SEPARATE COVER ITEM

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MIDDLE SCHOOL HANDBOOK

Tracy Unified School District

MIDDLE SCHOOLS

Safety and Violence Prevention Handbook

"The future belongs to the educated"

TABLE OF CONTENTS

TITLE	PAGE NUMBER
HEALTH SAFETY & SECURITY	4 - 9
Surveillance Cameras	
ACADEMIC HONESTY	10
ATTENDANCE	10-14
Tardy Policy	
U U	
CLASSROOM DISCIPLINE	14
DISCIPLINE PHILOSOPHY	14-16
CODE FOR THE SCHOOL COMMUNITY	16-19
 Student's Rights & Responsibilities 	
 Parent's Rights & Responsibilities 	
 Teacher's Rights & Responsibilities 	
 Administrator's Rights & Responsibilities 	
 School Board's Rights & Responsibilities 	
DISCIPLINARY VIOLATIONS AND CONSEQUENCES	19-45
Due Process	
Detention	
Alternate Placement	
Search and Seizure	
Suspension from School	
Teacher Suspension	
 Administrative Detention 	
 Principal/Designee Suspension 	
Social Probation	
Appealing a suspension and/or Conditions of Probation	
SAP (Student Assistance Program)	
DART (Discipline/Attendance Review Team)	
Expulsion from Tracy School	
Definition and Length of Expulsion	
*Authority to Expel	
Grounds for Suspension and Expulsion	
EDUCATION CODE 48900	
• Subsection (a)	
• Subsection (b)	
• Subsection (c)	
• Subsection (d), (e)	
• Subsection (f), (g), (h), (i)	
• Subsection (j)	
• Subsection (k)	
• Subsection (I)	
• Subsection (m), (n), (o), (p), (q)	
EDUCATION CODE	
48900.1	
48900.2	
• Sexual Harassment	
EDUCATION CODE 48900.3 and 48900.4	
• Hate Violence/Bullying/Harassment	
48900.5, 48900.7, 48903, 48911.1	
48915	
STUDENT CONDUCT CODE	

DRESS STANDARDS	46-47
Confiscated Items	
Hats/Sun Protective Headwear	
Footwear/Shoes	
Scholastic Eligibility	
Unauthorized Group Apparel is Prohibited	
LIBRARY FINES AND RESTITUTION	47-48
PROMOTION/RETENTION	48-50
Sixth and Seventh Grade Earned Promotion	
 Eighth Grade Promotion Activities Behavior Standards 	
Eighth Grade Promotion Ceremony Dress Policy	
BULLY PREVENTION POLICY	50-54
SEXUAL HARASSMENT- DETAIL	55-66
COMPLAINT PROCEDURES	67-74
UNAUTHORIZED GROUPS	74-79
PARENT'S GUIDE TO HOMEWORK	80-81
REQUEST FOR OFFICIAL TRANSCRIPTS &/OR COPIES OF RECORDS	81-85
TRACY UNIFIED SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT	85
PARENT/STUDENT AGREEMENT FOR TUSD POLICY & HANDBOOK SIGNATURES	92

<u>HEALTH</u>

Vision and hearing screenings will be done for grades K, 2, 5 & 8.

HIV/AIDS PREVENTION INSTRUCTION

California State law requires that HIV/AIDS prevention education is taught in middle school and in high school. If comprehensive sexual health education is taught, the District shall follow state laws (Education Code 51933). The District may not pick and choose topics to teach. HIV/AIDS prevention instruction includes:

- Information on HIV/AIDS and how it affects the body.
- How HIV is and is not spread.
- Discussions of ways to lower risk of HIV, including: Sexual abstinence and the latest medical information on ways to prevent sexually transmitted HIV infection.
- Discussion of the public health issues related to HIV/AIDS.
- Places for HIV testing and medical care.
- Making good decisions and staying away from risky activities.
- Discussion about society's views on HIV/AIDS and people with HIV/AIDS.

You can examine instructional materials at your school site or in the District's IMC department. If you have questions, please contact the teacher or principal at your child's school. State law allows you to remove your student from comprehensive sexual health education or HIV/AIDS prevention education. If you do not want your student to participate in the comprehensive sexual health or HIV/AIDS prevention instructional program, please give written notice to the teacher prior to the introduction of the unit.

The goal of the comprehensive health and sexual education program is to help students learn the facts and to make good decisions now and later in life.

<u>ride</u>

(Regional Immunization Data Exchange)

We are now authorized users of RIDE (Regional Immunization Data Exchange). RIDE is a computer-based program that helps us keep track of your child's shots and contact you when shots are due. The information in RIDE is confidential. Your information will only be shared with <u>authorized</u> users such as (a) A doctor, clinic, or hospitals (b) school or day care centers (c) WIC (d) health care plans (e) California Department of Public Health Immunization Branch. As the parent/legal guardian of your child, you do have the right to refuse to participate in this program. For more information please call your healthcare provider. RIDE Immunization Registry is a program of San Joaquin County Public Health Services (209) 468-2292 <u>www.izride.com</u>

PERTUSSIS

On September 29, 2010, a new law was passed (AB 354) that changed California immunization requirements for students entering 7th grade in public and private schools.

• All students entering $7^{th}-12^{th}$ grades in the coming school year (2011–2012) <u>must</u> have proof of a Tdap booster shot. Documentation must state the shot was given on or after their 7^{th} birthday. This means that ALL current $6^{th}-11^{th}$ graders must get up to date <u>now</u>.

- Schools will turn away students who are not up to date beginning July 1, 2012.
- This means that ALL current 6th graders must get up to date before entering 7th grade.
- All students entering 7th grade in the coming school year (2012–2013) <u>must</u> have proof of a Tdap booster shot. Documentation must state the shot was given on or after their 7th birthday. This means that ALL current 6th graders must get up to date <u>before entering 7th grade</u>.

Remember to ask your physician about other vaccines your child may need, and bring your child's yellow immunization card to the visit. Please return a copy of ALL up to date immunizations to your child's school.

For questions, please call your primary physician today or call the San Joaquin County Public Health Services Immunization Program at (209) 468-3481.

No students will be allowed to attend school, without up to date immunizations.

DIABETES

Type 2 Diabetes Information

Pursuant to California *Education Code* Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students beginning July 1, 2010. The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County. Also see <u>available translations</u> of this information.

Description

Type 2 diabetes is the most common form of diabetes in adults.

Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.

According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.

The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.

In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.

Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.

Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease. Risk Factors

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.

Family history of diabetes. Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity. Being inactive further reduces the body's ability to respond to insulin.

Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop Type 2 diabetes.

Puberty. Young people in puberty are more likely to develop Type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has Type 2 diabetes.

Increased hunger, even after eating

Unexplained weight loss

Increased thirst, dry mouth, and frequent urination

Feeling very tired

Blurred vision

Slow healing of sores or cuts

Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms

Irregular periods, no periods, and/or excess facial and body hair growth in girls

High blood pressure or abnormal blood fats levels

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.

Get more physical activity. Increase physical activity to at least 60 minutes every day.

Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat Type 2 diabetes with medication.

The first step in treating Type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to Type 2 diabetes).

Types of Diabetes Screening Tests That Are Available

Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.

Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children, is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

References

American Diabetes Association Clinical Journal (Outside Source)

Helping Children with Diabetes Succeed: A Guide for School Personnel (PDF; Outside Source)

Kids Health (Outside Source)

Mayo Clinic (Outside Source)

National Library of Medicine (NLM) and National Institutes of Health's (NIH) MedLine (Outside Source)

US Centers for Disease Control and Prevention (Outside Source)

Head Injury/Concussion

EC 49475. (a) If a school district elects to offer an athletic program, the school district shall comply with both of the following:

(1) An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the activity for the remainder of the day, and shall not be permitted to return to the activity until he or she is evaluated by a licensed health care provider, trained in the management of concussions, acting within the scope of his or her practice. The athlete shall not be permitted to return to the activity until he or she receives written clearance to return to the activity from that licensed health care provider.

(2) On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition.

(b) This section does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course required pursuant to subdivision (d) of Section 51220.

Administration of Epilepsy Medication

A parent or guardian of a pupil with epilepsy who has been prescribed an emergency antiseizure medication by the pupil's health care provider may request the pupil's school to have one or more of its employees receive voluntary training, as specified, in order to administer the antiseizure medication, as defined, in the event that the pupil suffers a seizure when a nurse is not available.

Minors: Medical Care: Consent

AB499

Existing law allows minor to consent to specified forms of medical or dental treatment.

FC 6922. (a) A minor who is 12 years of age or older and who may have come into contact with an infectious, contagious, or communicable disease may consent to medical care related to the diagnosis or treatment, if the disease or condition is one that is required by law or regulation adopted pursuant to law to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Public Health Officer.

- (a) Minor who 12 years of age or older may consent to medical care related to the prevention of a sexually transmitted disease
- (b) The minor's parents or guardian are not liable for payment for medical care provided pursuant to this section.

HEALTH EXAMINATIONS BP 5141.3

The Governing Board recognizes the importance of periodic health examinations conducted according to state health regulations.

To determine the health status of students, facilitate the removal of handicaps to learning, and determine whether special adaptations of the school program may be necessary, the Board shall require that periodic examinations be conducted which include tests for vision, and hearing. All personnel employed to examine students shall exercise proper care of each student being examined and shall ensure that the examination results are kept confidential.

A parent/guardian may annually file a statement with the principal withholding consent to any physical examination of his/her child. The child shall be exempt, but shall be subject to exclusion due to a suspected contagious or infectious disease.

The principal of each school shall notify parents/guardians of the rights of students and parents/guardians relating to health examination.

Vision & Hearing

Students shall have their vision and hearing tested by qualified personnel authorized by the district upon first enrollment in elementary school. Further examination shall take place every three years until the student has completed 8th grade. The results of the vision and hearing exam shall be entered into the student's health record. All students shall be tested for visual acuity and hearing. Color vision shall be

tested once and only in male students. External observations of the student's eyes, visual performance and perception shall be done by the school nurse and the classroom teacher.

Visual and hearing defects shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The written report shall not include a referral to any private practitioner. The student may be referred to a public clinic, or diagnostic and treatment center operated by a public hospital or by the state, or county department of public health.

Interscholastic Athletic Competition

All students who participate as cheerleaders, song leaders, or athletes in interscholastic sports are required to file a current medical examination. Compliance with the medical examination requirement is not necessary for participants in a play day or a field day activity occurring occasionally during a school year in which students of one or more particular grade levels from two or more schools in the district participate in athletic contests.

If a student sustains an injury or serious illness, the student may be required by school personnel to have another examination prior to further interscholastic competition.

A student who has been excused from the physical education program because of a medical reason may not participate in any interscholastic athletic competition.

All students engaging in interscholastic athletic competition are required to meet accident insurance requirements prescribed by law.

Child Health and Disability Prevention Program

When parents/guardians enroll their children in kindergarten, the district shall inform them about their obligation to obtain or waive a health screening for their children before they enter first grade. The district shall also inform them about the availability of free health screening for low-income children, as provided under the Child Health and Disability Prevention Program, and about the evaluation services and other benefits provided under Division 106, Part 2, Chapter 3, Article 6 of the Health and Safety Code. The district shall encourage parents/guardians to arrange for their children to obtain their health screening prior to or during their kindergarten year.

SECURITY

Surveillance Cameras on Campus

Cameras are installed at the school sites for safety and security, and information will be shared with the Tracy Police for any violations of the law.

