

Title: Student Conduct and Discipline

Effective Date: May 8, 2018

References: R277-609

Purpose

The purpose of Ignite Entrepreneurship Academy Student Conduct and Discipline Policy is to help all students develop positive relationships with other students and adults, take responsibility for their actions and learning, and develop the self-discipline necessary to create an environment that promotes physical and emotional safety for all students. The school will foster a school and community-wide expectation of good citizenship for students and a sense of responsibility in the school community for rules and standards of behavior.

Definitions

1. "Suspension": is a temporary removal of a student from IEA or IEA-sponsored activities for a period of up to one year. A student who is suspended may, at the discretion of the Director, have access to homework, tests, and other school work through a home study program but will not be allowed to attend classes or participate in any IEA activities during the period of suspension.
2. "Expulsion" is the formal process of dismissing a student from IEA and excluding the student from all programs and activities for the period of expulsion. IEA may work with parents to identify alternative educational placement and programs for the student where appropriate and feasible.
3. For purpose of the removal of a student with a disability from the student's current educational placement, a "change of placement" occurs if (a) the removal is for more than ten (10) consecutive days or (b) the students is subjected to a series of removals that constitute a pattern because they total more than ten (10) school days in a school year or because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one other. Any "change of placement" requires compliance with the procedures outlined in this policy.
4. "Disruptive student behavior" means the behavior identified as grounds for suspension or expulsion as described within the policy below.

Policy

Beliefs and Expectations

IEA's beliefs and expectations encourage a positive and inviting culture for dealing with student behavior issues.

Beliefs:

- Punishment alone will not change behavior
- Much aggressive behavior is a relationship problem, not a behavior problem
- Adults must explicitly teach and model the behaviors they expect from students

- We expect conflicts, but we expect conflicts to be resolved and relationships mended

Expectations:

- Students will show respect for other students
- Students will show respect for adults
- Adults will show respect for students
- Students will develop self-discipline

Procedural Philosophy

1. IEA recognizes that establishing a procedural philosophy consistent with the desire positive school environment is as important as following legal and due process procedures. IEA's policy sets forth appropriate legal and due process procedures and will be followed within the context of the procedural philosophy outlined below:

When students are involved in conflicts with other students they will:

- work together to resolve the conflict
- work to repair the relationship and build trust
- be subject to additional consequences if they exhibit unsafe behaviors during the conflict

When students are involved in a conflict with or feel they have been treated unfairly by a member of the staff of a volunteer, they will:

- Report their feelings to their parent or to the administrator or counselor, who will work together to set up a conference with the student, the parent, the Director, and the adult involved in order to resolve the conflict and mend the relationship

When students flagrantly disregard the safety of others, show blatant disrespect to others, or consistently behave in a disrespectful or unsafe way:

- The student will be subjected to consequences and positive behavior intervention supports to ensure that the student will make better choices in the future.
Consequences might include:
 - In-School Suspension
 - Out of School Suspension
 - Expulsion
 - Restitution
 - Repayment for damages
- The student will work to earn back the trust of the school community by actions such as:
 - Genuine apology to injured or affected parties
 - Demonstration of appropriate behaviors following the incident
 - Repair or replace damaged items

Due process to protect the rights of students will include:

- All students will be treated with dignity and respect as they go through correction procedures. The administration will see to it that their rights are protected through the

process. If parents feel their student has not been treated fairly, they may request a hearing with the School's Board of Directors in accordance with IEA's Grievance Policy.

- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved in this policy at the beginning of each school year.

Safe School Environment

1. It is IEA's policy to promote a safe and orderly school environment for all students and employees. Accordingly, IEA holds all students, employees, and other adults to the highest standards of behavior in the classroom, on school grounds, and during school-sponsored activities.
2. Disruptive behavior or criminal acts will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

Discrimination Prohibited

1. It is IEA's policy to provide equal educational and employment opportunity for all individuals. Therefore, IEA prohibits all discrimination on the basis of race, color, religion, sex, age, national origin, disability, or veteran status.
2. Complaints of discrimination or unfair application of this policy should be submitted pursuant to IEA's Grievance Policy.

