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Statement of.....

Policy and Responsibility

SUBJECT: SAFE AND ORDERLY SCHOOLS

This policy is enacted to create a safe and orderly school for students, staff and patrons at school and school sponsored activities. This policy provides guidance for the appropriate handling of any situation that: (1) could place students, staff, or patrons, at **risk of harm** or in **imminent danger** and (2) will foster a positive, orderly learning environment. Student acts of disobedience, defiance, violence or criminal behavior such as: physical assault; possession, display, or use of a weapon or facsimile; threats against life or property; gang activity that places any person at risk or harm or in imminent danger; distribution, possession, or use of controlled substances; or any other act that creates a hostile environment or requires a law enforcement investigation are prohibited in all Murray City School District schools. These acts are prohibited on school grounds, to and from school, at school-sanctioned activities (including summer, weekend, and after school hours activities), or when students are being transported in vehicles dispatched by the district.

The Safe and Orderly Schools policy is to be used in conjunction with and as an extension of the Student Discipline policy.

I. GROUNDS FOR SUSPENSION/CHANGE IN PLACEMENT FROM SCHOOL/EXPULSION

- A. Behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, beliefs, or morals of other students or school personnel or to the operation of the school;
- B. The commission of an act involving the use or force or threatened use of force.
- C. The Possession or control of a Category 2 weapon or facsimile. A Category 2 weapon includes any weapon, material, or substance, animate or inanimate, which is capable of **causing bodily injury**. Category 2 weapons include, but are not limited to, knives with blades of less than four (4) inches and leather man tools.
- D. The possession or use of a drug or controlled substance, an imitation controlled substance or drug paraphernalia;
- E. Repeated threats to the Same Individual
- F. The sale, control, or distribution of a drug or controlled substance, an imitation controlled substance or drug paraphernalia;
- G. The possession or control of a Category 1 weapon or facsimile, explosive, or

flammable material or other serious violation affecting another student, staff member or patron. A category 1 weapon includes any weapon, device, instrument, material, or substance, animate or inanimate, which is used for, or readily capable of, causing death or serious bodily injury. Category 1 weapons include any firearm or device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive. It also includes any knife with a blade four inches or longer and any object used in a threatening or destructive manner.

- H. An assault which causes serious bodily injury to another student, staff member or patron.
- I. Terroristic Threats

II. IMPLEMENTATION PROCEDURES/GUIDELINES

- A. District Guidelines for *Safe Schools Policy*
 - 1. Each school will provide a copy of the *Safe Schools Policy* to new and continuing students and their parent(s)/guardian(s) at the beginning of each school year and to transfer students at the time of their enrollment in the school (see Section X - Dissemination and Communication of the *Safe Schools Policy*). This will be done online for those who register online.
 - 2. During the time any student has violated the *Safe Schools Policy* and has been suspended or placed on alternative study outside the school, the student is not to be on campus, or be a spectator or participant in any school function.

III. CONSEQUENCES

Consequences of a school safety violation described in sections I.A, I.B, I.C. of this policy are outlined below. All students will be provided an opportunity for due process. Violations of these sections do not carry over from year to year.

- A. **First Violation**
 - 1. Law enforcement referral (if appropriate).
 - 2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
 - 3. Suspension of 5-20 school days.
 - 4. Mandatory parent/guardian conference.
 - 5. Exclusion from participation in elected or appointed office or extracurricular activity during the suspension.

B. Second Violation

1. Law enforcement or juvenile court referral (if appropriate).
2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Suspension of 20-60 school days.
4. Mandatory parent/guardian conference and behavioral contract drawn up by parents, student, and school personnel.
5. Parent(s)/guardian(s) and student must attend and complete an intervention program set up by the school district or show written evidence that an equivalent program has been completed.
6. Exclusion from participation in elected or appointed office or extracurricular activity during the suspension.

C. Third Violation

1. Law enforcement or juvenile court referral (if appropriate).
2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Student will be placed on alternative study or expelled from school for 180 school days.
4. Exclusion from extracurricular activities and elected or appointed office activities during the suspension.
5. A student suspended or placed on alternative study for 180 school days may have his/her suspension or alternative study program reviewed after 90 school days (and every 45 school days thereafter as needed). (See Section VII.)

IV. CONSEQUENCES - Possession or Use of a Drug or Controlled Substance / Repeated Threats to the Same Individual

Consequence of a school safety violation described in Section I.D or I.E of this policy are outlined below. All students will be provided an opportunity to due process. Violations of this section carry over from year to year.

A. First Violation

1. Law enforcement or juvenile court referral.

2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Suspension of 10-30 school days.
4. Mandatory parent/guardian conference and behavioral contract drawn up by parent(s)/guardian(s), student, and school personnel.
5. Parent(s)/guardian(s) and student must attend and complete an intervention program and show written evidence that it has been completed.
6. Exclusion from participation in elected or appointed office or extracurricular activity during the suspension.

B. Second Violation

1. Law enforcement or juvenile court referral.
2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Student will be placed on alternative study or expelled from school for 60 days.
4. Exclusion from extracurricular activities and elected or appointed office activities during the suspension.
5. A student suspended or placed on alternative study for 60 school days may have his/her suspension or alternative study program reviewed after 30 school days. (See Section VII.)

