



5000 - Students 20 - Discipline Policy

1. Purpose

- 1.1. The purpose of this policy is to bring attention to Providence Hall Charter School (PHCS) and its students that student discipline is essential to further the educational process and provide an environment conducive to learning.
- 1.2. The Board of Trustees (Board) authorizes the PHCS Administration to develop appropriate guidelines, procedures, protocols, and processes for this policy.

2. Introduction

- 2.1. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about any PHCS facility, property, or activities shall be dealt with in accordance with PHCS policy and the law.
- 2.2. Administration shall take appropriate disciplinary action when students engage in activities that disrupt the educational environment, threaten or harm persons or property, or disrupt PHCS activities.

3. Student Code of Conduct

- 3.1. PHCS shall develop a *Student Code of Conduct* that shall be consistent with this policy, all other PHCS policies, and the PHCS Dress Code.
- 3.2. The *Student Code of Conduct* shall be distributed to students and/or parents/guardians before the school year begins in the *Student Handbook* as part of the *Skyward Online Registration & Information Update*.
 - 3.2.1. Students enrolling after the beginning of the school year shall still be provided the above information, as the *Skyward Online Registration & Information Update* is a required step of new enrollment.
 - 3.2.2. The *Student Code of Conduct* will be posted to the PHCS website every year as an included element of the *Student Handbook*.
- 3.3. All employees will have access to the *Student Code of Conduct* via access to the *Student Handbook*.
- 3.4. Each building will prominently display the *Student Code of Conduct* in appropriate areas.

4. School Building Level Plans

- 4.1. Each PHCS school building shall develop plans for classroom and student management, which will include:
 - 4.1.1. written standards for student behavior expectations, including school and classroom management,
 - 4.1.2. effective instructional practices for teaching student expectations, including self-discipline, citizenship, civic skills, and social skills,
 - 4.1.3. systematic methods for reinforcement of expected behaviors,
 - 4.1.4. uniform methods for correction of student behaviors, and
 - 4.1.5. uniform methods for at least annual school-level database evaluations of efficiency and effectiveness.
- 4.2. Each PHCS school building shall provide ongoing staff development for all employees regarding:
 - 4.2.1. effective instructional practices for teaching and reinforcing behavior expectations,
 - 4.2.2. effective intervention strategies, and
 - 4.2.3. effective strategies for evaluation of the efficiency and effectiveness of interventions.



- 4.3. PHCS school buildings shall determine the range of student behaviors and establish a continuum of administrative procedures that may be used by building employees to address student behavior, including:
 - 4.3.1. classroom-level strategies, and
 - 4.3.2. building level strategies.

5. **Types of Infractions**

- 5.1. Building employees shall determine by consensus student behavior infractions that should be dealt with at the classroom level and building level.
- 5.2. **Minor Infractions** are defined as infractions of school rules that are usually handled by teachers in the classroom.
 - 5.2.1. Chronic or excessive minor infractions can become major infractions and result in office discipline referral to building Administration.
 - 5.2.2. Minor infractions can result in a loss of privileges, phone calls home, detention, and in-school suspension.
 - 5.2.3. The following are minor infractions, but this list is not exhaustive:
 - 5.2.3.1. Dress code violations
 - 5.2.3.2. Disrespect, including put downs, talking back, and defiance
 - 5.2.3.3. Public displays of affection
 - 5.2.3.4. Inappropriate language and actions
 - 5.2.3.5. Tardies
 - 5.2.3.6. Disruptive behavior, including talk-outs, chronic talking, and out-of-seat behavior
 - 5.2.3.7. Horseplay
 - 5.2.3.8. Bus misconduct
 - 5.2.3.9. Electronic Device & Acceptable Use Policy
 - 5.2.3.10. Non-compliance
- 5.3. **Major Infractions** are defined as severe infractions of building and/or PHCS policy/rules that result in immediate office discipline referrals to building Administration and usually lead to out-of-school suspension.
 - 5.3.1. The following are major infractions, but this list is not exhaustive:
 - 5.3.1.1. Chronic or excessive abusive language, truancy, tardies, or non-compliance
 - 5.3.1.2. Discrimination or harassment (see [Student Discrimination and Harassment Policy](#))
 - 5.3.1.3. Bullying, cyberbullying, hazing, or retaliation (see [Bullying, Cyberbullying, Hazing and Retaliation Policy](#))
 - 5.3.1.4. Sexual harassment or fabrication of sexual harassment charges with malicious intent to defame character
 - 5.3.1.5. Safe school violations, including assault, threats to kill/harm
 - 5.3.1.6. Physical aggression, including fighting and throwing objects at a person;
 - 5.3.1.7. Battery or the unlawful and intentional touching or striking of another person against his or her will
 - 5.3.1.8. Assault or placing another person in fear or apprehension of a harmful or offensive touching, whether or not a touching is actually intended
 - 5.3.1.9. Any criminal action occurring at school, such as vandalism, fire setting, possession or use of combustibles, forgery, and theft;
 - 5.3.1.10. Drug, alcohol, and tobacco violations (e.g., possession, distribution)
 - 5.3.1.11. Possessing (regardless of intent), using, selling or attempting to possess, use or sell any firearm, weapon, knife, explosive device, noxious or flammable material, firework, chemical weapon (i.e. mace, pepper spray), martial arts weapon or other instrument including those which eject a



- projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use
- 5.3.1.12. Arson or the willful and malicious destruction of any part of a building or its contents or occupants by use of fire or explosive
- 5.3.1.13. Burglary or breaking, entering or remaining in a structure without authorization during the hours when the premises are closed to students
- 5.3.1.14. Theft/larceny/stealing or the intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another
- 5.3.1.15. Criminal mischief or the willful or malicious injury or damage in excess of \$300 to public property or to real or personal property belonging to another
- 5.3.1.16. Vandalism or willfully defacing, cutting, marring, injuring, damaging, or losing school or staff property. Student(s) may not participate in graduation exercises until the student or the student's parent(s)/guardian has paid for the damage or made appropriate restitution
- 5.3.1.17. Gang-related Activity or dangerous or disruptive activity, which may include but is not necessarily limited to the following:
 - 5.3.1.17.1. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang,
 - 5.3.1.17.2. using a name which is associated with or attributable to a gang, or
 - 5.3.1.17.3. designating turf or an area for gang activities, occupation, or ownership
- 5.3.1.18. Involvement in any activity which violates federal, state or local law or regulation, disrupting normal school proceedings, or causing, or attempting, threatening or conspiring to cause other students to violate federal, state or local law or regulation or to disrupt school proceedings, or attempting, threatening or conspiring to do activities to include, but not limited to:
 - 5.3.1.18.1. extortion;
 - 5.3.1.18.2. forgery;
 - 5.3.1.18.3. lewdness; and/or
 - 5.3.1.18.4. distributing obscene materials, including the sharing of pornography and "sexting."

6. **Prohibited Conduct and Related Discipline**

- 6.1. Dangerous or disruptive conduct is prohibited and forbidden at PHCS, on PHCS property, including PHCS vehicles, and at any PHCS activity, regardless of where it occurs.
- 6.2. Dangerous or disruptive conduct that threatens or harms a PHCS, PHCS property, a person connected with PHCS, or property associated with a person connected with PHCS is prohibited and forbidden regardless of where it occurs.
- 6.3. Students with prior knowledge of dangerous or disruptive conduct have the duty to report such behavior to a building Administrator.
 - 6.3.1. Students who fail to report such conduct are subject to appropriate disciplinary sanctions.
 - 6.3.2. False reports conduct are prohibited.
- 6.4. A student WILL be removed from PHCS for at least one (1) year for a serious violation involving the following dangerous or disruptive conduct:
 - 6.4.1. A real weapon
 - 6.4.2. Explosive or flammable material