Procedures for Addressing Disruptive Student Behavior-Utah Code Ann. §53A-11-910

1. The Director or a teacher or counselor designated by the Director will work with students who engage in disruptive student behaviors according to the procedures identified below, in an attempt to help the student's behavior to improve and to prevent problems from escalating.
2. Incidents of disruptive student behavior and attempts to resolve behavior issues will be documented.
3. Level 1- Verbal Warning. Level one behavioral problems encompass minor misbehaviors which require only a verbal warning or discussion between the student and the teacher. Depending upon the severity of the misbehavior, the teacher may decide to contact the parent(s) and discuss the concern with them as well as with the child.
4. Level 2- Loss of Privileges. At the teacher's discretion, if the misbehavior continues after a verbal warning/informal conference, the teacher may enforce a loss of privileges. Common loss of privileges include: loss of recess time, change of seat assignments, or exclusion from a portion of a class activity. The teacher shall discuss with the child and inform the parent of the concern and loss of privilege. The teacher will document on the loss of privileges and the report will be maintained in the student's citizenship record.
5. Level 3- Incident Report. At the teacher's discretion, if the misbehavior continues after a loss of privileges, the teacher may complete an Incident Report form. The form will report the nature of the misbehavior as well as the corrective actions that were or need to be taken. The teacher will review the Incident Report with the student. The student will sign the report, take it home to be signed by a parent, and then return it to the teacher. Both the student and his or her parent will be afforded the opportunity to write personal comments on the Incident Report. The teacher shall contact the parent(s) and discuss the concern with them as well as with the child. Incident

Reports may be maintained in the student's citizenship record and/or permanent record. An incident report may result in a referral to Administration.

6. The exception to the above progression is the commission of a serious offense that may result in mandatory suspension, expulsion, and/or the involvement of law enforcement. The Director may exercise his/her personal judgment in the review of individual discipline incidents.

Corporal Punishment

1. School employees may not inflict or cause the infliction of corporal punishment upon a student. School personnel who inflict corporal punishment on a student will be subject to discipline up to and including termination.

Grounds for Suspension, Expulsion or Change of Placement

Suspension

1. A student **may** be suspended from IEA for any of the following reasons:
 - a. frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting, gang activity; noncompliance with IEA dress code; harassment, including sexual, racial, or religious harassment; the use of foul, profane, vulgar or abusive language; or other unreasonable and substantial disruption of a class, activity, or other function of the school;
 - b. willful destruction of or defacing of IEA property;
 - c. behavior or threatened behavior that poses an immediate and significant threat to the welfare, safety, or morals of other students or IEA personnel or to the operation of the school;
 - d. possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah law;
 - e. possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco;
 - f. possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or items that has caused or will imminently cause substantial disruption to IEA operations;
 - g. inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;
 - h. any criminal activity;
 - i. any serious violation involving weapons, drugs, or the use of force, that threatens harm or causes harm to IEA or IEA property, to a person associated with IEA, or property associated with any such person, regardless of where it occurs; or
 - j. bullying or hazing as defined in Utah Code §53A-11-102 and/or IEA's Bullying and Hazing Policy.

Expulsion

1. A student **may** be expelled from IEA for any violation listed in the "Suspension" section of this policy if the violation is serious or persistent at the discretion of the Director.

2. A violation involving weapons will result in “Mandatory Expulsion for One Year” in accordance with Utah Code Ann. §53a-11-904(2)(b); 20 U.S.C §7151.
3. Any student who commits an act for which mandatory suspension or expulsion is provided under the sections provided above, using a real or lookalike weapon, explosive, or noxious or flammable material shall be expelled from all IEA programs and activities for a period of not less than one (1) year, subject to the following:
 - a. Within forty-five (45) days after the expulsion, the student and their parent or guardian shall appear before the a designated team, including the Director, a special education teacher, two classroom teachers, and a Board designee when an expulsion is being considered.
 - b. The team shall determine
 - i. What conditions must be met by the student and the student’s parent(s) for the student to return to IEA;
 - ii. If the student should be placed on probation in a regular school setting consistent with Utah Code Ann. §53A-11-907, and what conditions must be met by the student in order to ensure the safety of students and faculty at IEA; and
 - iii. If it would be in the best interest of both IEA and the student to modify the expulsion term to less than one year giving highest priority to providing a safe school environment for all students.
 - c. For purpose of this policy, the term “firearm,” “explosive,” and “noxious or flammable material” include but are not limited to: guns, starter pistols, cap guns, bombs, bullets and ammunition, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.
4. Whenever a student who is receiving special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act is determined to have carried a weapon to school or a school-sponsored activity, the procedures outlined in this policy under the “Change of Placement” section must be followed.

