

POLICY AND LEGAL SERVICES NEWSLETTER



“Honey, our lawyer wishes us, but in no way guarantees us, a Happy New Year.”

January 22, 2020

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POLICY AND AP CHANGES

First off, **WE WOULD LIKE TO THANK EVERYONE** for all their hard work on the new **FEE SCHEDULE** requirements. We know it has not been easy, and we really appreciate everyone's patience and commitment to working together to comply with these new state rules. As always, if you have any questions about fees, please reach out to anyone in the policy & legal services department and we will do our best to answer your questions.

GOT SURPLUS PROPERTY? Lucky for you, the process for transferring, selling, or destroying surplus property has been streamlined! Now regardless of the type of surplus property you have (e.g., electronic, textbooks, furniture, etc.), there is only one process you need to follow. Just submit a surplus request to the Warehouse and let the purchasing department handle the disposition of the property. Please be aware that under no circumstances should a school or department coordinate the sale or disposal of surplus property on its own. For more information on how to get rid of surplus property, please contact Tyler Barnes or refer to Section XVI, Surplus Property, in the [F-2: Administrative Procedures, Purchasing](#).

A **'NO GRADE'** ('NG') can replace a letter grade when a student has a long-term excused absence but cannot be used as a consequence for unexcused absences. A NG does not convey credit or affect a student's grade point average. Please see Section II.H of the [S-4: Administrative Procedures, Student Attendance and Exemption from School](#).



Policy Reminders

1. Recruiting Students for Non-District Sponsored Trips

Employees are prohibited from sponsoring or promoting personal and/or commercial trips at school, or in any place where they are acting within the scope of their district responsibilities. To be clear, employees cannot use their positions to solicit students to sign up for non-district sponsored trips. Please see [Board Policy I-19: Overnight and Extended Trips or Activities](#).

2. Caution – Prohibited Mandatory Restorative Justice Practices for Victims of Bullying, Cyber-bullying, Harassment, or Retaliation

Please remember that we cannot force a victim of bullying, cyber-bullying, harassment, or retaliation to engage in restorative justice practices. If you would like a student victim to participate in a restorative justice practice, you must notify the parent of the proposed restorative justice practice and obtain consent from the victim's parent before including the victim in the process. Please see Section IV.J., in the [G-20: Administrative Procedures, Student Conduct and Discipline](#).

Have you ever wondered about the State's **ELEMENTARY SCHOOL EDUCATION CORE SUBJECT REQUIREMENTS?** Now you can easily find them in Section I of the [I-2: Administrative Procedures, Credit and Graduation Requirements](#). Changes have also been made to the documents accompanying I-2 to provide additional clarification; course names in the tables related to graduation credits now mirror USBE's latest terminology, e.g. World Civilizations changed to World History, etc.; a list of CTE areas in which students can earn their 1.0 credit is now included in the chart; and information on replacing course grades has been further refined.

Gender inclusion is an issue that is critical for not only our students but for our employees are well. For that reason, the board decided to move its gender inclusion policy from being an "S" policy ("S" meaning the policy is applicable to students) to a "G" policy ("G" meaning the policy has general applicability). While we are still working on revising the administrative procedures, I wanted to let you know that you can now find guidance on gender inclusion practices and accommodations in [G-24: Gender Inclusion](#).

As some of you may know, the district uses an automated notification system to notify parents when their students' **MEAL ACCOUNT BALANCE** is less than \$10.00. The child nutrition department has decided to hold off on activating the in-house notification system until it has processed the majority of free and reduced price school meal applications. That means the system will no longer be activated at the beginning of the year given the high volume of applications that the district receives at that time. If you have any questions about school meal accounts, please contact Kelly Orton or refer to the [G-6: Administrative Procedures, Child Nutrition Food Service Management](#).

If you work for a school district, **IT IS ABSOLUTELY ESSENTIAL THAT YOU STRICTLY ADHERE TO CERTAIN CODES OF CONDUCT AND ETHICAL STANDARDS**. SLCS D's ethical standards and codes of conduct have been updated to reflect every aspect of USBE's model policies. If you have any questions about what would constitute boundary violations, grooming behaviors, and/or sexual conduct please refer to the definitions section in [P-1: Administrative Procedures, Ethical Standards and Codes of Conduct](#). Also, the procedures have been updated to clarify that all staff members are responsible to maintain appropriate boundaries with students – not just licensed educators. Please make sure all your staff are aware of the requirements outlined in Section III of the P-1: Administrative Procedures. If you have questions about any issue related to appropriate conduct, please contact Mozelle Orton or refer to the P-1 administrative procedures in their entirety.

