driver, or the responsibility of the school officials.
 2. The basic safe riding rules must prevail and the consequences of misconduct must be carried out. Violence and bullying will not be tolerated on the school bus.

2. Policy

- a. All students shall receive training in proper school bus riding practices. They also are to be advised of the student disciplinary code from the student's home school.
- b. Video cameras may be placed on any bus in Tooele County School District authorized by the transportation administrator or director.
- c. The cameras on the buses shall be recording throughout the routes. If there are a number of incidences of misconduct or serious reports on the bus, more extensive video monitoring of a particular bus route may occur.
- d. Following videotaping, the tapes are to be stored at the transportation department for a period of thirty (30) days. The transportation supervisor shall periodically review videotaping randomly selected to ensure proper school bus conduct. If there are no reports of misconduct within thirty (30) days, the tapes will be recycled. However, if there is misconduct incidences reported or viewed during random selection, the videotapes are to be kept until final resolution, including any appeals.

3. Student Education Records Management

- a. Video or audio tapes are education records subject to protection under the Family Educational Rights and Privacy Act (FERPA).
- b. Video or audio tapes may be reviewed by school officials who have a legitimate educational interest.
- c. Parents/guardians have the right, upon request, to inspect and review their student's education records maintained by the District or school. Parents are not entitled to review any personally identifiable information about other students. Therefore, if the tape contains personally identifiable information about a student other than the parent's own student, and the information cannot be easily separated, in order to limit access to only the relevant student's information, a school official shall summarize the contents of the tape and inform the parents of the contents either verbally or in writing.



Book	Policies
Section	05000 Students
Title	Athlete and Student Concussion and Traumatic Head Injury
Code	5045
Status	Active
Last Revised	February 11, 2020

A. Purpose and Philosophy

1. As medical management of sports-related concussion continues to evolve, Tooele County School District recognizes there has been a significant amount of new research regarding sports-related concussions in high school athletes. Tooele County School District in compliance with Utah State Board of Education Rule R277-614 and based on the model policy issued by the State Board of Education and State Risk Management has established this protocol to provide education about concussion for coaches, school personnel, parents and students. This protocol outlines procedures for all staff members to follow in managing concussions and outlines school policy as it pertains to return to play issues following a concussion.
2. Tooele County School District seeks to provide a safe return to activity for all students following any injury, but particularly after a concussion. In order to effectively and consistently manage these injuries, procedures have been developed to aid in insuring that concussed students are identified, treated and referred appropriately, receive appropriate follow-up medical care during the school day and are fully recovered prior to returning to activity.
3. Tooele County School District shall ensure that Tooele County Health Department and Physical Education specialists in the District shall review this policy annually. Any changes or modifications shall be reviewed and provided to administrators, athletic department staff, including coaches and other appropriate school personnel in writing. All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related concussions are discussed.

B. Policy

1. This policy applies to students participating in:
 - a. recess, field days, or elementary school activities;
 - b. physical education classes offered by the District; and
 - c. extra-curricular activities sponsored by the District or statewide athletic associations or both groups jointly.
2. Notice of this concussion and head injury policy shall be provided at least annually to parents of students who participate in sporting events as defined in Utah Code §26-53-102(5) and should require parents' signatures acknowledging such notice.
3. "Sporting events" for purpose of this policy means any of the following athletic activities that is organized, operated, managed, or sponsored by the District:
 - a. game
 - b. performance
 - c. practice
 - d. sports camp
 - e. physical education class
 - f. competition
 - g. tryout
 - h. recess, field days, and elementary activities.

C. Recognition of a Concussion

1. A concussion is a type of traumatic brain injury that interferes with the normal function of the brain. It occurs when the brain is rocked back and forth or twisted inside the skull as a result of a blow to the head or body. What may appear to be only a mild jolt or blow to the head or body can result in a concussion. A concussion

may occur even if a player or student in an activity is not knocked out or loses consciousness. (NFHS "Suggested Guidelines for Management of Concussion in Sports.")

2. It is the responsibility of the Director of Risk Management to ensure that employees and agents of Tooele County School District have the appropriate training about recognizing and responding to concussions and traumatic head injuries, consistent with the employee's/agent's responsibilities for supervising participating in sporting events.