C. Third Violation

1. Law enforcement or juvenile court referral.
2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Student will be placed on alternative study or expelled from school for 180 school days.
4. Exclusion from extracurricular activities and elected or appointed office activities during the suspension.

5. A student suspended or placed on alternative study for 180 school days may have his/her suspension or alternative study program reviewed after 90 school days (and every 45 school days thereafter as needed). (See Section VII.)

V. CONSEQUENCES - Distribution of Illegal Substances, Possession / Use of Category 1 Weapons and Serious Assault/Terroristic Threat

Consequences of a school safety violation described in Section I.F., I.G., I.H., or I.I. of this policy are outlined below. All students will be provided an opportunity for due process. Violations of this section carry over from year to year.

A. First Violation

1. Law enforcement or juvenile court referral.
2. Immediate notification of parent(s)/guardian(s). The student and/or parent(s)/guardian(s) will be given the opportunity to respond to the allegation.
3. Student will be placed on alternative study or expelled from school for 180 days.
4. Exclusion from extracurricular activities and elected or appointed office activities during the suspension.
5. A student suspended or placed on alternative study for 180 school days may have his/her suspension or alternative study program reviewed after 90 school days (and every 45 school days thereafter as needed). (See Section VII.)

VI. PROCEDURE FOR SUSPENSION/CHANGE IN PLACEMENT OF A STUDENT/EXPULSION

- A. If a student is suspended under this policy, the principal shall immediately notify the parent(s)/guardian(s) of the student of the following:
 1. the student has been suspended;
 - a. the grounds for the suspension;
 - b. the period of time for which the student is suspended; and
 - c. the time and place for the parent or guardian to meet with the principal to review the suspension.
- B. A suspended student shall immediately leave the school building and the 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.

- C. A suspension may not extend beyond ten school days unless the student and the student's parent(s)/guardian(s) have been given a reasonable opportunity to appear before the principal to respond to the allegations and proposed disciplinary action.
- D. If a student is expelled from school under the *Safe Schools Policy* for more than ten days, the parent(s)/guardian(s) is responsible to see that the state's compulsory education laws are complied with during the period of expulsion. The parent(s)/guardian(s) shall work with the school district to determine how that responsibility might best be met through either private education, an alternative program offered by or through the district, or other alternative which will reasonably meet the needs of the student.
- E. If a student under the age of 16 is expelled from school for more than ten days, the district shall contact the parent(s)/guardian(s) of the student at least once each month to determine the student's progress. If the district determines that the student is not making satisfactory progress, it may enlist the cooperation of the Division of Child Family Services, the juvenile court, or other appropriate state agencies.

VII. REDUCTION OF SCHOOL DAY SUSPENSION/CHANGE OF PLACEMENT/EXPULSION

A student who is participating in a treatment program and is making sufficient progress (as determined by the student's therapist) or has successfully completed a treatment program may have the school day suspension reviewed and reduced upon completion of the following process:

- A. Written request submitted to the Director of Student Services;
- B. Submission of documentation which verifies the student's participation in a treatment program including a record of his/her progress (as determined by the student's therapist) or verification that he/she has successfully completed a treatment program.
- C. A hearing panel, chaired by the Director of Student Services, and consisting of district administrators and a representative of the student's neighborhood school (principal, vice-principal, or counselor) will convene to review the request.
- D. The hearing panel shall submit a recommendation to the superintendent of schools.
- E. The superintendent shall determine, on a case-by-case basis, that a reduction in the suspension is appropriate. The superintendent's decision is final.

VIII. MODIFICATION OF CONSEQUENCES

The superintendent may modify the consequences imposed on the student if it is in the best interest of both the student and the district.

IX. DUE PROCESS

When student behavior or actions are sufficiently disruptive to violate the *Safe Schools Policy*, appropriate action must be taken. However, this action must comply with the "Due

Process” provision of the Fourteenth Amendment to the United States Constitution. Due process is the procedure followed by the Board of Education and the school administration to protect the rights of the students and employees when a problem arises. This procedure is an administrative action, not a judicial action and requires “fairness” and “reasonableness” in all actions taken.

The basic requirements of due process include:

- A. Investigate objectively the charges against the student;
- B. Explain the charges and the supporting evidence to the student. Whenever possible, facts shall be obtained from those who directly observed the incident;
- C. Conduct a hearing with students and parent(s)/guardian(s) so that each party may have the opportunity to present his/her side of the incident; and
- D. Provide the right to appeal the decision to a panel of district level administrators chaired by the Director of Student Services.

X. DISSEMINATION AND COMMUNICATION OF THE SAFE SCHOOLS POLICY

The *Safe Schools Policy* will be disseminated and communicated to the students, parents, and community in the following ways:

- A. Shared with all school staff, both professional and non-professional, through a written memorandum or other formal document.
- B. Portions of the policy that directly affect students shall be included in the student handbook.
- C. Special rules for participation on school teams or in school programs will be stated in writing, given to students, and reiterated orally by the coach or program advisor.
- D. On an annual basis, parents will be informed of this policy by a mailing or as part of an online registration. The policy will also be published in local school handbooks.