Drugs and Controlled Substances-Mandatory Suspension or Expulsion-Utah Code Ann. §53A-11-904(2)(a)

1. A student **shall** be suspended or expelled from IEA for any of the following reasons:
 - a. use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in the IEA building, on IEA property, or in conjunction with any IEA-sponsored activity.
 - b. misuse or abuse, distribution, sale or arranging for the sale of prescription medication at IEA or at an IEA-sponsored activity; or
 - c. misuse or abuse of over-the-counter remedies, or sharing, distribution, sale of arranging for the sale of over-the-counter remedies. A student may possess and use medication at school only in accordance with IEA’s Administration of Medication Policy.
2. Any student identified as being disabled under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act who is currently engaging in the illegal use of

drugs or alcohol shall be suspended or expelled to the same extent as non-disabled students for the possession, use, control, distribution, sale, or arrangement of the sale of illegal drugs, alcohol, or controlled substances on IEA property or in conjunction with any IEA-sponsored activity.

3. Any student who is reasonably suspected of violating the “Drugs and Controlled Substances” section of this policy may be subject to a drug test for cause, arranged for and paid for by IEA.
4. Any student who has been suspended or expelled for a violation of this section may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission and shall be paid for by the student’s parent or guardian.
5. Students who refuse to submit to required drug testing and counseling programs, or to cooperate with school officials, may be expelled from IEA.
6. Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, the procedure outlined in the “Change of Placement” section of this policy must be followed.

Authority to Suspend or Expel

1. The Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Director shall consider all relevant factors, including but not limited to, the severity of the offense, the student’s age, disability, academic status and disciplinary record, parental capabilities, and community resources.
2. The Director has the authority to suspend a student with disabilities (Section 504 or IDEA) for not more than ten (10) consecutive school days, and additional removals of not more than ten (10) total school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement. IEA need not provide services during periods of removal of ten (10) days cumulative or less if services are not provided to a student without disabilities who has been similarly suspended.
3. Regular education students may be suspended for longer than ten (10) days or expelled in accordance with the Due Process requirements, as outlined in this policy.
4. Expulsions shall be reviewed by a designated committee and the conclusions reported to the Board of Directors at least once each year if the parent/guardian of the expelled student has expressed a desire for that child to return to school.

Parental Responsibility

1. If a student is suspended for a period longer than ten (10) days or expelled, the student’s parent or legal guardian is responsible for undertaking an alternative education plan that will ensure that the student’s education continues during the period of expulsion.
2. School officials may assist the parent or legal guardian to determine how the student’s education will continue through private education paid for by the parents, or an alternative program that will reasonably meet the educational needs of the student.
3. IEA shall contact the parent or guardian of each student under age 16 who has been expelled from all IEA programs and services at least once a month to determine the student’s progress if

the parent/guardian of the expelled student has expressed a desire for the student to return to IEA.

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

Alternatives to Suspension, Expulsion, or Change of Placement for Frequent or Flagrant Disruptive Behaviors

1. A continuum of intervention strategies shall be available to those students whose behavior in school repeatedly falls short of reasonable expectations. Prior to suspending a student for more than ten (10) days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violate that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in school.
2. Before referring the student for long-term suspension, expulsion or change of placement, IEA staff should demonstrate that they have attempted some or all of the following interventions:
 - a. Conference with the student;
 - b. Class schedule adjustment;
 - c. Phone contact with the parent or guardian;
 - d. Informal parent/student conferences;
 - e. Behavioral contracts;
 - f. After school make-up time;
 - g. Short term in-school suspension (ISS);
 - h. Short term at-home, out-of-school suspension (OSS)
 - i. Appropriate evaluation;
3. In the event that a child is required to serve detention as a consequence for negative or disruptive behavior, parents will be given reasonable notification of this prior to the detention. Efforts will be made to do this during the school day, during recess or lunch. If lunch detention is required, it will be in a quiet, isolated location, while the student is still provided with the opportunity to eat lunch.
4. After-school detention will not be utilized at IEA.