ACADEMIC HONESTY

All work submitted by students should be a true reflection of their effort and ability. If it is not, then the student has demonstrated unacceptable behavior. The following instances are considered cheating:

- Claiming credit for work that is not the product of one's own honest effort.
- > Providing unwarranted access to materials or information so that others may dishonestly claim credit.
- Submitting work done entirely or in part by another person.
- ➢ Giving test answers to another student or getting test answers from another student.
- Representation of another person's words or ideas as your own by not properly citing the source and giving the author credit.
- > Copying from the internet and from another student.
- ➤ Knowledge and tolerating of the foregoing circumstances.

Any behavior, which can be defined as cheating, represents a violation of mutual trust and respect essential to education. Students who cheat should expect to be confronted by their teacher and be subject to the following penalties.

- ➢ A "zero" on submitted work.
- Possible disciplinary referral.
- Notification of parents.

If a student is found to have cheated a second time or is involved in a particularly serious act of cheating, the student will be referred to the Principal/Designee for a formal hearing of those concerned (student, teacher, parents, counselor, administrator). Consequences may include suspension from class, school, or loss of class credits.

ABI (Aeries Browser Interface) Parent Portal Information

The ABI (Aeries Browser Interface) **Parent Portal** is a system by which parents can keep track of their student's grades and attendance at school. To sign up, parents need the following items: an email account, your student's names, home phone number, permanent ID number, and VPC (verification pass code). If a parent has not previously signed up, they can come to the school site administrative offices and see their child's counselor or the receptionist, show identification and receive the VPC number assigned to their student, then log on to <u>http://parent.tracy.k12.ca.us</u> and sign up for access to the information system.

ATTENDANCE: COMPULSORY ATTENDANCE REGULATIONS

- 1. Education Code 48260 -- Any pupil subject to compulsory full-time education who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.
- 2. Education Code 48261 -- Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the Superintendent of the district.
- 3. Education Code 48262 -- Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261.

- 4. Education Code 48263 -- If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance, as defined in this article, or is referred to a school attendance review board, the supervisor of attendance, or such other persons as the governing board of the school district or county may designate, making such referral shall notify the minor and parents/guardians of the minor, in writing, of the name and address of the board to which the matter has been referred and of the reason for such referral. The notice shall indicate that the pupil and parents/guardians of the pupil will be required, along with the referring person, to meet with the school attendance review board to consider a proper disposition of the referral.
- Education Code 48263.6. Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.

Absences from school are defined as follows:

Excused. The teacher will allow a student to make up the work during an excused absence; to the extent it is possible. Students will have the same number of days that they were absent from school to make up their work. Excused absences will be granted for the following reasons:

- 1. Personal illness; a doctor's note is required if over 5 days.
- 2. Quaranteen under direction of a county or city health officer.
- 3 Medical, dental, optometrist or chiropractic services. Students are strongly urged to make appointments during non-school hours.
- 4. Attending funeral services of an immediate family member, which shall be limited to one day if the service is conducted in California, or three days if the service is conducted out of state. Please refer to education code 45194, or 48205 for definition of immediate family.
- 5. Jury duty.
- 6. Illness or medical appointment during school hours of a child to whom the student is the custodial parent.
- 7. Upon advanced written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to; a. appearance in court; b. attendance at a funeral service; c. observation of a holiday or a ceremony of his/her religion; attendance at religious retreats, not to exceed four hours per semester; attendance at an employment conference; attendance at educational conference offered by a non-profit organization on the legislative or judicial process
- 8. Service as a member of a precinct board for an election pursuant to election codes 12302.
- 9. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy.
 - a. In such instances, the student shall attend at least the minimum school day.
 - b. The student shall be excused for this purpose for no more than four days per school month.
- 10. Exclusion for not having been properly immunized; these absences will not be excused for more than 5 days.
- 11. Approved travel study.

Unexcused: Students will not be allowed to make up work missed if an absence is unexcused. Listed below are the most common reasons given for absences that will be considered unexcused:

- a. Family vacations and extended weekend trips.
- b. Oversleeping
- c. Cutting
- d. Car trouble
- e. Any absence considered excused which is not cleared by a parental or doctor's note within 48 hours of returning to school.

Attendance Procedures

It is the student and parent/guardian responsibility to verify an absence, and they must do so within 48 hours upon returning to school. An auto dialer will notify parents/guardian when a student is absent from school a portion of the day.

- 1. Parents are responsible for notifying the school whenever their student is absent. Parents may call the attendance office and/or send a note with the student upon his/her return to school. All notes must contain the following information:
 - Name of student
 - Date(s) of absence
 - Specific reason for absence
 - Daytime phone number where a parent may be reached
 - Parent's signature
- 2. If a parent has called to report a student's absence, the student will not be required to obtain an admit, and the corresponding absence code will have been entered into the attendance program. Upon returning to school, if a student has a note, he/she must obtain an admit slip at the Office before school starts. The office is open at 7:00 am every day for the purposes of issuing admit slips to clear absences. A student must bring an absence note to the office early enough so that he/she will be in first period class by the time the tardy bell rings A student who is late to his/her first period class will receive an unexcused tardy. A student returning to school after being absent will not be admitted to class without an admit slip or being cleared on the computer. Students needing to obtain an admit slip before school and after first period; need to report to the Office. After leaving school for medical/illness/personal absence, a student must return their check out slip and any other required documentation (doctor's note).
- 3. Any student whose absence code is marked "A" for a particular class period <u>must be sent</u> to the Attendance Office to receive an admit for the designated period(s).
- 4. To clear an absence, a student must bring a note from a parent or doctor, or the student's parent may call the attendance office. Students have only 48 hours upon their return to school in order to clear an absence. NOTE: Students are not permitted to use office telephones to clear an absence. If the absence is not cleared within 48 hours, the absence becomes a truant.
- 5. A student returning to school without a call or a note from a parent or a note from a doctor will be considered truant. If a student does not bring in a note when first returning to school, but does bring in a note within 48 hours, he/she must take the note to the Office to obtain a second admit slip. A student must show the admit slip to all of his/her teachers in order to clear the absence and obtain make-up work.

Please call the school on the date of the absence. If unable to do so, students should bring a note to school to clear the absence when they first return to school.

- 6. A student can facilitate the re-admit process by doing all of the following:
 - A parent or legal guardian must telephone the Attendance Office and notify the secretary of the reason for the absence and state the day of return to school.
 - Report to the office on the day of return. Bring a properly completed note from a parent/guardian.

Make-up Work

Students shall be given the opportunity to make-up work missed because of an excused absence and shall receive full credit if the work is turned in according to a reasonable make-up schedule. Typically, each day of excused absence merits a make-up day.

Based on Ed Code 48913: The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension.

Teachers may or may not allow a suspended student to complete any assignments and tests missed during at home suspensions, as stated per teacher syllabus.

Students who miss school work because of unexcused absences may or may not be given the opportunity to make-up missed work for full or reduced credit. Teachers may assign such make-up work as necessary to ensure academic progress, not as a punitive measure.

Teachers need at least twenty-four hours to supply make-up work.

Teachers' procedures and processes for make-up work should be clearly explained to both students and parents in the individual class syllabus.

Travel Study

Travel Study is a program available to students who must leave school for 5 or more days. This program provides students with the opportunity to maintain their grades and credits in their classes. Students who fit the above criteria and who wish to utilize the Travel Study program should contact the Attendance more than one week prior to leaving school to obtain and complete the appropriate forms. The contract must be approved by the Principal or his designee. *The Principal's signature is required PRIOR to beginning Travel Study*. Students not completing travel study forms and receiving approval in advance will not receive credit and will be considered unexcused. Upon returning to school, the homework should be attached to the travel study sheets and turned in immediately to the teachers to grade. When the work is graded, a bottom portion of the form is forwarded to Attendance and the absences are excused.

Attendance - Obtaining Information

Parents who have concerns regarding a student's attendance habits may request an attendance printout from the attendance office (extension #5650), check ABI Parent Portal, and/or request a conference with an assistant principal.

<u>Excessive Absences</u>: When a student has had 10 absences in the school year for illness, any further absences for illness shall be verified by a physician. This requirement will be enforced for one calendar year. (AR 5113, adopted Nov. 2009)

<u>Parents On-Line</u>: Aeries Parent Portal is a computer system that assists families with keeping on top of their child's attendance, behavior and academic progress. Please contact your school site to obtain account and access information. NOTE: Attendance is updated daily; posting of grades to the system is at the discretion of the individual teachers.

This list is not all-inclusive. If you have specific questions regarding unexcused absences, please contact your child's Attendance Secretary.

Students should not be dropped off any earlier than 5 minutes prior to the opening of the school breakfast program. Students should be picked up from school no later than 15 minutes after the dismissal bell. Inter/Intra-district transfers may be revoked due to violations of these times. Students who are not participating in approved after-school extra-curricular or athletic programs must leave the campus within 15 minutes of dismissal. Continuous violation of this policy may result in the student being transported to Tracy Police Department for supervision and parent notification.

TARDY POLICY FOR UNEXCUSED CLASSROOM TARDIES

<u>Tardy</u>

A tardy is defined as arrival to class after the tardy bell rings and up to 29 minutes into the instructional period. Students must be in their seats when the tardy bell rings. Arrival to class 30 minutes or later will constitute a truant. Please refer to school site tardy policy.

<u>SART</u>

School Attendance Review Team- SART may be conducted after a student has been declared truant. During this meeting a plan may be developed to correct a student's attendance.

SCHOOL ATTENDANCE REVIEW BOARD

A board comprised of teachers, administrators, counselors, law enforcement officials, and community representatives that utilize school/community services to help students resolve problems dealing with irregular school attendance or habitual truancy. The School Attendance Review Board also has the authority to refer habitually truant students, as well as their parents, to the District Attorney for appropriate legal action.

CLASSROOM DISCIPLINE

At the Middle Schools, if a student chooses not to be responsible, the teacher may take the following action:

- 1. Warning, detention, or referral (teacher will contact the parents the same day on referrals).
- 2. Automatic referral to the office for severe disruptions.
- **3.** Systematic exclusion from class for constant or consistent disruption. A student-parent-teacher conference with an administrator will be held before this is put into effect with a student.

NOTE: Detention is to be served the same day or the following day. For extension of time, students must bring a note from a parent. If a student does not serve the detention, the teacher will contact the parent and double the detention time. A student who continues to not serve detention ("no show") will receive a disciplinary referral.

DISCIPLINE PHILOSOPHY

It is important that each individual develop sound social judgment and be allowed frequent opportunities to exercise this judgment and the self-discipline which must accompany it.

Students and teachers are entitled to an environment in which maximum learning and teaching can take place. In order to guide students to become responsible, self-disciplined individuals who are free to pursue academic studies, an appropriate amount of external discipline might be necessary.

All societies have rules. <u>All students are expected to obey all classroom and school rules</u>. Our aim is to improve the learning environment through positive reinforcement of good behavior and consistently applied consequences for inappropriate behavior.

With the cooperation of parents, parent volunteers, students, and school personnel, we can maintain schools where teachers teach and children learn.

48900.1

- (a) The governing board of each school district may adopt a policy authorizing teachers to require the parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for reasons specified in subdivision (i) or (k) of Section 48900, to attend a portion of a school day in the classroom of his or her child or ward. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.
 - (b) The policy shall be adopted pursuant to the procedures set forth in Sections 35291 and 35291.5. Parents and guardians shall be notified of this policy prior to its implementation. A teacher shall apply any policy adopted pursuant to this section uniformly to all pupils within the classroom.