3. Common Signs and Symptoms of Sports-related Concussion

A concussion or traumatic head injury is an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following common signs or symptoms observed or self-reported conditions attributable to the injury:

- a. transient confusion, disorientation, or impaired consciousness
- b. dysfunction of memory
- c. loss of consciousness
- d. signs of other neurological or neuropsychological dysfunction, including:
 1. seizures
 2. irritability
 3. lethargy
 4. vomiting
 5. headache
 6. dizziness or
 7. fatigue

e. Common signs and symptoms of sports-related concussion :

Signs (observed by others):

1. student appears dazed or stunned
2. confusion
3. forgets plays
4. unsure about game, score, opponent
5. moves clumsily (altered coordination)
6. balance problems
7. personality change
8. responds slowly to questions
9. forgets events prior to hit
10. forgets events after the hit
11. loss of consciousness (any duration)

Symptoms (reported by the student or injured person) :

1. Headache
2. Fatigue
3. nausea or vomiting
4. double vision, blurry vision
5. sensitive to light or noise
6. feels sluggish
7. feels "foggy"
8. problems concentrating
9. problems remembering

4. These signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion. Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the contest, game or practice and shall not return to play until cleared by an appropriate health care professional.

D. Management and Referral Guidelines for All Staff

1. The following situations indicate a medical emergency and require an emergency medical response by school personnel in conjunction with parent notification:
 - a. Any student with a witnessed loss of consciousness of any duration should be spine boarded and transported immediately to the nearest emergency department via emergency vehicle.
 - b. Any student who has symptoms of a concussion, and who is not stable (i.e., the condition is worsening), should be transported immediately to the nearest emergency department via emergency vehicle.
 - c. A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:
 1. deterioration of neurological function;
 2. decreasing level of consciousness;
 3. decrease or irregularity in respiration;
 4. any signs or symptoms of associated injuries, spine or skull fracture, or bleeding;
 5. mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation; or

6. seizure activity.

- e. A student who is symptomatic but stable may be transported by his/her parents. The parents should be advised to contact the student's health care provider or seek care at the nearest emergency department, on the day of the injury.

E. Guidelines and Procedures for Coaches and Teachers Supervising Physical Education Classes, Athletic Contests, and Games

RECOGNIZE - REMOVE -REFER

1. Recognize Concussion

- a. All educators and agents of the District should become familiar with the signs and symptoms of concussion that are described above.
- b. Educators and agents of the District should have the appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees' responsibilities for supervising students and athletes.

2. Remove from Activity

- a. Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the sporting event and shall not return to play until cleared by an appropriate health care professional.
- b. When in doubt, sit 'em out.

3. Refer the athlete/student for medical evaluation

- a. The District employee or agent is responsible for notifying the student's parent(s) of the injury. Contact the parent(s) to inform a parent of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event and transport.
- b. A medical evaluation is required before returning to play.
- c. In the event that a student's parent(s) cannot be reached, and the student is able to be sent home (rather than directly to MD):
1. The District's employee or agent should ensure that the student will be with a responsible individual, who is capable of monitoring the student and understanding the home care instructions, before allowing the student to go home.
 2. The District's employee or agent should continue efforts to reach a parent.
- d. If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. A District's employee or agent should accompany the student and remain with the student until a parent arrives.
- e. The District's employee or agent shall provide for the supervision of other students for whom he or she is responsible when accompanying the injured student.
- f. Students with suspected head injuries should not be permitted to drive home.
- g. District employees or agents should seek assistance from the host site certified athletic trainer (ATC) or team physician, if available, at an away contest if the injury occurs at a formal athletic contest.

F. Return to Play (RTP) Procedures After Concussion

1. Return to activity and play is a medical decision. The student must meet all the following criteria in order to progress to activity:
- a. Asymptomatic at rest and with exertion (including mental exertion in school) AND
 - b. Have a written clearance from the student's primary care provider or concussion specialist (student must be cleared for progression to activity by a physician other than an Emergency Room physician if diagnosed with a concussion).
2. Once the above criteria are met, the student will be progressed back to full activity following the step-wise process detailed below. (This progression must be closely supervised by a District employee or agent. If your school does not have an athletic trainer, then the coach must have a very specific plan to follow as directed by the athlete's physician).
- a. Progression is individualized and will be determined on a case-by-case basis under the supervision of appropriate school personnel. Factors that may affect the rate of progression include:
1. previous history of concussion or traumatic head injury;
 2. duration and type of symptoms;
 3. age of the student;
 4. sport or activity in which the student participates;
 5. an athlete with a prior history of concussion, on who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.
- b. Stepwise progression as described below:

Step 1: Complete cognitive rest. This may include staying home from school or limiting school hours (and studying) for several days. Activities requiring concentration and attention may worsen symptoms and delay recovery.

Step 2: Return to school full-time.

Step 3: Light exercise. This step cannot begin until the student is no longer having concussion symptoms and is cleared by a physician for further activity. At this point, the athlete may begin walking or riding an exercise bike. No weight lifting.