Due Process

1. The right to due process in disciplinary proceedings is applicable in all instances where the behavior of a student is being evaluated for suspension or expulsion. The student has the right to be fully informed about his/her alleged breach of behavior and must be provided the opportunity to respond to such charges.
2. IEA will adhere to the requirement of state and federal law and constitutional due process, including but not limited to appropriate written notice, an impartial hearing, access to evidence, opportunity to present witnesses and evidence, and opportunity to have counsel present.
3. In the event that a parent/guardian disagrees with the Director's disciplinary decision to either suspend or expel a student, or has proof that the child is not at fault, an appeal may be made to the Ignite Entrepreneurship Academy Board of Directors Appeals Panel.

4. The Appeals Panel shall review each case of suspension or expulsion in which the parent/guardian requests an appeal and shall determine by means of a hearing if the recommendation to suspend or expel a student is supported by evidence.
5. Such requests for an appeals hearing must be made, in writing, within 5 school days of the suspension/expulsion. Once notification has been received by the Appeals Panel, the student is entitled to receive a timely hearing and the hearing will be scheduled for no more than 5 school days following the request by the parent/guardian.
6. Allowance may be made to extend this timeframe by mutual agreement of the parties, inability of the school to contact the parent or guardian despite documented good faith efforts, or lack of cooperation by parent/guardian. If school administration offers the student and parent/guardian the opportunity to have a hearing and the student or parent/guardian refuses or waives the right, due process is satisfied.
7. The suspension or expulsion remains in effect during the appeals process.
8. The IEA Board of Directors Appeals Panel is comprised of board members given the assignment/duty of Appeals.
9. The Appeals Panel will ensure that procedural due process is satisfied throughout the hearing process.
10. After the completion of the hearing the student and his/her parents/guardians shall be notified either orally or in writing of the panel's decision to uphold, modify, or reverse the suspension or expulsion. Written notification must follow.
11. The Appeals Panel will decide among the following:
 - a. Waive the charge(s)
 - b. Reduce the charge(s)
 - c. Change/modify the Director's recommendation and disciplinary action
 - d. Support the School Leader's recommendation and disciplinary action
 - e. Increase the recommendation and disciplinary action

Due Process for Change of Placement of Students with Disabilities

Required Services

1. Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the Utah State Board of Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.
2. When a determination is made that the conduct of a 504 or ADA student (but not a student who is disabled under IDEA) is not a manifestation of the student's disability, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from school; however, IEA must continue to provide education services in accordance with the guidelines established by the Utah State Board of Education.
3. IEA need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in that school year if services are not provided to a student without disabilities who has been similarly removed.

4. If a student with a disability under IDEA has been removed from his or her current placement for more than ten (10) school days in the same school year, for the remainder of the removals, IEA shall provide services to the extent necessary to enable the student to progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. School personnel, in consultation with the special education teacher, determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals set out in the student's IEP.

Change of Placement for Weapons, Drugs, or Serious Bodily Injury

1. A student's IEP team may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but not for more than forty-five (45) days, if:
 - a. The student carries a weapon to or possesses a weapon at school, on school premises, or at a school-sponsored activity; or
 - b. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school-sponsored activity; or
 - c. The student has inflicted serious bodily injury upon another student while at school, on school premises, or at a school-sponsored activity.

Change of Placement Due to a Student's Serious Misconduct

1. School officials may request an expedited due process hearing in order to change the placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but not for more than forty-five (45) days. A hearing officer may order such a change, if he/she:
 - a. Determines that IEA officials have made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and
 - b. Considers the appropriateness of the student's current placement; and
 - c. Considers whether IEA officials have made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services, and
 - d. Determines that the interim alternative educational setting being recommended by IEA officials has been selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, that will enable the student to meet the goals set out in the IEP and include services and modifications designed to address the behavior at issue so that it does not recur.
2. As soon as a decision is made by IEA officials to remove a student with a disability from his/her current placement for more than ten (10) school days, the student's parents must be notified of that decision and all procedural safeguards outlined by law and IEA policy.

IEP Meetings for Manifestation Determination

1. Immediately, if possible, but in no case later than ten (10) school days after the date on which the decision is made to remove the student from the current placement, a review must be

conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.