The adopted policy shall include the procedures that the district will follow to accomplish the following:

- (1) Ensure that parents or guardians who attend school for the purposes of this section meet with the school administrator or his or her designee after completing the classroom visitation and before leaving the school site.
- (2) Contact parents or guardians who do not respond to the request to attend school pursuant to this section.
- (c) If a teacher imposes the procedure pursuant to subdivision (a), the principal shall send a written notice to the parent or guardian stating that attendance by the parent or guardian is pursuant to law. This section shall apply only to a parent or guardian who is actually living with the pupil.
- (d) A parent or guardian who has received a written notice pursuant to subdivision (c) shall attend class as specified in the written notice. The notice may specify that the attendance of the parent or guardian be on the day the pupil is scheduled to return to class, or within a reasonable period of time thereafter, as established by the policy of the board adopted pursuant to subdivision (a).

48900.1a

"Students who are involved in two (2) fights in any academic year or high school students who are involved in three (3) fights within their high school career (grades 9-12) and for whom a NO FIGHTING CONTRACT has been executed, shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to circumstances."

First fight: suspension and Fight Contract signed.

Second fight: Suspension and recommendation for expulsion with restrictions implemented. (Principal may request suspended-expulsion)

Third fight: Suspension and expulsion recommended.

48900.5 Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c),(d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

- 48911.1 (a) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff, or if an action to expel the pupil has not been initiated.
 - (b) Pupils assigned to a supervised suspension classroom shall be separated from other pupils at the school site for the period of suspension in a separate classroom, building, or site for pupils under suspension.
 - (c) School districts may continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom provided as follows:
 - (1) The supervised suspension classroom is staffed as otherwise provided by law.
 - (2) Each pupil has access to appropriate counseling services.
 - (3) The supervised suspension classroom promotes completion of schoolwork and tests missed by the pupil during the suspension.
 - (4) Each pupil is responsible for contacting his or her teacher or teachers to receive assignments to be completed while the pupil is assigned to the supervised suspension classroom. The teacher shall provide all assignments and tests that the pupil will miss while suspended. If no classroom work is assigned, the person supervising the suspension classroom shall assign schoolwork.
 - (d) At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian.
 - (e) This section does not place any limitation on a school district's ability to transfer a pupil to an opportunity school or class or a continuation education school or class.
 - (f) Apportionments claimed by a school district for pupils assigned to supervised suspension shall be used specifically to mitigate the cost of implementing this section.

We suggest that you retain this Handbook as a reference and for periodic reminders to your child.

FOR MORE EFFECTIVE COMMUNICATION ...

WHEN YOU HAVE A QUESTION OR CONCERN REGARDING YOU CHILD, PLEASE ...

1.	discuss matters with your child's	<u>TEACHER(S)</u>
2.	discuss matters with the	SCHOOL ADMINISTRATOR
3.	discuss matters with the	DIRECTOR FOR STUDENT SERVICES
4.	request through the Superintendent to meet with the	GOVERNING BOARD

RIGHTS & RESPONSIBILITIES RELATED TO DISCIPLINE FOR STUDENTS, PARENTS, CLASSIFIED STAFF, TEACHERS, ADMINISTRATORS, SCHOOL BOARD MEMBERS, & PARENT VOLUNTEERS WHERE APPLICABLE

EACH STUDENT HAS A RIGHT TO ...

- Be taught the required curriculum in a professional manner.
- Have a positive learning environment maintained in the classroom.
- Be treated respectfully.
- Attend school without harassment by other students.
- Discuss grades, assignments, and discipline with the teacher in private, provided such a discussion is conducted with courtesy and consideration.
- Fair treatment and due process.

EACH STUDENT HAS A RESPONSIBILITY TO

As a part of the Middle School's discipline policy, all students will be informed of their teacher's individual classroom rules and expectations. These will be discussed thoroughly at the beginning of the school year. If students break these classroom rules, each teacher will have the option to handle the situation according to his/her professional judgment, which may include after-school detention. In serious cases and/or repeated offenses, the consequences can include a disciplinary referral to the office.

The Principal/Designee will talk with the pupil about the problem and, if the problem is serious enough, the pupil's parent will be contacted. Occasionally a pupil will be suspended from school if other means of discipline fail to improve conduct. Most of the students at the Middle Schools rarely have any serious problems, but if they feel that they might have trouble, it is much better to see the Principal/Designee BEFORE problems actually happen, rather than wait until they are in trouble. Additionally:

- Students are responsible to all authorized school employees, and are expected to obey instructions quickly, quietly, and courteously, the first time.
- Students will obey all classroom and school rules.
- Students will treat others with courtesy and respect. This includes keeping hands, feet and objects to oneself. No vulgarity.
- Dishonesty, teasing, or put-downs including but not limited to race, religion, ethnic origin, size, or handicap are not allowed.
- Students will attend school daily unless ill or legally excused.
- Students will come to class prepared to work and will remain until dismissed by the teacher.
- Each student will have a pencil and/or pen, paper and binder as required by the individual teacher.
- Students will remain seated until the bell rings and the teacher dismisses the class.
- Since tardies affect academic pursuits, a student will be considered tardy if he/she is not in his/her seat and prepared to work when the tardy bell rings.
- Students will complete all assignments and meet deadlines.
- No gum, food, candy, or drinks will be allowed in class without prior permission.

EACH PARENT HAS A RIGHT TO ...

- Be treated respectfully.
- Expect his/her child to attend a school which emphasizes learning and growing in an environment free of detrimental influences.
- Be informed of disciplinary problems and actions.

- Due process for his/her child.
- Visit the school and observe programs when prior arrangements have been made.
- Be provided with a qualified translator when 15% of the students in school speak that language.

EACH PARENT HAS A RESPONSIBILITY TO . . .

- Be aware that he/she is <u>legally</u> obligated to share responsibility with the school for the behavior of his/her child while he/she is in transit or at school.
- Understand and support local school behavior standards.
- Help the child understand, accept, and respect all school rules.
- Cooperate with school officials in carrying out appropriate disciplinary actions and seek out appropriate community agencies for assistance when necessary.
- Bring all issues, problems or concerns happening at school regarding other students to the site administration. <u>DO NOT</u> confront or address issues, problems or concerns with other students, with the student(s) in question, in person or directly.
- Reinforce educational achievement of his/her child and communicate achievements at home to school staff for reinforcement at school.
- Ensure regular and prompt attendance and notify the school in the event of an absence or tardiness.
- Read all communications which come from school and respond when requested.
- Be financially responsible for their children losing school materials/equipment and/or causing damage to school property or personal property of any school employee.
- Send children to school clean, rested, well-nourished, appropriately dressed, and ready to learn.

EACH TEACHER HAS A RIGHT TO . . .

- Assign seats.
- Require detention for up to one hour after school.
- Give grades he/she considers appropriate.
- Require compliance with classroom and school rules.
- Expect students to obey directions.
- Be treated respectfully.
- Expect work to be completed on time.

EACH TEACHER HAS A RESPONSIBILITY TO . . .

- Provide a safe, secure, positive learning environment.
- Review and enforce with students the district discipline policies and school rules.
- Communicate regularly with students, parents, and appropriate school personnel regarding behavior problems and proposed solutions, and/or academic progress, as well as outstanding student achievements.
- Inform parents of rules and policies related to behavior and discipline.
- Exhibit fair, consistent treatment of all students.

EACH ADMINISTRATOR HAS A RIGHT TO ...

- Be treated respectfully.
- Expect students, parents, and teachers to cooperate with the administration of state laws, district policies, and school rules which govern the operation of the school.

- Expect parents to communicate their concerns, questions, and suggestions first with the teacher and then the school administrator.
- Give consequences for violation of the education code, state and federal laws.
- Investigate violations and question students without parental consent.
- Search and seizure with reasonable suspicion without parental consent.
- Inform law enforcement agencies and ask for assistance/collaboration regarding student violation of state and federal law.
- Request law enforcement agencies to investigate violations, and/or question students without parental consent.
- Release pupil directory information including pupil's name, address, telephone number, date of birth, and email address as per EC 49076

EACH ADMINISTRATOR HAS A RESPONSIBILITY TO

- Create a safe, secure, positive teaching-learning environment by properly exercising authority assigned by the School Board, the Superintendent, and state laws.
- Communicate to parents, staff, and students the state laws, district policies, and school rules which govern behavior expectations.
- Assist students, parents, and staff in seeking solutions to problems.
- Establish procedures for encouraging and recognizing positive behavior.
- Be fair, firm, and consistent in enforcing district policies and school rules, and in decisions affecting students, parents, and teachers.
- Maintain open lines of communication between school and home.

THE SCHOOL BOARD HAS A RIGHT TO . . .

- Be respected as the policy formulating body of the school district.
- Expect students, parents, teachers, and administrators to comply with state laws, and district policies as established by the Governing Board.
- Expect parents to communicate their concerns, questions, and suggestions first with the teacher, then with the administration, the Director of Student Services and finally with the Governing Board.

THE SCHOOL BOARD HAS A RESPONSIBILITY TO . . .

- Establish policies and procedures which create a safe, secure, positive teaching-learning environment at each of the district's schools.
- Assist students, parents, and staff in seeking solutions to problems by directing them to the appropriate administrative office.
- Insure that administrators are fair, firm, and consistent in enforcing district policies and school rules, and in decisions affecting students, parents, and teachers.
- Establish policies and procedures for encouraging and recognizing positive student behavior.
- Establish policies and procedures which maintain open lines of communication between school and home.

DISRUPTION THREATENING PUPIL'S IMMEDIATE PHYSICAL SAFETY

PC 626.8 (a) Any person who comes into any school building or upon any school ground, or adjacent street, sidewalk, or public way and willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any pupil in preschool, kindergarten, or any of grades 1-8, inclusive, arriving at, attending, or leaving from school is guilty of a misdemeanor.

DISCIPLINARY VIOLATIONS AND CONSEQUENCES

Due Process

Students facing major disciplinary action (such as suspension, expulsion or transfer to another school) have a right to a fair hearing. The process requires that procedures be established to guarantee that penalties which deny access to educational opportunity are administered for good and just cause.

Due process procedures entitle students to: 1) oral or written notification of the charges; 2) explanation of the evidence; 3) opportunity to present his/her side of the story; and 4) a right to appeal decisions resulting in major disciplinary action to the next higher authority.

The procedures are designed to ensure that corrective action, if any, is taken only after a thorough examination of the facts. The nature of the corrective action must be reasonably related to the nature and circumstances of the violations.

It is hoped that students will never place themselves in a situation requiring the protection of due process. However, if a student does become involved in a situation in which a suspension, expulsion, or transfer might result, both the student and his/her parents will be given a more detailed description of the due process procedures.

Detention

Students may be assigned detention as a part of the Student Conduct Code. Detention can be assigned by the teacher or site administration. The detention can involve doing school work or community service for the school. Detention may be assigned at break, lunch, or after school. Parents not wishing children to serve detention at lunch or break must send a note to the school indicating that your child will not serve detention at that time and your child will be given an alternate time in which to serve the detention. ADMINISTRATIVE DETENTION is voluntary (per administration) when used in lieu of suspension.

Alternate Placement

The Alternate Placement program provides the staff at the Middle Schools with an alternative to student suspension from school, thus allowing designated students to spend more days at school. Alternate Placement may include detention, Administrative Detention, assignment to another classroom or office. Students assigned to Alternate Placement must bring an appropriate amount of assigned class work from their regular classes. Violation of Alternate Placement rules and regulations will result in an immediate referral to the office for appropriate disciplinary action.

Search and Seizure (BP 5145.12)

<u>Search and Seizure</u>: Board Policy 5145.12 explains district policy and procedures on search and seizure, including the use of breathalyzers and metal detectors.

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, their lockers and/or vehicles by school officials.

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure. When possible, staff may use a metal detector when searching an individual for weapons.