Step 4: Running in the gym or on the field No helmet or other equipment.

Step 5: Non-contact training drills in full equipment. Weight training can begin.

Step 6: Full contact practice or training.

Step 7: Play in a game. Must be cleared by a physician before returning to play.

- c. The student should spend one to two days at each step before advancing to the next. If post-concussion symptoms occur at any step, the student must stop the activity and the treating physician must be contacted. Depending upon the specific type and severity of the symptoms, the student may be told to rest 24 hours and then resume activity at a level one step below where he or she was at when the symptoms occurred.
- d. The step-wise progress and resumption of sporting activity could be considerably simplified for a student injured during recess for example, as compared to a student injured at a game or formal athletic practice.

G. Medical Provider Clearance

1. "Qualified health care provider" means a health care provider who is licensed under Title 58, Occupations and Professions; and may evaluate and manage a concussion or traumatic head injury within the health care provider's scope of practice.
2. Before a student suspected of suffering a concussion or traumatic head injury may be allowed to participate in any District sporting event, the student's parent/guardian shall provide a written statement from a qualified health care provider stating that:
 - a. The student is symptom-free and medically cleared to resume participation in the District's sporting event.

Legal

Utah Administrative Code R277-614 – Athletes and Students with Head Injuries

Utah Code Ann. §26-53-102(5)

[Concussion Consent - Elementary.pdf \(11 KB\)](#)

[Concussion Consent - Secondary.pdf \(13 KB\)](#)

**ACKNOWLEDGE OF
CONCUSSION AND TRAUMATIC HEAD INJURY POLICY REVIEW
Required under Utah Code §26-53-201**

**PARENT/LEGAL GUARDIAN CONSENT FORM
Elementary Students
Tooele County School District**

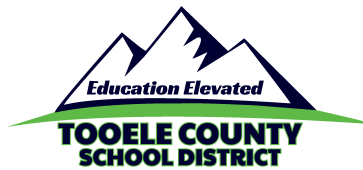
I, _____ the parent/guardian of _____
Print Parent/Guardian Name *Print Student or Students' Names*

have read, understand, and agree to abide by the Tooele County School District policy regarding concussions and traumatic head injuries for the purposes of “sporting events”¹ sponsored by the District.

Signature of Parent/Guardian

Date

¹ “Sporting event” means any of the following activities that is organized, operated, managed, or sponsored by the District: (i) a game; (ii) a performance; (iii) a practice; (iv) a sports camp; (v) a physical education class; (vi) a competition; (vii) a tryout; (viii) recess, field days, and elementary school activities.



Book	Policies
Section	05000 Students
Title	Tobacco/Nicotine Free District: Applies to Students (Pre-kindergarten Through Grade 12), District Employees, Schools, Parents and Visitors
Code	5005
Status	Active
Last Revised	January 22, 2019

A. Purpose

For the purpose of this policy, tobacco/nicotine shall be defined as any product containing tobacco/nicotine including, but not limited to, cigarettes, cigars, chewing tobacco/nicotine, snuff, electronic cigarettes, dissolvable tobacco/nicotine, and nicotine gum, lozenges, or vapes.

B. Leading Cause of Preventable Deaths

1. Tobacco/Nicotine is the number one killer and the leading cause of preventable death in Utah and nationwide. To support and model a healthy lifestyle for our students, the school board of Tooele County establishes the following tobacco/nicotine-free policy.
2. The health hazards of tobacco/nicotine use have been well established. This policy as stated is established to:
 - a. Reflect and emphasize the hazards of tobacco/nicotine use;
 - b. Comply with state and federal laws;
 - c. Protect the health and safety of all students, employees and the general public;
 - d. Set a non-tobacco/nicotine use example by adults.
3. The Tooele County School District and property shall be tobacco/nicotine-free 24 hours a day, 365 days per year. This includes all days when school is not in session and during all functions taking place on school grounds, such as athletic functions and other activities not associated with or sponsored by the school.
4. This policy coincides with the Utah Clean Air Act Section 26-38-2. Tobacco/Nicotine possession by students or persons under the age of 19 is against the law. Tobacco/Nicotine products or other devices will be confiscated.