2. The manifestation review must be conducted by the student's IEP team and other qualified IEP personnel.
3. In conducting the manifestation review, the IEP team may determine that the behavior of the student was not a manifestation of the student's disability only if the IEP team:
 - a. First considers, in terms of behavior and subsequent disciplinary action, all relevant information, including:
 - i. Evaluation and diagnostic results;
 - ii. Observations of the student;
 - iii. The student's IEP placement
 - b. Then determines whether:
 - i. The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
 - ii. The conduct in question was the direct result of the School's failure to implement the student's IEP.
4. If the IEP team determines that either of the standards above was met, the behavior must be considered a manifestation of the student's disability.

Determination that Behavior was not Manifestation of Disability

1. If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from IEA.

Determination that Behavior was Manifestation of Disability

1. If the result of the manifestation review is a determination that the behavior of a student with a disability was a manifestation of the student's disability, the student must remain in or be returned to the prior placement.

IEP Meetings For Functional Behavior Assessments

1. Post-Discipline Functional Behavior Assessments: If IEA officials have not conducted a functional behavior assessment and implemented a behavior intervention plan for the student before the behavior that results in a removal from IEA for longer than ten (10) school days or a change of placement to an interim alternative educational setting, IEA officials shall convene an IEP meeting to develop an assessment plan and appropriate behavioral interventions to address that behavior.
2. Pre-Discipline Functional Behavior Assessments: If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.

Placement During Appeals and Stay Put

1. If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and IEA officials agree otherwise.
2. If a student is placed in an interim alternative educational setting and IEA personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement, unless IEA officials succeed in getting an order through an expedited hearing.

Investigations

1. Whenever the Director has reason to believe that IEA rules or policies have been broken, he or she shall proceed with an investigation.
2. If the Director believes that laws have been broken or child abuse has occurred, he/she shall request appropriate authorities conduct an investigation.
3. The Director has the authority and duty to conduct an investigation and to question students pertaining to infraction of school rules, whether or not the alleged conduct is a violation of criminal law.
4. The Director shall conduct investigations according to the following guidelines:
 - a. The Director shall conduct investigations in a way that does not unduly interfere with IEA activities.
 - b. The Director shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties provide separate statements concerning the incident under investigation; written statements are preferable, if possible.
 - c. The Director shall advise student suspected of wrongdoing orally or in writing of the nature of the alleged offense.
 - d. Students shall be provided an opportunity to give their version of the incident under investigation.
 - e. When questioning students as part of an investigation, IEA personnel should have another adult present whenever possible.
 - f. The Director shall accommodate students with disabilities and young children unable to write their own statements through use of tape recorders, scribes, etc...
 - g. All students involved in the investigation shall be instructed that retaliation is prohibited. Any act of reprisal against any person who has participated in the investigation is subject to disciplinary action.
 - h. When the investigation is completed and if it is determined that disciplinary action may be in order, due process requirements must be met.

Coordination with Law Enforcement

1. The Director has the responsibility and the authority to determine when the help of law enforcement officers is necessary.

2. During an investigation for violation of IEA rules, it may become evident that the incident may also be a violation of criminal law.
3. If the Director has reason to suspect that a criminal act has been committed and law enforcement involved, the following procedure shall be followed:
 - a. The Director shall request that law enforcement officers conduct an investigation during school hours and question those students who are potential witnesses.
 - b. The Director shall inform the student's parent or legal guardian as soon as possible that the student may have committed a criminal act and that law enforcement authorities have been notified.
 - c. Unless circumstances dictate otherwise, questioning of the student by IEA officials shall not begin or continue until the law enforcement officers arrive.
 - d. Reasonable attempts shall be made to contact the student's parents or legal guardian who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.
 - e. The Director shall document the contact or attempted contact with the student's parent or legal guardian; if the Director cannot contact the parent/guardian, or the parent/guardian cannot be present with the student during questioning, the Director will act in lieu of the parent and shall be present and document generally what occurs during the interview.
 - f. If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.
4. School officials shall cooperate with law enforcement authorities carrying out official duties.
5. When law enforcement officer can show a need to do so, they shall be permitted to conduct an investigation on IEA grounds during school hours.
6. Law enforcement officials (investigating IEA-related or student-related crimes) may not have access to student education records, aside from directory information as agreed to by the parent, unless they have a subpoena or court order or permission from parent or guardian.