- 6.4.3. Actual or threatened use of a look-alike weapon with intent to intimidate or cause disruption
 - Exceptions may be made on a case-by-case basis through the Board.
- 6.5. A student WILL be removed from PHCS for the following dangerous or disruptive conduct:
 - 6.5.1. Possession, control, actual or threatened use of a real weapon, explosive, noxious, or flammable material
 - 6.5.2. Explosive device, noxious or flammable material, firework, chemical weapon (i.e., mace, pepper spray)
 - 6.5.3. Martial arts weapon or other instrument, including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use
 - 6.5.4. Actual or threatened use of a look-alike weapon with intent to intimidate or cause disruption
 - 6.5.5. The sale, control, or distribution of a drug, controlled substance, imitation controlled substance, or drug paraphernalia
 - 6.5.6. Using or threatening to use serious force
 - 6.5.7. The commission of an act involving the use of force or the threatened use of force, which if committed by an adult would be a felony or class A misdemeanor
 - 6.5.8. A serious violation of 5.3.1.6. affecting a student or employee
- 6.6. A student MAY be removed from PHCS for the following dangerous or disruptive conduct:
 - 6.6.1. Willful and/or frequent disobedience or violation of a building or PHCS rule
 - 6.6.2. Defying authority, including but not limited to conditions outlined in 5.3.1.18
 - 6.6.3. disruptive behavior
 - 6.6.4. Foul, profane, vulgar, or abusive language
 - 6.6.5. Defacing or destroying PHCS property
 - 6.6.6. Truancy
 - 6.6.7. Theft
 - 6.6.8. Posing a significant threat to the welfare, safety, or morals of a student(s), an employee(s), or the operation of the PHCS
 - 6.6.9. Fighting
 - 6.6.10. bullying or cyberbullying (including, but not limited to, behavior intended to cause harm or distress in a relationship with an imbalance of power, especially if repeated over time)
 - 6.6.11. Possessing, using, controlling, or being under the influence of alcohol, a drug, an imitation drug, drug paraphernalia, or misusing any substance
 - 6.6.12. Possessing or using tobacco or vaping/vaping paraphernalia
 - 6.6.13. Hazing, demeaning, or assaulting someone, or forcing someone to ingest a substance
 - 6.6.14. Inappropriate exposure of body parts
 - 6.6.15. Sexual or other harassment or discrimination;
 - 6.6.16. Retaliation
 - 6.6.17. Gang-related attire or activity

The decision to remove or to discipline in some other way is made by the building Administrator based on all the circumstances.
- 6.7. The type and length of discipline is based on factors such as previous violations, severity of conduct, and other relevant educational concerns.
- 6.8. When appropriate, students will be placed on remedial discipline plans.



- 6.9. Employees may use reasonable physical restraint, if necessary, to protect a person or property from physical injury or to remove a violent or disruptive student.
- 6.10. If damage or loss of PHCS property occurs, official report cards, diplomas, and transcripts may be withheld until payment for the damage is received or the lost property is recovered.

7. **Notice of Disruptive Behavior**

7.1. ***Definitions***

- 7.1.1. Qualifying Minor means a school-age child who is at least nine (9) years old or turns nine (9) years old at any time during the school year.
- 7.1.2. Disruptive Behavior includes the grounds for suspension or expulsion as described as per Utah Code.

7.2. ***Issuing a Notice of Disruptive Student Behavior***

- 7.2.1. A building Administrator or designee may issue a notice of disruptive student behavior to a qualifying minor who:
 - 7.2.1.1. Engages in disruptive student behavior that does not result in suspension or expulsion, three (3) times during the school year.
 - 7.2.1.2. Engages in disruptive student behavior that results in suspension or expulsion once during the school year.
- 7.2.2. A notice of disruptive student behavior requires that the qualifying minor and a parent/guardian of the qualifying minor meet with a building Administrator to discuss the disruptive student behavior.
- 7.2.3. A notice of disruptive student behavior shall be given to a parent/guardian of a qualifying minor.
- 7.2.4. The building Administrator or designee who issues the notice of disruptive student behavior shall provide to the qualifying minor's parent/guardian a list of resources available to assist the parent/guardian in resolving the qualifying minor's disruptive student behavior.
- 7.2.5. PHCS shall establish procedures for a PHCS counselor or other designated PHCS representative to work with a qualifying minor who engages in disruptive student behavior in order to attempt to resolve the qualifying minor's disruptive student behavior.