C. Tobacco/Nicotine Use by Students (Pre-Kindergarten Through 12th Grades) and District Employees is Prohibited.

1. All tobacco/nicotine use by students, parents, visitors and chaperones on school property or district property, in school owned vehicles, and at school-sponsored functions/classes away from school property, including field trips, is strictly prohibited. In the event that any student in grades pre-kindergarten through six violates this policy, the following will occur:
 - a. First Violation: A school administrator will meet with the parent(s)/guardian(s) and student. Upon meeting with the school administrator, educational materials will be provided to the parent/guardian and student. The parent/guardian and student will sign a non-use contract. If the student refuses the options, he/she will be required to complete an online tobacco prevention class or other intervention as outlined by school administration.
 - b. Subsequent Violations: The student will be required to complete an online tobacco or nicotine prevention course or other intervention as outlined by the school administration. The school administrator will meet with the parent(s)/guardian(s) and student.
2. In the event that any student in grades seven through 12 violates this policy, the following will occur:
 - a. First Violation: A school administrator will meet with the parent(s)/guardian(s) and student and require the student to complete an online tobacco/nicotine prevention course and complete provided educational materials or be referred to the Utah Quit Line, 1-800-QUIT-NOW or Waytoquit.org. If the student chooses to contact the Quit Line, he/she must

complete the Quit Line Waiver form first to be retained on file at the school. He/She must provide proof of completion (Quit Line packet/certificate) to be given to administration following completion of program. The student and parent/guardian will sign a non-use contract. If the student refuses these options, they will be fined and referred to CMT (Case Management Team).

- b. Subsequent Violations: The school administrator will meet with the parent(s)/guardian(s) and student to develop an intervention plan.
 3. In the event that any District employee violates this policy, the following will occur:
 - a. First Violation: a school or district administrator will notify the employee of the policy in writing.
 - b. Second Violation: A school or district administrator will require the employee to be referred to the Utah Quit Line, 1-800-QUIT-NOW or Waytoquit.org. If the employee refuses the options, he/she will be referred to the local law enforcement and will be processed through the judicial system according to Utah laws.
 - c. Third Violation: District disciplinary policy will then be followed in resolving violations.
- D. Possession of tobacco/nicotine or tobacco/nicotine paraphernalia by students is strictly prohibited within 1,000 feet of District property. Paraphernalia, such as lighters, matches, strikers, e-cigarettes, and any incendiary device are in violation of the Tooele County School District Safe School Policy (Policy 6009e).
1. In the event that any student in grades pre-kindergarten through six violates this policy, the following will occur:
 - a. First Violation: A school administrator will meet with the parent/guardian(s) and student. Upon meeting with the school administrator, educational materials will be provided to the parent/guardian and student. The student and parent will sign a non-use contract.
 - b. Subsequent Violations: The school administrator will meet with the parent(s)/guardian(s) and student. The student will be required to complete an online tobacco/nicotine prevention course as outlined above.
 - c. In the event that any student in grades seven through 12 is found to distribute tobacco/nicotine to other minors, the student will be referred to law enforcement.
 2. In the event that any student in grades seven through 12 violates this policy, the following will occur:
 - a. First Violation: A school administrator will meet with the parent(s)/guardian(s) and student. The school administrator will require the student to complete an online tobacco/nicotine prevention course or be referred to the Utah Quit Line, 1-800-QUIT-NOW Waytoquit.org. If the student chooses to contact the Quit Line, he/she must complete the Quit Line Waiver form first to be retained on file at the school. He/She must provide proof of completion (Quit Line packet/certificate) to be given to administration following completion of the program. The student and parent guardian will sign a non-use contract. If the student refuses the options, he/she will be referred to CMT for other consequences.
 - b. Subsequent Violations: The school administrator will meet with the parent(s)/guardian(s) and student to develop an intervention plan.
 - c. In the event that any student in grades seven through 12 is found to distribute tobacco/nicotine to other minors, the student will be referred to law enforcement.
 3. Prevention options including online tobacco/nicotine prevention courses approved are as follows at no cost to the student. It is recommended that students take both online courses, "ASPIRE & Clearing the Vapor" for online prevention course instruction. Certificates must be returned to administration for proof of completion.
 - a. "The ASPIRE Program was developed by, and is used and made available with the permission of the University of Texas M.D. Anderson Cancer Center." This program focuses mostly on tobacco and is appropriate for grades seven through 12. Login instructions can be found in Attachment A.
 - b. "Clearing the Vapor <https://southwest-utah-public-health-department.thinkific.com/courses/copy-of-tobacco-free-youth-parent-and-student-module>." This program focuses mostly on e-cigarettes and vaping and is appropriate for grades seven through 12.
 - c. For use of the "Quit Line" a waiver form must be filled out prior to referral. Waiver form may be found in Attachment B.
 - d. Student Youth Court may also be a referred support for students.
3. In the event that any Tooele County School District employee violates this policy, the following will occur:
- a. First Violation: The employee will be notified in writing that possession of tobacco/nicotine or tobacco/nicotine paraphernalia must be strictly kept from students' view or access.
 - b. Second Violation: District disciplinary policy will then be followed in resolving violations.
- E. No tobacco/nicotine advertising (e.g., on signs, clothing, accessories or hats) will be permitted in any form in school or district buildings, at school functions/classes, fieldtrips, or in school publications.