The parent/guardian of a student subjected to an individualized search shall be notified by the district as soon after the search as possible.

Suspension from School

Definition: Suspension means removal of a student from on-going instruction for disciplinary purposes.

Teacher Suspension of a Student

A teacher may suspend, for any of the reasons contained in Section 48900 of the Education Code, any student from his/her class for the day of the suspension and the following day.

- 1. When a teacher suspends a student for any of the reasons contained in Section 48900, the teacher shall immediately report the suspension to the Principal/Designee for appropriate action.
- 2. As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent/teacher conference regarding the suspension. A counselor should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.
- 3. A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the Principal/Designee.

Principal/Designee Suspension of a Student

The Principal/Designee may suspend and/or place a student on probation for any of the reasons contained in Education Code Section 48900 and/or 48915. The suspension shall be limited to five (5) consecutive school days per offense.

- 1. Suspension shall be preceded by an informal conference between the student, a certificated school employee and whenever practicable, the teacher or supervisor who referred the student to the Principal/Designee. At the conference the student shall be informed of the reason(s) for the disciplinary action and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. The conference may be omitted if the Principal/Designee determines that an emergency situation exists, in that there is a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, then a meeting shall be held as soon as practicable, but not later than two (2) school days from the day the suspension is ordered unless the student is physically unable to attend due to hospitalization, incarceration, etc., in which case the conference will be held as soon as the student is physically able to return to school unless the student waives the right to the conference.
- 2. At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent/guardian in person or by telephone. A school employee shall also report the suspension of the student to the Director of Student Services.
- **3.** A notice of the suspension shall be mailed by a school employee to the parent/ guardian in the primary language of the parent/guardian; if practicable, containing each of the following:
 - a. A statement of the facts leading to the decision to suspend.
 - b. The day and time the student will be allowed to return to school.
 - c. A statement of the parent's or the student's right to have access to the student's record as provided in Education Code 48914.

- d. A request that the parent/guardian attend a conference with school officials regarding the student's behavior, including notice that State law requires parents or guardians to respond to such request without delay.
- 4. While parents or guardians are required to respond without delay to a request for a conference regarding their child's behavior, no penalties may be imposed on the student for the failure of the parent/ guardian to attend such conference. In addition, the student's re-admission shall not be contingent on the attendance of the parents or guardian at such conference.
- 5. The pupil is in the complete custody and jurisdiction of his/her parents or legal guardian during the entire period of suspension.
- 6. The pupil is not to loiter on or near any school grounds at anytime, or attend any school activities, no matter where such activities may be taking place.
- 7. The teacher of any class from which a student is suspended <u>may</u> require the suspended student to complete any assignments and tests missed during the suspension. In addition, a suspended student <u>may</u> be allowed to complete all assignments and tests missed during the suspension which can be reasonably provided, and upon satisfactory completion, given full credit therefore. (Education Code 48913.)
- 8. <u>Completion of Assignments</u>: The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension (Education Code 48913).

Social Probation

A student will be placed on social probation for dances after a one to five-day suspension. The social probation will prohibit the student from attending any dance that falls within nine (9) weeks of the suspension. After a student has three suspensions or a total of seven days of suspension, the student will be excluded from all dances, athletic teams, and athletic team events for the remainder of the school year. Students may be excluded from assemblies and field trips if their presence would be disruptive. If social probation occurs during the last weeks of school for an eighth grader, it will include restriction from all activities except those which fall under the Promotion Behavior Standards. Certain severe violations of the school discipline policy will also result in social probation (see Disciplinary Violations and Consequences). SOCIAL PROBATION applies throughout as a consequence.

Appealing a suspension and/or Conditions of Probation

The student or the student's parent/ guardian may appeal the suspension and/or conditions of probation imposed by the Assistant Principal to the Principal of the school. This appeal must occur within ten days of the incident. If the appeal is not resolved at the school site by the Principal, then the student or the student's parent/ guardian may appeal the suspension and/or conditions of probation to the Superintendent or the Superintendent's designee. A meeting, if requested, must be held within three (3) school days of the time that the Superintendent or the Superintendent's designee receives the request for an appeal.

Under the provisions of Education Code 48914, the District has established the following procedures for appealing a suspension taken by the school:

- The student or student's parent/ guardian may appeal a suspension. The appeal shall be filed within ten (10) days of the time that the suspension and/or other disciplinary action took place. A meeting, if requested, must be held within three (3) school days of the time that the Principal received the request for the appeal. The Principal shall make a decision regarding the appeal within two (2) school days.
- 2. If the appeal is not resolved at the school site by the Principal, then the student or the student's parent/guardian may appeal the suspension to the Superintendent or the Superintendent's designee. The appeal shall be filed within ten (10) school days of the time that the Principal renders his/her decision. A

meeting, if requested, must be held within three (3) school days of the receipt of the Superintendent or the Superintendent's designee. The procedure shall be as follows:

- **a.** The Superintendent or Superintendent's designee shall determine if there was sufficient evidence to find that the alleged violation occurred, and whether the penalty was appropriate for the violation.
- **b.** The student may designate a representative to be present with him/her at the meeting, but the representative shall not serve as legal counsel unless the district has a legal counsel present to represent the school district.
- **c.** At the meeting the Superintendent or Superintendent's designee shall review all written documents in the case; and the student's parents or guardian and/or representative address the Superintendent or Superintendent's designee on the evidence or the appropriateness of the penalty.
- **d.** The Superintendent or Superintendent's designee shall make a decision within five (5) school days. If the Superintendent or Superintendent's designee determines that no violation occurred, all record and documentation regarding the disciplinary proceedings and suspension shall be immediately destroyed and no information regarding the meeting shall be placed in the student's permanent record file. If the Superintendent or Superintendent's designee determines that the penalty imposed was inappropriate for the violation, all records and documentation concerning the suspension and/or other disciplinary action shall be revised to indicate only the facts leading to the penalty imposed by the Superintendent or the Superintendent's designee.

<u>SAP</u>

The Student Assistant Program (SAP) is designed for students experiencing behaviors that result in serious barriers to learning. The primary focus areas of concern are: attendance, academics, behavior and health. SAPs are designed to provide an intermediate level of intervention when classroom and school site interventions have not been successful. Parent and student involvement in the SAP intervention process is critical. The goal of SAP is to prevent further loss of classroom time due to behaviors that may lead to suspension and/or expulsion. Progressive discipline/intervention may include a S.A.P. referral prior to a DART.

<u>SST</u>

A meeting may be held in conjunction with a Student Success Team (SST) meeting, which is aimed at improving student's academic and behavioral functioning

DART

Discipline and Attendance Review Team- a DART is utilized at 10 days of suspension. It is used as a means to develop a plan regarding student's discipline and behavior.

EXPULSION FROM TRACY PUBLIC SCHOOLS

Definition and Length of Expulsion

Expulsion means the removal of a student from the immediate supervision and control, or the general supervision of school personnel for more than five (5) consecutive school days. The expulsion shall remain in effect until the governing board orders the re-admission of the student. At the time of the expulsion, the governing board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred unless expulsion under 48915 which may include a full year expulsion, when the student may apply for re-admission to school.

<u>Authority to Expel</u>

The governing board may expel students for any of the reasons contained in Education Code 48900 and/or 48915. Such action, except for single acts of a serious nature, is usually reserved for application where there is a history of misconduct and where other forms of discipline, including suspension, have failed. The Principal is required to recommend expulsion for the following acts (Education Code 48915):

- 1. Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:
 - a. Causing serious physical injury to another person, except in self-defense.
 - **b.** Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
 - **c.** Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - d. Robbery or extortion.
 - e. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:
 - a. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - **b.** Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
 - **c.** The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:
 - **d.** Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certified school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
 - e. Brandishing a knife at another person.
 - **f.** Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
 - **g.** Committing or attempting to commit a sexual assault as defined in subdivision (n) or Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- 3. The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:
 a. Is appropriately prepared to accommodate pupils who exhibit discipline problems.
 b. Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
 - **c.** Is not housed at the school site attended by the pupil at the time of suspension.
- 4. Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds, violated

subdivision (f), (g), (h), (i), (j), (k), (l),(m), or (o) of Section 48900, or Section 48900.2 or 48900.3, and either of the following:

- a. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- **b.** That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

SUSPENSION AND EXPULSION FROM TRACY PUBLIC SCHOOLS

GROUNDS FOR SUSPENSION AND EXPULSION

A pupil shall not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or intoxicant of any kind.
- (d) Unlawfully offered, arranged or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clover cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (1) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in subdivision (b) of Section 245.6 of the Penal Code.
- (r) Engaged in an act of bullying, including but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of section 32261, directed specifically toward a pupil or school personnel.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
 - 1. While on School Grounds.
 - 2. While going to or coming from school.
 - 3. During the lunch period whether on or off the campus.
 - 4. During, or while going to or coming from, a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the

Penal Code, the infliction or attempted infliction of physical

Injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

Grounds for suspension and/or expulsion also include Education Code Sections:

48900.1

- (a) The governing board of each school district may adopt a policy authorizing teachers to require the parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for reasons specified in subdivision (i) or (k) of Section 48900, to attend a portion of a school day in the classroom of his or her child or ward. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.
- (b) The policy shall be adopted pursuant to the procedures set forth in Sections 35291 and 35291.5. Parents and guardians shall be notified of this policy prior to its implementation. A teacher shall apply any policy adopted pursuant to this section uniformly to all pupils within the classroom. The adopted policy shall include the procedures that the district will follow to accomplish the following:
 - (1) Ensure that parents or guardians who attend school for the purposes of this section meet with the school administrator or his or her designee after completing the classroom visitation and before leaving the school site.
 - (2) Contact parents or guardians who do not respond to the request to attend school pursuant to this section.

(c) If a teacher imposes the procedure pursuant to subdivision (a), the principal shall send a written notice to the parent or guardian stating that attendance by the parent or guardian is

pursuant to law. This section shall apply only to a parent or guardian who is actually living with the pupil.

(d) A parent or guardian who has received a written notice pursuant to subdivision (c) shall attend class as specified in the written notice. The notice may specify that the attendance of the parent or guardian be on the day the pupil is scheduled to return to class, or within a reasonable period of time thereafter, as established by the policy of the board adopted pursuant to subdivision (a).

48900.2 In addition to the reasons specified in section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

48900.3 In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendant or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of section 233.

48900.5

(a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

(b) Other means of correction include, but are not limited to, the following:

(1) A conference between school personnel, the pupil's parent or guardian, and the pupil.

(2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.

(3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.

(4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a).

(5) Enrollment in a program for teaching prosocial behavior or anger management.

(6) Participation in a restorative justice program.

(7) A positive behavior support approach with tiered interventions that occur during the schoolday on campus.

(8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.

(9) Any of the alternatives described in Section 48900.6.

48900.7 (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

48903— (a) Except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a pupil maybe suspended from school shall not exceed 20 school days in any school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of schooldays for which the pupil may be suspended shall not exceed 30 days in any school year.

(b) For the purposes of this section, a school district may count suspensions that occur while a pupil is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.

48911.1 (a) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff, or if an action to expel the pupil has not been initiated.

(b) Pupils assigned to a supervised suspension classroom shall be separated from other pupils at the school site for the period of suspension in a separate classroom, building, or site for pupils under suspension.

(c) School districts may continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom provided as follows:

(1) The supervised suspension classroom is staffed as otherwise provided by law.

(2) Each pupil has access to appropriate counseling services.

(3) The supervised suspension classroom promotes completion of schoolwork and tests missed by the pupil during the suspension.