During the 2016-2019 school years, the Utah Department of Health reported that 1,521 Utah students suffered a concussion while at school. As we all know, any type of traumatic brain injury (TBI) including a concussion can significantly impact a student's ability to attend and succeed in school, and may have lasting effects on their health and wellbeing. Accordingly, **USBE now requires school officials to follow extensive return to play procedures before allowing a student who has suffered a concussion or any type of TBI to progress back into activity**. These procedures include a seven-step progression that must be adhered to for the safety of our students. The new return to play procedures can be found in Section VI of the [S-6: Administrative Procedures, Concussions and Traumatic Head Injuries](#). If you have any questions about the return to play procedures, please contact Missy Mackay-Whiteurs. If you have any questions about concussions or traumatic brain injuries, please contact Judy Yaworsky or your school nurse.

Outside groups like to use our school and district media to distribute promotional materials to members of our community. The district will distribute materials from groups that meet certain criteria and also support our board's vision of Excellence and Equity: every student, every classroom, every day. **The district will not distribute materials for recruiting district employees or advertising job openings for outside organizations or companies**. Additionally, we are no longer distributing materials from all non-profits who want to provide recreational or enrichment opportunities for school-aged youth; instead these types of materials may be distributed if they are submitted from a: parent-teacher organization associated with one of our schools, a designated business partner, a local government agency, or an organization that has been approved as a school's designated charitable fundraising beneficiary. For more information on school media restrictions, please contact Jason Olsen or refer to Section II in the [I-21: Administrative Procedures, School Media and Publications](#).



Compliance Corner

DUE PROCESS, PARENTAL NOTIFICATION, AND TITLE IX GUIDANCE

Building administrators are responsible to investigate student-student G-19 & G-20 incidents related to the students in their schools. It is important that administrators are aware of the following while conducting investigations:

An important component of due process is being provided with notification of the complaint, and/or details of why their behavior is being investigated. Students should be allowed to respond to the allegations. Pursuant to Section VII.2 of the G-19: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited, the Respondent (and when appropriate, his/her parent) shall have the opportunity to respond to the complaint in writing prior to formal interviews. The Respondent should be provided with sufficient details of the events, the proposed violations of policy, the identity of the Complainant, and the approximate date and location of the events.

- Interim measures may be implemented during an investigation into allegations against a student. This may include placing the student into an in-school-suspension, or as appropriate, an out-of-school suspension; removal from a classroom; a no-contact directive; and/or adjusted passing times.
- Pursuant to Utah law, administrators MUST notify parents when students either threaten self-harm or are the victims of an incident of bullying, cyber-bullying, or hazing. https://le.utah.gov/xcode/Title53G/Chapter9/C53G-9-S604_2019051420190514.pdf. Best practice includes notifying parents when their student is the victim of discrimination or harassment, as well.
- Pursuant to Title IX, an administrator MUST also provide notice to parents of minors when their student is a victim of discrimination based on sex/gender, which includes incidents of sexual harassment and/or sexual assault.
- ALL incidents with Title IX implications MUST be reported to the Compliance Officer. Further, when a Title IX incident is reported that may involve a criminal act (sexual assault, rape, stalking), law enforcement MUST be notified.
- When an administrator notifies parents of an incident described above, they MUST also maintain a record of that notification. The district has provided the following form for this purpose: <https://www.slcschools.org/board-of-education/policies/g-20/g-20-record-of-parent-notification-of-student-threat-or-incident/english/>.
- It is also important to remember that student-student complaints involving severe discrimination, harassment, or retaliation may not be informally resolved without obtaining prior permission from the Compliance Officer (See, [G-19: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited, Section VI.A.](#)).

Our goal should always be to provide a learning environment in which students feel safe and supported.

Thanks,

Tina Hatch

Interim Compliance Officer
801.578.8388