F. Clothing and other articles of attire worn at school or on district property may not display advertisement for, endorsements of, or implications of tobacco/nicotine, tobacco/nicotine companies, or tobacco/nicotine use in any form. This policy applies to students, employees, parents/guardians and visitors at schools or on district property in any capacity. In the event that this policy is violated by students, the following will occur:

1. First Violation: The school administrator will contact the parent/guardian and inform the parent/guardian and student that the clothing is inappropriate and must not be worn again. This notice will serve as a warning to the student and parent/guardian. Alternate clothing will be provided.
2. Subsequent Violations: The school administrator will meet with the parent/guardian and student to determine appropriate consequences. The student will be suspended for one to three days.

If an employee violates this policy, the employee will receive written notice from a school or district administrator that adherence is expected, and if not accomplished, Board policy will be followed.

G. Endorsement or sponsorship in any form of any school-related event by tobacco/nicotine companies is strictly prohibited.

H. The sale, delivery, transfer or distribution of tobacco/nicotine or tobacco/nicotine paraphernalia in any form by a student, employee, parent/guardian or chaperone, or visitor is strictly prohibited when it occurs in a school building, in or on school district property, or at any school sponsored activity, including field trips.

I. Tobacco/Nicotine Use Prevention Programs

1. Tooele County School District will provide instruction about the short-and-long-term negative physiologic and social consequences of tobacco/nicotine use, social influences on tobacco/nicotine use, peer norms regarding tobacco/nicotine use, and refusal skills. Tobacco/Nicotine prevention curricula will be:

- a. Consistent with CDC (Center for Disease Control) Guidelines.
- b. Developmentally appropriate for intended age.
- c. Non-biased.
- d. Of high standard and quality, and will provide:
 1. Accurate and up-to-date information.
 2. Sound educational methodology for the recommended audiences.
 3. Clear and consistent messages.

2. Tooele County School District will establish and maintain a referral system to cessation services (classes) on or off school campus for students/employees and will update the information regularly. Any student/employee who is interested in quitting tobacco/nicotine use may take these classes on a voluntary basis. Students will not be penalized in any way for requesting to take a cessation class on a voluntary basis. The school will make every effort to assist the student in accessing this program.

3. Tooele County School District is committed to community and family involvement regarding tobacco/nicotine prevention and control. To establish and maintain this involvement, Tooele County School District will organize and maintain a coalition of community, family and school partners, which will be responsible for:

- a. Reviewing and revising the tobacco/nicotine use policy on an annual basis, and
- b. Planning and carrying out a tobacco/nicotine prevention annual event.

J. Tooele County School District will provide Tobacco/Nicotine-Free Policy training for employees on an annual basis.

K. Tooele County School District will evaluate the tobacco/nicotine-use prevention program and policy by:

1. Assessing the tobacco/nicotine-use prevention program at regular intervals.
2. Evaluating whether Tooele County School District is providing an effective policy, curricula, training, family and community involvement, and cessation programs.

L. Visitors/Chaperones to the District Facilities Must Comply with Regulations Set Forth by this Policy:

1. Smoking or the use of tobacco/nicotine products by visitors/chaperones is prohibited. This includes activities during non-school hours and all functions of the school, athletic or otherwise. This also includes activities sponsored by other organizations that use district property.
2. Visitors/Chaperones found smoking or using tobacco/nicotine products will be asked by the appropriate school official to refrain from smoking or tobacco/nicotine use while on district property. They will be informed of the school's tobacco/nicotine-free policy. If the visitors/chaperones do not comply, they will be asked to leave. If they refuse to leave, the police or health department may be called.
3. Visitors/Chaperones at schools or in district buildings violating any part of this policy will be informed of this policy, and of state law, and asked to adhere to this policy. Subsequent violations by the same individual will result in a referral to the local law enforcement.

House Bill 162

House Bill 162 requires local school boards and charter schools governing boards to provide period products in certain restrooms within all school facilities.

- Period Products - Tampons, sanitary napkins; or other similar product designed for hygiene in connection with the human menstrual cycle.
- Certain Restrooms - all restrooms that are female or unisex within the elementary, middle, junior or high school or school facility which students use.

Link if you would like to read all of H.B.162

<https://le.utah.gov/~2022/bills/static/HB0162.html>