(4) Each pupil is responsible for contacting his or her teacher or teachers to receive assignments to be completed while the pupil is assigned to the supervised suspension classroom. The teacher shall provide all assignments and tests that the pupil will miss while suspended. If no classroom work is assigned, the person supervising the suspension classroom shall assign schoolwork.

(d) At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian.

(e) This section does not place any limitation on a school district's ability to transfer a pupil to an opportunity school or class or a continuation education school or class.

(f) Apportionments claimed by a school district for pupils assigned to supervised suspension shall be used specifically to mitigate the cost of implementing this section.

In-House Suspension

Support Room is a classroom learning center where students are required to work independently. Support Room is used as an administrative placement in lieu of suspension. It is offered one day each week on Friday. Students with excessive support room placements are subject to suspension. Students may request to make up work missed due to placement in Support Room. The teacher shall provide all assignments and tests that the pupil will miss while suspended in Support Room (Education Code 48911.1).

48915 (c) The principal or superintendant of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off of school grounds:

- (1) Possessing, selling, or otherwise furnishing a firearm.
- (2) Brandishing a knife at another person.
- (3) Unlawfully selling a controlled substance listed in chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of section 48900.
- (5) Possession of an explosive.

STUDENT CONDUCT CODE

Most students at Art Freiler, Earle Williams, George Kelly, Monte Vista, North and Poet-Christian obey all school rules, display excellent citizenship and realize rules are established for everyone's help and protection. This conduct code outlines behavior expectations for students and gives examples of possible consequences should rules be broken. Parents and the school are partners in good discipline. The school will notify parents, whenever possible, if their student is having a behavior problem at school. We enjoy and anticipate good parent support for our discipline plan. State law and good parenting require parents to respond to all school requests for parent conferences. Notification of parents will include telephone calls and/or written communications.

The Student Conduct Code provides an indication of the types of behavior violations and potential consequences that may apply to students whose behavior is related to school activity or attendance which occur at any time, including but not limited to the following:

- (1) While on school grounds.
- (2) While coming to or going from school.
- (3) During the lunch period, whether on or off the campus.
- (4) During the period that school is in session when the student is truant from school.
- (5) During, or while going to or coming from, a school sponsored activity.

A student transferring from one middle school to another within the Tracy School District during a school year will be held accountable for his/her behavior record at the original school. (i.e. the behavior record transfers to the new school and is not canceled by the move).

All behavior violations shall be cumulative, regardless of the fact that they may pertain to different offenses. Also, in rare instances, the consequences outlined in the Student Conduct Code may be MODIFIED due to unusual circumstances. NOTE: Serious violations or violations of different sections of the Education Code can lead to maximum consequences on the first offense.

Unauthorized Group-related Conduct/Activity

Unauthorized Group-related Conduct/Activity on all school campuses and/or adjacent to the campus during all school sponsored events is a threat to the safety of others and is STRICTLY PROHIBITED.

EDUCATION CODE 48900

Because the Tracy Unified School District is not using the Support Room as part of its disciplinary system, the following adjustments have been made:

ADMINISTRATIVE DETENTION is determined by the Principal or his/her designee. It is defined as, but not limited to:

- <u>Alternate Placement</u>
- <u>Community Service</u>
- <u>Campus Beautification</u>
- <u>Saturday School</u>
- Before or After School Detention]
- Lunch Detention
- In-School Suspension

Consequences for Fighting

"Students who are involved in two (2) fights in any academic year or high school students who are involved in three (3) fights within their high school career (grades 9-12) and for whom a NO FIGHTING CONTRACT has been implemented on the first fight, shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to circumstances."

First fight: suspension and fight contract signed implemented.

Second fight: Suspension and recommendation for expulsion with restrictions implemented. (Principal may request suspended-expulsion)

Third fight: Suspension and expulsion recommended.

Subsection (a)

(1) Caused, attempted to cause, or threatened to cause physical injury to another person.

(2) Willfully used force or violence upon the person of another, except in self-defense.

	First Offense	Second Offense	Third Offense	Maximum
1. Agitation: EC-48900 (a) Inciting Violence- Subject but not limited to: Threats, verbal, written or physical, possession or creation of slam books, participation in birthday punches or other such inappropriate hitting or touching, pictures, poems or stories depicting bodily injury towards students or staff.	Conference with student; Parent/guardian contact, Detention, Administrative Detention or 1-5 day suspension.	Administrative Detention or 1-5 day suspension.	2-5 day suspension.	Five (5) day suspension and recommendation for expulsion, police contact.
	First Offense	Second Offense	Third Offense	Maximum
2. Continuing to Engage in Combat: EC-48900 (a) A student who continues to engage in combat and causes, attempts to cause, or threatens to cause harm after being directed to stop and/or being separated by school personnel.	5 day suspension and possible recommendation for expulsion.	5 day suspension and recommendation for expulsion.	5 day suspension and recommendation for expulsion.	5 day suspension and recommendation for expulsion.
3. Fighting: EC-48900 (a) Mutual combat in which both parties have contributed to the situation by verbal and/or physical action; or when a fight has been provoked by one person. Physical injury to another student.	 1-5 day suspension; possible recommendation for expulsion and possible police contact. *Fight Contract implemented 	2-5 day suspension; possible recommendation for expulsion and possible police contact. *Fight Contract implemented	 3-5 day suspension and possible recommendation for expulsion and police contact. *Fight Contract implemented 	5 day suspension and possible recommendation for expulsion and police contact.
4. Hazing, Initiation and/or Intimidation: EC-48900 (a) Participating in or conspiring to engage in harassing acts that injure, degrade, or disgrace.	1-5 day suspension and possible recommendation for expulsion.	1-5 day suspension and possible recommendation for expulsion.	1-5 day suspension and possible recommendation for expulsion.	1-5 day suspension and possible recommendation for expulsion.
5. Physical Injury: EC- 48900 (a) Attempts to injure or threats of force or injury to school personnel, their family or their property.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.

6. Third Party Engaging in Combat: EC-48900 (a) A third party student who attempts or threatens to cause harm to one or all of the students involved in Combat (fight).	Five (5) day suspension and possible recommendation for expulsion.	Five (5) day suspension and possible recommendation for expulsion.	Five (5) day suspension and possible recommendation for expulsion.	Five (5) day suspension and recommendation for expulsion.
7. Threats of Violence Expression of an intention to harm: EC-48900 (a)	Counsel student, Parent conference, Administrative detention, or 1-5 day suspension and/or possible recommendation for expulsion.	Counsel student, Parent conference, Administrative detention, or 1-5 day suspension and/or possible recommendation for expulsion.	Counsel student, Parent conference, Administrative detention, or 1-5 day suspension and/or possible recommendation for expulsion.	Counsel student, Parent conference, Administrative detention, or 1-5 day suspension and/or possible recommendation for expulsion.
8. Unprovoked Attack : EC-48900 (a) Use of physical violence without provocation.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.	Five (5) day suspension, recommendation for expulsion and police contact.
Violence/Physical Injury to a Student. When a student causes, attempts to cause, or threatens to cause physical injury to another student as a part of any unauthorized group activity, the following shall result in: 10. Running to fights or crow	 weeks. A requirement that the minimum expuls A recommendation fapplication for readr service; 2) a minimu one of the subsection school attendance; 4 activities; 5) prohibi A recommendation family description. 	he student must apply ion period. for a rehabilitation pro- nission. The plan shall m of nine (9) weeks of ns (a) through (q) conta) prohibited from parti- ted from flying colors	for readmission to school gram that is subject to re- include, but is not limit f counseling; 3) prohibit ained in Education Code icipating in unauthorized	ed to: community ed from violating any e 48900 associated with d group -related zed group paraphernalia.
around a fight or falsely reporting a fight Intentionally running to, mov toward, or gathering around fights or falsely reporting figh that impede the ability of supervisors to control the situation and maintain a safe school.	ing Warning; parent contact, and/or 1-	Parent contact; 1-2 day, In- House	Parent contact; 3-5 day suspension	Parent contact; 3-5 day suspension and possible recommendation for expulsion
(EC 48900 k) 11. Inappropriate Symbols Wearing or carrying any appa jewelry, accessory or noteboo with crude or vulgar lettering printing pictures, symbols that depict drugs, tobacco, alcohol beverages, or are sexually	k or provided with g, alternative clothing.	n conference, In-House suspension or 1-5 days suspension.	1-5 day suspension.	Five (5) day suspension
suggestive (EC 48900 k)	notebook, etc.			

	First Offense	Second Offense	Third Offense	Maximum
12. Out of Class Without an acceptable hall pass. (EC 48900 k)	Parent Contact; Student is truant and assigned two hours Saturday School.	Parent Contact; Student is truant and assigned two hours Saturday School.	Parent Contact; 1-2 days home suspension.	Parent Contact; 2- 5 day suspension from school.
13. Violation of Suspension Physically present on the school campus at any time, in the immediate vicinity of school premises, or at a school - sponsored activity while suspended from school. <i>NOTE: Per Penal Code 626.2:</i> <i>"No student can be on campus</i> <i>during suspension."</i> (EC 48900 k)	First Offense 1-5 day Suspension; Trespass letter sent to parents.	Second Offense 3-5 day suspension	<u>Third Offense</u> 3-5 day suspension	<u>Maximum</u> 1-5 day suspension and recommendation for expulsion.

Subsection (b)

Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

1. Possession of Any Firearm,	Five (5) day suspension, recommendation for expulsion and police notification. The
Knife, Explosive, or other	Principal may determine and report to the Governing Board, that suspension and/or
Dangerous Object: EC-48900 (b)	expulsion is inappropriate due to the particular circumstances in the incident and has met
Possession, use or sale of any	with the parent/guardian explaining such. Known possession of a firearm at school or at
firearm, knife, explosive or other	school activities off school grounds verified by a school employee is a required
dangerous object of no reasonable	recommendation for expulsion (E.C. Sections 48915, 48915.7).
use to the pupil.	

	First Offense	Second Offense	Third Offense	Maximum
2. Stink Bombs/Pepper	1-5 day	3-5 day	Five (5) day	Five (5) day suspension;
Spray:	suspension.	suspension.	suspension. Possible	recommendation for
EC-48900 (b) Discharge of,			recommendation for	expulsion.
sale of, possession of.			expulsion.	

Subsection (c)Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any
controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the
Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

NOTE: Students are prohibited from using any drugs or consuming any alcohol or being under the influence of any drugs or alcohol or intoxicant of any kind while on school property, during school-sponsored activities and under school jurisdiction. Possession of drugs and/or alcohol or intoxicant of any kind, either actual or constructive, by students on school property, during school-sponsored activities, or under school jurisdiction is also expressly prohibited. Possession of drugs, alcohol or intoxicant of any kind includes, but is not limited to, actual physical possession or control of such substances, possession of such substances in a student's car, locker, desk, backpack or other container or being in close proximity to such substances with the intent to use or possess such substances.