7.3. ***Issuing a Habitual Disruptive Student Behavior Notice***

- 7.3.1. A building Administrator or designee may issue a habitual disruptive student behavior notice to a qualifying minor who:
 - 7.3.1.1. Engages in disruptive student behavior that does not result in suspension or expulsion at least six (6) times during the school year.
 - 7.3.1.2. Engages in disruptive student behavior that results in suspension or expulsion, as least twice during the school year.
 - 7.3.1.3. Engages in disruptive student behavior
 - 7.3.1.3.1. that does not result in suspension or expulsion at least three (3) times during the school year, AND
 - 7.3.1.3.2. that results in suspension or expulsion, as least once during the school year.
- 7.3.2. The habitual disruptive student behavior notice shall be given to a parent/guardian of a qualifying minor.
- 7.3.3. A qualifying minor to whom a habitual disruptive student behavior notice is issued may not be referred to juvenile court.
- 7.3.4. Within five (5) days after the day on which a habitual disruptive student behavior notice is issued, the building Administrator or designee who issued the habitual disruptive student behavior notice shall provide documentation to a parent/guardian of the qualifying minor who receives the notice of the efforts



made by a PHCS counselor or other designated PHCS representative to work with the qualifying minor who engages in disruptive student behavior in order to attempt to resolve the minor's disruptive student behavior problems.

7.4. ***Contesting a Notice***

7.4.1. The qualifying minor and/or parent/guardian may contest a notice of disruptive behavior or a habitual disruptive student behavior notice in the following manner:

7.4.1.1. If the notice is written by an Assistant Principal or other designee, an appeal can be made in writing to the Principal within ten (10) days of the qualifying minor and/or parent/guardian receiving the notice.

7.4.1.2. If the notice is written by the Principal, an appeal can be made in writing to the Executive Director within ten (10) days of the qualifying student and/or parent/guardian receiving the notice.

8. **Searches**

8.1. Refer to the *Search and Seizure Policy*.

8.2. Employees may search students, lockers, personal property, and vehicles parked on school property based on reasonable suspicion.

8.3. Employees may also conduct random searches that might include all lockers and other PHCS property.

9. **Suspension and Expulsion**

9.1. ***Suspension*** is disciplinary removal from PHCS with an offer of educational services.

9.2. ***Expulsion*** is a disciplinary removal from PHCS by the Board for more than ten (10) school days without an offer of alternative educational service.

10. **Readmission and Admission**

10.1. If a student is removed from PHCS due to dangerous or disruptive conduct as outlined in 6.4., readmission depends upon satisfactory evidence that the student will not be a danger to self, others, or PHCS property.

10.2. If a student is removed from PHCS due to dangerous or disruptive conduct as outlined in 6.5. or 6.6., the student may be readmitted after the parent/guardian meets with PHCS officials to make a plan to correct the dangerous or disruptive conduct and after the student completes both the days of suspension and any conditions imposed.

10.3. PHCS may deny admission to a student who has been expelled from any school in the last twelve (12) months.

11. **Due Process**

11.1. If a student is removed from PHCS or otherwise disciplined under this policy, the student has the right to meet with the building Administrator to tell his/her side of the story.

11.2. If the building Administrator recommends removal for more than ten (10) school days, a member of the Board will hear the case with the student, a parent/guardian, the building Administrator, and others as necessary. This hearing will be held within ten (10) school days of removal from PHCS.

11.3. If a student is removed from PHCS for more than ten (10) school days, an appeal of the decision may be made in writing to the Board within ten (10) school days of the decision. The student's parent/guardian is responsible to plan and to pay for any educational services not provided by the PHCS during the student's removal from school.

12. **Students with Disabilities**

12.1. If a student has a qualified disability, the building Administrator will explain the separate procedures that may apply based on the procedural safeguards under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act.