Release of Student to Law Enforcement Official

1. Students may not be released to law enforcement authorities voluntarily by IEA officials unless the student has been placed under arrest or unless the parent or legal guardian agrees to the release.
2. When students are removed from IEA for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent or legal guardian immediately except in cases of child abuse or neglect. Such effort shall be documented.
3. The Director shall immediately notify the Board of the removal of a student by law enforcement authorities.
4. Where it is necessary to take a student into custody on IEA premises, the law enforcement officer shall contact the Director and relate the circumstances

necessitating such action and the Director shall make reasonable efforts to consult and confer with the law enforcement officer as to how the arrest is to be made.

Searches of Person or Property

Given IEA's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for for all students and staff, the Board recognizes that the Director must have the authority to conduct reasonable searches of students and student property.

General Guidelines for Searches of Person or Property

1. Student have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and IEA, lockers are solely IEA property and may be searched at any time by IEA officials with or without cause.
2. Searches of a student's person or personal property may be conducted whenever the student's conduct creates a reasonable suspicion that a particular IEA rule has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age of the student and nature of the infraction.
3. Circumstances warranting a search include those in which IEA officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, alcohol, tobacco, unsafe contraband, pornography, pagers, or lost, stolen, or misplaced items.
4. All searches of student property by IEA officials shall be witnessed by an objective third party (such as another teacher or support staff member) to observe that the search is not excessively intrusive.

Searches of Person

1. School officials shall make sure the search of a person meets the following guidelines:
 - a. The search shall be conducted in a private area of IEA by a school official of the same sex as the student being searched;
 - b. The search shall be observed by an objective third party of the same sex as the student being searched;
 - c. School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband.
 - d. Under no circumstances may School officials require students to remove any other items of clothing or touch students in any way during the search.

Documentation of Searches

1. School officials shall thoroughly document the details of any search conducted of a student's property or person. Documentation shall be made at the time of the search, or as soon as possible thereafter, and include the following:
 - a. The time, date, and place of the search;
 - b. The reasonable suspicion giving rise to the search;
 - c. The name and title of individuals conducting and observing the search;

- d. A statement about evidence that was found or not found as a result of the search;
- e. A statement about who took possession of contraband (school, police, etc);
- f. Information regarding the attempts of IEA officials to notify parents about the search.

Use of Physical Restraint

1. Physical restraint of students to ensure a safe school will only be used in situations consistent with Federal Law and Utah Code sections 53A-11-802 and 76-2-401 (3)
2. IEA employees or volunteers may not inflict or cause the infliction of physical pain upon the body of a child as a disciplinary measure.
3. Reasonable and necessary physical restraint or force will only be used in self-defense or when otherwise appropriate to the following circumstances:
 - a. To obtain possession of a weapon or other dangerous object in the possession or under the control of a child;
 - b. To protect the child or another person from physical injury;
 - c. To remove from a situation a child who is violent or disruptive; or
 - d. To protect property from being damaged.
 - e. Physical restraint will not be used as a punishment
 - f. Staff members will be trained in proper and safe child restraint techniques.

Student Discipline Records

1. School officials may disclose student discipline information to teachers and other school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.
2. School officials shall not release personally identifiable student discipline records to other governmental agencies, including law enforcement agencies, unless the agency produces a subpoena or court order, or unless the student's parent or guardian has authorized disclosure.

Training

1. All new employees shall receive information about this policy at the IEA "Critical Policies" annual training.
2. All other employees shall be provided information on a regular basis regarding this policy and IEA's commitment to a safe and orderly school environment.
3. Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in the policy shall receive annual training on this policy and related legal developments
4. The Director shall be responsible for informing students, parents, and staff of the terms of this policy, including the procedures outlined for investigation and resolution of violations.

Policy and Plan Dissemination and Review

1. A summary of this policy shall be posted in the school and on the school website. A summary of the policy shall be published in the student and employee handbooks, and other school publications as directed by the Board.

2. This policy shall be reviewed as necessary with appropriate revisions recommended to the board.

Sources used in preparation of this policy

Date originally approved: May 8, 2018

Attest:

Board Chair/President

Board Secretary

Signature

Signature

Printed Name

Printed Name