	First Offense	Second Offense	Third Offense	Maximum
1. Alcohol: EC-48900 (c) Unlawfully furnished, possessed, used, or been under the influence of alcohol. Unlawfully sold an alcoholic beverage.	A minimum five (5) day suspension. Social Probation I, possible recommendation for expulsion and police notification.	Five (5) day suspension, Social Probation II and recommendation for expulsion.	Five (5) day suspension and recommendation for expulsion.	Five (5) day suspension and recommendation for expulsion.
	First Offense	Second Offense	Third Offense	Maximum
2. Drugs: EC-48900 (c) A. Unlawfully possessed, used, or been under the influence of any controlled substance as defined in Section 11503 of the Health and Safety Code	A minimum five (5) day suspension, Social Probation #1 and possible recommendation	A minimum five (5) day suspension, Social Probation #2 and recommendation	Five (5) day suspension and recommendation for expulsion.	Five (5) day suspension and recommendation for expulsion.
B. Unlawfully offered, arranged, or negotiated to sell or furnish any controlled substance (drugs), alcoholic	for expulsion; police notification.	for expulsion; police notification.		
beverage or intoxicant of any kind. If this occurs on campus, or at a school activity, student may be charged with 48915c3.				
Conditions of Probation #1 (Failure to complete any of the conditions of probation, including mandatory counseling, will result in referring the student to the District Disciplinary Review Board for appropriate action.)	social and extra-cu weeks of restriction extra-curricular ac counting Winter a or play in any extr the summer break the next when nee restriction. For ex- he/she would be rest	arricular activities. on from social and ex- ctivities are counted nd Spring break. The ra/co-curricular activ . The student's prob- ded to complete the cample, if a student ve equired to complete	The five day suspension in atra-curricular activities. only during regular school ne student will not be per ity. Students can particip ationary period shall exter prescribed amount of con violated the Drug Code d	D) weeks restriction from all is counted toward the nine The nine weeks of social and ol calendar weeks and include mitted to participate, practice, pate, practice, and play during end from one school year to mmunity service and social uring the last week of school, following regular school year.
Conditions of Probation #2 (Failure to complete any of the conditions of probation, including mandatory counseling, will result in referring the student to the District Disciplinary Review Board for appropriate action.)	The conditions of p all social and extra eighteen weeks of n of social and extra- and include countin participate, practice practice, and play of from one school ye	probation shall inclue curricular activities restriction from socia curricular activities ng Winter and Spring e, or play in any extr during the summer be ar to the next when and social restrictio	de a minimum of eightee . The five day suspensio al and extra-curricular ac are counted only during g break. The student wil a/co-curricular activity. reak. The student's proba needed to complete the p	tivities. The eighteen weeks regular school calendar weeks I not be permitted to Students can participate, ationary periods shall extend
Important Note to 8th grade Stu	dents:	<u> </u>		
Any student on Probation #1 or #2			activity, including but no	ot limited to the following:
		ld Trip. ebration/Dance. motion Activity.		

NOTE: Violations for drugs, alcohol and drug paraphernalia are cumulative throughout a student's school career. If a second offense occurs less than 12 months from the first offense, expulsion may be recommended.

NOTE: Failure to complete ALL conditions of Probation will result in reinstating the expulsion or a referral for a possible expulsion.

NOTE: Violations for drugs, alcohol and drug paraphernalia are cumulative throughout a student's school career.

Subsection (d)Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2
(commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic
beverage, or an intoxicant of any king, and either sold, delivered, or otherwise furnished to any
person another liquid, substance, or material and represented the liquid, substance, or material as a
controlled substance, alcoholic beverage, or intoxicant.

EC-48900 (d)	Five (5) day suspension from school and recommendation for expulsion.
Represented	
Drug/Alcohol/Intoxicant Sales	

Subsection (e) Committed or attempted to commit robbery or extortion.

	First Offense	Second Offense	Third Offense	Maximum
Extortion: EC-48900 (e)	Five (5) day	Five (5) day	Five (5) day	Five (5) day suspension
Acquisition of property from	suspension and	suspension and	suspension and	and recommendation for
another person by using	recommendation for	recommendation	recommendation	expulsion; police contact.
threatening or forceful behavior.	expulsion; police	for expulsion;	for expulsion;	
	contact.	police contact.	police contact.	

Subsection (f) Caused or attempted to cause damage to school property or private property.

	First Offense	Second Offense	Third Offense	Maximum
Property Damage: EC-48900 (f) Cause or attempt to cause damage to school or private property including graffiti.	Alternative Intervention as per EC 48900.5, Restitution and detention, Administrative Detention, or 1–5 day suspension and possible recommendation for expulsion; police contact.	1-5 day suspension, restitution; possible police contact; possible recommendation for expulsion.	3-5 day suspension, restitution; possible police contact; possible recommendation for expulsion.	5 day suspension and recommendation for expulsion, restitution and police notification.

Subsection (g)

Stolen or attempted to steal school property or private property.

	First Offense	Second Offiense	Third Offense	Maximum
Theft: EC-48900 (g)	Alternative	2-5 day suspension,	3-5 day	5 day suspension and
The taking of school or personal	Intervention as	restitution, and	suspension and	recommendation for
property without permission.	per EC 48900.5	recommendation	possible	expulsion, restitution and
•	Possible	for expulsion;	recommendation	police notification.
	Citation/Arrest	Possible	for expulsion,	
	by T. P.D.	Citation/Arrest by	restitution and	
		T. P.D.	police	
			notification.	

Subsection (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
	First Offense	Second Offense	Third Offense	Maximum
Tobacco: EC-48900 (h) Possession or use of tobacco.	1 day suspension. Alternative Intervention as per 48900.5, possible restitution and detention, Administrative Detention,	One (1) day suspension, restitution, recommendation for expulsion; police contact.	Three (3) suspension, restitution, recommendation for expulsion; police contact.	Five (5) day suspension.

Subsection (i)

Committed an obscene act or engaged in habitual profanity or vulgarity.

	First Offense	Second Offense	Third Offense	Maximum
1. Vulgarity/ Profanity / Obscene Acts: EC-48900 (i)	Detention, Administrative Detention or suspension.	1-5 day suspension.	2-5 day suspension.	3-5 day suspension and possible recommendation for expulsion.
2. Pornography/Vulgarity/ Profanity/Obscene Acts Possession of or displaying of pornography, language or gestures that are not publicly acceptable. (EC 48900 i)	Alternative Intervention as per EC 48900.5	In-House suspension; placed in Pro-Social Behavior Program	1-5 day suspension	
3. Verbal Abuse Students use of abusive language, profanity, or vulgarity (EC 48900 i)	Parent Contact; Alternative Intervention as per EC48900.5	1-5 day suspension and possible recommendation for expulsion.	Five (5) day suspension and possible recommendation for expulsion.	

Subsection (j)

Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

	First Offense	Second Offense	Maximum
Drug Paraphernalia: EC-48900	Parent	1-5 day suspension	Minimum five (5)
(j)	conference;	and possible	day suspension and
Had unlawful possession of, or	Alternative	recommendation for	recommendation for
unlawfully offered, arranged, or	Intervention as	expulsion.	expulsion.
negotiated to sell any drug	per EC 48900.5;		
paraphernalia, as defined in	Possible six week		
Section 11014.5 of the Health and	substance abuse		
Safety Code.	counseling		
	program.		

<u>Subsection (k)</u> Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

NOTE: Students may be suspended from school when they have willfully defied the valid authority of supervisors, teachers, administrators, school officials or other school personnel engaged in the performance of their duties.

	First Offense	Second Offense	Third Offense	Maximum
1. Bicycles: EC-48900 (k) Bicycles shall be walked while on campus. Bikes must be locked with a secure mechanism. Helmets must be worn while riding bikes to and from school.	Warning.	Parent contact, Warning.	Suspend riding/parking on campus for five school days Warning.	Suspend riding/parking on campus from five (5) to twenty (20) school days.
2. Computer Usage: EC-48900 (k) Any use of computers in violation of the District Acceptable Use Agreement such as accessing inappropriate web sites, music, pictures, and/or sending or receiving emails, etc. that are offensive threatening, or otherwise inappropriate.	Administrative Detention, or 1-5 day suspension and possible recommendation for expulsion.	Administrative Detention, or 1-5 day suspension and possible recommendation for expulsion.	1-5 day suspension and possible recommendation for expulsion.	3-5 day suspension and possible recommendation for expulsion.
3. Detention: EC-48900 (k) Failure to serve detention without valid written excuse.	Administrative Detention or 1 day suspension.	Administrative Detention or 1 day suspension.	Administrative Detention, or 1-5 day suspension.	I-5 day suspension.
Failure to serve administrative detention or violation of administrative detention rules and regulations.	1 day suspension.	I day suspension.	1-2 day suspension.	1-3 day suspension.

		First Offense	Second Offense	Third Offense	Maximum
EC	Defiance of Authority: -48900 (k) Refusal and/or repeated failure to follow school rules and regulations and/or severe disruption of school activities. Refusal to take direction from a staff member or other	Alternative	Administrative decision which could include one of the following:	Administrative decision which could include one of the following: warning,	Administrative decision which could include one of the following: warning,
	responsible adult, including substitutes.	Intervention as per EC 48900.5, Detention,	warning, Parent Conf. Administrative	Parent Conf. Administrative detention,	Parent Conf. Administrative detention,
C.	Extreme defiance of authority and/or verbal abuse towards an adult.	Administrative Detention	detention, In-House suspension, or 1-5 day Suspension or teacher suspension	Saturday School, In-House suspension, or 1-5 day Suspension or teacher suspension	Saturday School, In-House suspension, or 1-5 day Suspension or teacher suspension and
D.	Unauthorized presence on a school campus.				recommendation for expulsion.

5. Disruptive and/or Safety Items: EC-48900 (k) Including but not limited to: rubber bands, matches, balloons, squirt guns, toy guns, electronic devices, laser lights, sunglasses in class, felt marking devices, cap guns, poppers, correction fluid, marking devices, aerosol cans, glass bottles, lighters, hats, radios, tape recorders, noise making devices, skateboards, roller blades, dice, gum, shoe skates, sports gloves, scooters, etc.	Unit confiscated by school personnel, warning, possible detention, and parent may have to pick up item. Parent Conference; Alternative Intervention as per EC 48900.5	Unit confiscated, possible detention, and parent must pick up item. 1-5 day suspension, restitution, and possible recommendation for expulsion.	Confiscation and parent must pick up item, Administrative Detention or 1-5 day suspension. See: "Defiance of Authority." 3-5day suspension, restitution, and possible recommendation for expulsion.	Confiscation and parent must pick up item. See: "Defiance of Authority." Five (5)day suspension, restitution, and recommendation for expulsion.
6. Dress Code: EC-48900 (k) Parents are responsible for sending their child to school dressed in a fashion which does not distract from the instructional process. Students are expected to dress within the guidelines outlined in the Student Handbook.*	Warning/change clothes.	Change clothes, parent contact, Administrative detention.	Change clothes; Administrative Detention, and/or 1-5 day suspension from school.	1-5 day suspension and possible recommendation for expulsion.

*Note: UGAP clothing is prohibited at all times.

	First Offense	Second Offense	Third Offense	Maximum
7. Electronic Devices: EC- 48900 (k) Radios, cameras, IPods, MP3 players, laser pointers, CD players, and tape recorders, but not limited to, are NOT allowed on campus unless authorized by the school administration. Students are allowed to have cell phones while on campus. However, they must be turned off and out of sight. Students are not to check voicemail, text messages, or turn on phone during the school day.	Unit confiscated by school personnel and returned to the owner via the Principal/Designee at the close of the school day.	Unit confiscated; Parents must contact the Principal/Designee's office.	Unit confiscated; 1-3 day suspension and Parent to contact the Principal/Designee.	1-5 day suspension from school.

8. Explosives: EC-48900 (k) Maliciously informing any other person that a bomb or other explosive has been or will be placed, knowing that such information is false.	Five (5) day suspension and recommendation for expulsion. In addition, the principal/designee shall report the incident to the police department for appropriate legal action. (Per Penal Code 148.1: "Any person who maliciously informs any other person that a bomb or other explosive has been or will be placed in any public or private place, knowing that such information is false, is guilty of a felony and may be incarcerated in a state prison or the county jail for up to one year.")
9. Fire Alarms: EC-48900 (k) Tampering with a fire alarm or giving false alarms.	Five (5) day suspension and recommendation for expulsion. In addition, the principal/designee shall report the incident to the police department for appropriate legal action. Per Penal Code 148.4: "Any person who tampers with a fire alarm or gives false alarms, is guilty of a misdemeanor punishable by up to one year in the county jail and/or a \$1,000.00 fine."

	First Offense	Second Offense	Third Offense	Maximum
10. Forgery: EC-48900 (k)	Parent Contact; Alternative Intervention as per EC 48900.5	1 day In-House suspension or 1-5 day suspension	1-5 day Suspension and possible recommendation for expulsion.	5 day suspension, recommendation for expulsion.
11. Food Fight: EC-48900 (k)	1-5 day suspension, Social Probation (9 weeks).	Five (5) day suspension, Social Probation (9 weeks) possible recommendation for expulsion.	Five (5) day suspension; recommendation for expulsion.	Five (5) day suspension, recommendation for expulsion.
12. Food Throwing, littering, cafeteria misbehavior: EC-48900 (k)	1-5 day detention and campus/cafeteria clean-up.	Administrative Detention and campus/cafeteria. clean-up, and possible 1-5 day suspension.	2-5 day suspension.	3-5 day suspension and possible recommendation for expulsion.

	First Offense	Second Offense	Third Offense	Maximum
13. Unauthorized Groups EC-	Referral to	Parent/guardian	Parent/guardian	Fourth Offense
48900 (k)	administration.	conference.	contact. A minimum	Parent/guardian
Wearing or carrying any	Sent home to	1-5 day suspension	5 day suspension.	contact. A minimum
apparel, jewelry, accessory,	change or given		Contact with law	5 day suspension and
notebook, drawing, or making	clothes to change		enforcement agency.	recommendation for
gestures that symbolize	into. Confiscate		Possible	expulsion.
unauthorized group	items.		recommendation for	Contact with law
membership.	Parent/Guardian		expulsion.	enforcement agency.
·	contact.		1	
	Documented			
	Counseling with a			
	"No Unauthorized			
	Group Contract"			
	and Law			
	Enforcement			
	contact.			
14. Gambling: EC-48900 (k)	Detention,	1-5 day suspension.	2-5 day suspension.	3-5 day suspension.
The playing of a game of	Administrative			
chance for stakes.	Detention or 1 day			
	suspension.			
15. Impedance of Directives:	Warning Parent	Warning; In-House	1-5 day suspension	1-5 day suspension
EC-48900 (k)	Contact;	suspension; 1-5 day	and recommendation	and recommendation
A student, who obstructs,	Alternative	suspension, and	for expulsion.	for expulsion.
delays, impedes or fails to	Intervention as	possible		
follow the directives of school	per EC 48900.5	recommendation		
personnel engaged in the	Possible contact	for expulsion		
performance of their duties.	TPD.			
16. Inappropriate Displays of	Warning, parent	Parent contact or	Parent contact, 1-3	Parent contact, 3-5
Affection: EC-48900 (k)	contact or	administrative	day suspension.	day suspension.
Physical, verbal, or written	administrative	detention and		
contact between students that	detention and	possible suspension.		
is not appropriate for public	possible			
places.	suspension.			
17. Identification (School)	Parent Contact;	Administrative	Administrative	All day In-House
Students shall wear their I.D.	Alternative	detention	al a fa su fi a su	•
	/ the matter	detention.	detention	suspension.
card or Student Body card on	Intervention as	detention.	detention	suspension.
card or Student Body card on a school-approved lanyard		detention.		Each subsequent
a school-approved lanyard around their neck while on	Intervention as	In-School	Consequence for not	Each subsequent offense: 1 day home
a school-approved lanyard	Intervention as	In-School suspension and/or	Consequence for not serving	Each subsequent
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must	Intervention as	In-School	Consequence for not serving administrative	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester.	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If new to a TUSD site, student	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If new to a TUSD site, student will be given a "new student"	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If new to a TUSD site, student will be given a "new student" badge.	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If new to a TUSD site, student will be given a "new student" badge. (EC 48900 k)	Intervention as per EC 48900.5	In-School suspension and/or home suspension.	Consequence for not serving administrative detention: In-School suspension and/or home suspension.	Each subsequent offense: 1 day home suspension
a school-approved lanyard around their neck while on school grounds and all school related activities. I.D. must be visible at all times. Penalty will restart at the beginning of each new quarter/trimester. ** Students turn in lanyard at end of year or when suspended to the office. If new to a TUSD site, student will be given a "new student" badge.	Intervention as	In-School suspension and/or	Consequence for not serving administrative detention: In-School suspension and/or	Each subsequent offense: 1 day home

20 Laitaring, EC 49000 (1.)	Administrative	Allerit	1 5 1	
20. Loitering: EC-48900 (k) Loitering in or about restroom		Administrative Detention,	1-5 day suspension.	2-5 day suspension.
and/or locker room, doorways		Administrative		
or anywhere else on campus.		Detention or 1-5 day		
or anywhere else on eampus.		suspension.		
21. Loitering on or around	Warning/detention	Administrative	1-5 day suspension.	1-5 day suspension.
other school campuses:	, Administrative	Detention or 1-5 day	i o duy suspension.	1-5 day suspension.
EC-48900 (k)	Detention, or 1-5	suspension.		
	day suspension.			
22. Misbehavior during	Removal from	Removal from	Social and Activity	Social and Activity
assemblies, rallies, dances:	activity; detention,	activity,	Probation (9 weeks),	Probation (9 weeks),
EC-48900 (k)	Administrative	Administrative	2-5 day suspension.	3-5 day suspension.
	Detention or 1-5	Detention, or 1-5		
	day suspension.	day suspension.		
23. Out of class without an	Administrative	Administrative	Administrative	Possible referral to
acceptable hall pass during	Detention; 1-5	Detention or 1 day	Detention or 1-2 days	SARB Social
class time: EC-48900 (k)	days detention.	suspension.	suspension.	Probation, and
	Alternative			Administrative
	Intervention as			Detention, or 1-5
	per EC 48900.5			days suspension.
NOTE: Students are allowed appropriately out of sight. S	tudents are not to chec	k voicemail, text messa	age, or turn on phones	during the school day.
	First Offense	Second Offense	Third Offense	Maximum
24. Roughhousing,	Detention,	Detention,	1-5 day suspension.	3-5 day suspension,
wroctling chasing	A dura in interactive	Administrative		possible
wrestling, chasing,	Administrative			1 1
running in the halls, etc.:	Detention, or possible	Detention or		recommendation for
		Detention or possible 1-5 day		1 1
running in the halls, etc.: EC-48900 (k)	Detention, or possible 1 day suspension.	Detention or possible 1-5 day suspension.	Latter house	recommendation for expulsion.
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k)	Detention, or possible 1 day suspension.	Detention or possible 1-5 day suspension. Letter home,	Letter home,	recommendation for expulsion.
running in the halls, etc.: EC-48900 (k)	Detention, or possible 1 day suspension. Letter home, Administrative	Detention or possible 1-5 day suspension. Letter home, Administrative	Administrative	Letter home, Administrative
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k)	Detention, or possible 1 day suspension.	Detention or possible 1-5 day suspension. Letter home,		Letter home, Administrative Detention; DART
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k)	Detention, or possible 1 day suspension. Letter home, Administrative	Detention or possible 1-5 day suspension. Letter home, Administrative	Administrative	Letter home, Administrative Detention; DART meeting, and/or
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k)	Detention, or possible 1 day suspension. Letter home, Administrative	Detention or possible 1-5 day suspension. Letter home, Administrative	Administrative	Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes.	Detention, or possible 1 day suspension. Letter home, Administrative	Detention or possible 1-5 day suspension. Letter home, Administrative	Administrative	Letter home, Administrative Detention; DART meeting, and/or
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k)	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative	Detention or possible 1-5 day suspension. Letter home, Administrative Detention.	Administrative Detention. Administrative	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting	Detention, or possible 1 day suspension. Letter home, Administrative Detention.	Detention or possible 1-5 day suspension. Letter home, Administrative Detention.	Administrative Detention.	Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension.
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent	Administrative Detention. Administrative Detention, parent	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks	Administrative Detention. Administrative Detention, parent notification, possible	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation,
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k)	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension.	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation and/or suspension.	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or suspension.	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension.
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k) 27. Violation of	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension. 1-5 day	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension. 3 -5 day suspension
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running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k) 27. Violation of Suspension: EC-48900 (k) Physically present on the school campus at any time, in the immediate vicinity of	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension. 1-5 day	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation and/or suspension.	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or suspension.	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension. 3 -5 day suspension and recommendation
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running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k) 27. Violation of Suspension: EC-48900 (k) Physically present on the school campus at any time, in the immediate vicinity of school premises, or at a school - sponsored activity while suspended from	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension. 1-5 day	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation and/or suspension.	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or suspension.	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension. 3 -5 day suspension and recommendation
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k) 27. Violation of Suspension: EC-48900 (k) Physically present on the school campus at any time, in the immediate vicinity of school premises, or at a school - sponsored activity while suspended from school.	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension. 1-5 day	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation and/or suspension.	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or suspension.	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension. 3 -5 day suspension and recommendation
running in the halls, etc.: EC-48900 (k) 25. Tardies: EC-48900 (k) Over 30 minutes. 26. Truancies or cutting classes for more than 30 minutes: EC-48900 (k) 27. Violation of Suspension: EC-48900 (k) Physically present on the school campus at any time, in the immediate vicinity of school premises, or at a school - sponsored activity while suspended from school. NOTE: Per Penal Code	Detention, or possible 1 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification and/or suspension. 1-5 day	Detention or possible 1-5 day suspension. Letter home, Administrative Detention. Administrative Detention, parent notification, 9 weeks Social Probation and/or suspension.	Administrative Detention. Administrative Detention, parent notification, possible referral to SARB, 9 weeks Social Probation and/or suspension.	recommendation for expulsion. Letter home, Administrative Detention; DART meeting, and/or referral to SARB, or 1-5 day suspension. Administrative Detention, parent notification, 9 weeks Social Probation, referral to SARB and/or suspension. 3 -5 day suspension and recommendation
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28. Videotaping fights: EC- 48900 (k) or other violations of school rules. A student who photographs, videotapes, records, reproduces, posts or possesses images of violations of school rules.			parent must contact prin spension, or Possible rec	
	First Offense	Second Offense	Third Offense	
29. Computer Usage Any unauthorized personal/disruptive use of computers such as playing games, listening to music, sending or receiving emails, posting messages to message boards or message centers, or downloading files or programs. (EC 48900 k)	Parent Contact; Alternative intervention as per 48900.5. Computer privileges revoked as per TUSD User Agreement policy.	Possible 1-2 days In-House suspension and loss of privileges for the remainder of the quarter.	1-5 day suspension from school; possible expulsion and loss of privilege for remainder of school year.	
30. Inappropriate Displays of	First Offense	Second Offense	Third Offense	Maximum
affection Physical, verbal, or written contact between students that is not appropriate for public places (EC 48900 k)	Parent contact; Alternative interventions as per EC 48900.5	Parent contact, assign All-Day In-House.	Parent contact, 1-3 day suspension.	Parent contact, 3-5 day suspension.
31. Unauthorized presence on a	First Offense	Cound Offense	Third Offense	Manimum
	That Onenac	Second Offense	Third Offense	<u>Maximum</u>
<u>school campus</u> (EC 48900 k)	Warning Parent Contact; Trespass letter home. Alternative intervention as per EC 48900.5	Warning Parent Contact Or 1-3 day suspension	Report to School Resource Officer, 1- 5 day suspension.	Report to School Resource Officer, 3- 5 day suspension, or possible expulsion
school campus	Warning Parent Contact; Trespass letter home. Alternative intervention as per	Warning Parent Contact Or 1-3 day	Report to School Resource Officer, 1-	Report to School Resource Officer, 3- 5 day suspension, or

Subsection (I)

Knowingly received stolen school property or private property.

	First Offense	Second Offense	Third Offense	Maximum
Theft: EC-48900 (l) The taking of or knowingly receiving stolen school or private property without permission.	1-5 day suspension, restitution, and possible police contact.	2-5 day suspension, restitution, recommendation for expulsion, and possible police contact.	3-5 day suspension, restitution, recommendation for expulsion, and possible police contact.	Five (5) day suspension, restitution, recommendation for expulsion, and possible police contact.

Subsection (m)

Possessed an imitation firearm. As used in this section "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

Look-Alike Guns:	Possible 1-5 day suspension and possible recommendation for expulsion. (E.C. 48900(m)).
EC-48900 (m)	
Possession of a look-alike gun.	

Subsection (n)

Committed or attempted to commit a sexual assault as defined in Sections 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

Sexual Assault: EC-48900 (n)	Parent conference, five (5) day suspension and recommendation for expulsion. Report to a
	law reinforcement agency.

<u>Subsection (o)</u> Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

Witness Intimidation: EC-48900	Administrative decision may include the following: Parent conference, Support Room or
(0)	suspension from school for 1-5 days and recommendation for expulsion.

Subsection (p)

Unlawfully offered, arranged a sell, negotiated a sell, or sold the prescription of drug Soma.

	First Offense	Second Offense	Third Offense	Maximum
Drug Soma: EC-48900 (p)	Five (5) day	Five (5) day	Five (5) day	Five (5) day
Unlawfully offered, arranged a sale, negotiated a sale, or sold the prescription of drug Soma.	suspension, recommendation for expulsion and police	suspension, recommendation for expulsion and	suspension, recommendation for expulsion and police	suspension, recommendation for expulsion and police
	contact.	police contact.	contact.	contact.

Subsection (q)

Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or reinitiating into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

	First Offense	Second Offense	Third Offense	Maximum
Hazing and Harassment EC-	Five (5) day	Five (5) day	Five (5) day	Five (5) day
48900 (q).	suspension,	suspension,	suspension,	suspension,
	recommendation for expulsion and police contact.	recommendation for expulsion and police contact.	recommendation for expulsion and police contact.	recommendation for expulsion and police contact.

<u>Subsection (r)</u> Engaged in an act of bullying, including but not limited to, bullying committed by means of an electronic act as defined in subdivisions (f) and (g) of section 32261, directed specifically toward a pupil or school personnel. As defined by 322.61, "Bullying" means one or more acts by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4. An "electronic act" means the transmission of a communication, including, but not necessarily limited to, a message, text, sound or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not necessarily limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

	First Offense	Second Offense	Third Offense	Maximum
Bullying: EC-48900 (r) Please refer to TUSD Board Policy 5131.2	Warning, detention, Administrative Detention, or 1-5 day suspension; possible recommendation for expulsion, police contact. Harassment agreement with students involved.	1-5 day suspension, possible recommendation for expulsion, police contact.	2-5 day suspension, possible recommendation for expulsion, police contact.	5 day suspension, possible recommendation for expulsion, police contact.

Education Code 48900.2

Sexual Harassment: A substantiated charge against a student shall subject that student to student disciplinary action, up to and including suspension or expulsion.

	First Offense	Second Offense	Third Offense	Maximum
I. Sexual Harassment Penal Code 212.5 Education Code 48900.2	Warning, detention, Administrative Detention, or 1-5 day suspension; possible recommendation for expulsion, police contact and/or Child Protective Service Referral.	1-5 day suspension, possible recommendation for expulsion, police contact and/or CPS referral.	1-5 day suspension, possible recommendation for expulsion, police contact and/or CPS referral.	1-5 day suspension, possible recommendation for expulsion, police contact and/or CPS referral.

Education Code 48900.3, and	Hate Violence/Hate Bias Incident/Bullying/Harassment: A substantiated charge against a
<u>48900.4</u>	student shall subject that student to student disciplinary action, up to and including
Penal Code 422.6	suspension or expulsion.

Hate Violence/Hate Bias/Bullying/Harassment	First Offense	Second Offense	Third Offense	Maximum
Harassment or slurs included but not limited to ethnicity, religion, or any handicapping condition.	Parent contact, administrative detention or suspension from school for 1-5 days and possible recommendation for expulsion.	3-5 day suspension and possible recommendation for expulsion.	3-5 day suspension and possible recommendation for expulsion.	Five (5) day suspension and possible recommendation for expulsion.

Education Code 48900.7 Terroristic Threats

	First Offense	Second Offense	Third Offense	Maximum
48900.7: (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. (h) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.	Administrative decision which would include one of the following: Parent conference, and/ or suspension from school for 1-5 days and possible recommendation for expulsion.	3-5 day suspension and possible recommendation for expulsion.	3-5 day suspension and possible recommendation for expulsion.	Five (5) day suspension and possible recommendation for expulsion.

Cell Phones

Cell phones and MP3/iPod digital music players are allowed on the school campus or school sponsored events under the following conditions:

- 1. During school hours, the cell phone and MP3/iPod digital music player must be powered off and in the student's backpack.
- 2. During class periods or assemblies, the cell phone and MP3/iPod digital music player must be turned off and out of visual sight in classrooms, assemblies, and in any other learning environment. Cell phones may not be used for any reason (including talking, listening, ringing, text messaging, checking the time, taking pictures, etc.) and must be powered off except with a classroom teacher's expressed permission per BP/AR 6163.4.
- 3. Students displaying or using cell phones or MP3/iPod digital music players in the classroom or inappropriately will be subject to disciplinary measures and be considered in defiance.
- 4. Investigation of theft of any electronic device will not be investigated by school personnel; however, parents may file a theft report with the local police department.

DRESS STANDARDS

The primary responsibility for student dress and appearance rests with the parents. The primary purpose of school is education. Therefore, all aspects of school must be considered with that objective in mind. As a guide, students should be dressed in clothing that would be appropriate in the workplace. Wearing apparel shall be neat, clean, safe, and not disruptive to instructional activities. All students must wear some form of shoes, sandals, or moccasins. Crude or vulgar commercial lettering or printing, and pictures depicting occult messages, weapons, drugs, tobacco, alcoholic beverages, racial/ethnic slurs, unauthorized group affiliation or that are sexually suggestive, on shirts, sweatshirts and other wearing apparel are not acceptable. Such items as beach attire, nightwear, bedroom slippers, short shorts/skirts or unsafe accessories are not allowed. No spandex or Lycra material shorts, skirts or dresses. No bottoms or splits are to be shorter than where the student's fingertips reach when the arms and fingertips are fully extended on the sides. Any clothing/accessory that may be deemed dangerous, i.e. chains, steel-toed boots, items with spikes or studs etc. are unacceptable. Clothes, apparel or attire must be sufficient to conceal undergarments at all times. Clothing, apparel or attire that fails to provide adequate coverage of the body, including but not limited to, see-through, fishnet fabrics, tops that do not touch the top of the pants/skirts, tank tops, tube tops, halter tops, off the shoulder or low cut tops or dresses and sagging pants are not allowed. No holes or tears that are revealing. Tank tops or T-Shirts with cut outs under the arms are not allowed. Clothing must fit or may be no larger than one size bigger. Pants must be worn at the waist, not at the hips. No hair rollers, shower caps, bandannas, hairnets, skull caps, wave caps, or other such grooming items are allowed. Tattoos must conform to the dress code.

Confiscated Items

Confiscated items must be picked up on or before the last day of school. Confiscated items not picked up will be discarded.

Electronic Devices:

Radios, cameras, IPods, MP3 players, laser pointers, CD players, and tape recorders, but not limited to, are NOT allowed on campus unless authorized by the school administration. Students are allowed to have cell phones while on campus. However, they must be turned off and out of sight. Students are not to check voicemail, text messages, or turn on phone during the school day.

Hats/Sun Protective Headwear

Students are welcome to wear hats and sunglasses on campus, but maintain a classroom environment that is free of distractions and reflects an academic atmosphere, sunglasses, hats and other head coverings are not to be worn inside the classrooms and/or at any indoor function except for religious or medical reasons. Sports caps may be worn outside the classroom and during sports but may not be altered. Red or blue headgears are prohibited for safety reasons. Students may write their legal name in the inside band but not on the bill, for identification. Sports caps must be worn forward. Pins or attachments to hats are not allowed. No hair rollers, shower caps, hair sets, skull caps, wave caps, or other such grooming items are allowed. All bandannas of any color are prohibited for safety reasons.

Footwear/Shoes

No flip-flops. Shoes of any type that present a safety hazard are prohibited. For safety purposes in specialty classes, the teacher will determine appropriate shoes.

Scholastic Eligibility

All incoming 6th graders are academically eligible to participate in extra/co-curricular activities. At the end of the first grading period, 6th graders must have earned a "C" average (2.0 on a 4 point scale) and have no course failures.

Unauthorized Group Apparel is Prohibited

Jewelry, accessory, notebook or manner of grooming (including haircuts) which by virtue of its color, arrangement, trademark or any other attribute denotes membership in a gang or group is prohibited. No clothing or articles of clothing (including but not limited to gloves, bandannas, shoestrings, wristbands, belts, jewelry) related to group or gang that may provoke others to acts of violence are prohibited. Belt buckles with initials or red, blue, or brown web belts, belts hanging out of pants, red or blue shoelaces, bandanas of any type of color, either worn in hair or displayed in clothing, gloves, towels, suspenders or other items hanging from rear pants pockets or from belt, excessive clothing items of predominately one color, old English style writing on clothing or notebooks are prohibited. Because gang-related symbols are constantly changing, definitions of gang-related apparel may be reviewed and updated whenever related information is received by administrators and/or school safety committee.

If a student is determined to have violated the dress code by wearing unauthorized group colors, he/she will be banned from wearing specific colors or any unauthorized group related apparel.

Students are not permitted to wear hats or other head coverings in class, assemblies, or at any indoor school function. Sunglasses are not to be worn in the classroom. Any student who deviates from the accepted standards set forth in this policy will be required to prepare properly for the classroom before being admitted. Refusal to cooperate will result in disciplinary action.

LIBRARY FINES AND RESTITUTION FOR DAMAGE TO SCHOOL PROPERTY

1. Any school site in Tracy Unified School District whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of the school authorized to make the demand may, after affording the pupil his or her due-process rights, withhold the grades, diploma, transcripts and extracurricular activities of the pupil responsible for the damage until the pupil or the pupil's parent or guardian has paid for the damages thereto, as provided in Education Code 48900(f).

- 2. The school shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcripts, and extra-curricular activities pursuant to Education Code 48900(f). When the minor and parent are unable to pay for the damages, or to return the property, the school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released and student will be able to participate in extra-curricular activities.
- **3.** The governing board of each school shall establish rules and regulations governing procedures for the implementation of this subdivision. The procedures shall confirm to, but are not necessarily limited to, those procedures established in this code for the expulsion of pupils.
- 4. All books not returned by the last day of finals will have an overdue charge of \$5.00 per book.

Lost and/or Damaged Books

According to Education Code 48904(b), the parent or guardian of a minor shall be liable to a school district for all property belonging to a school district loaned to the minor and not returned upon demand of an employee of the district authorized to make the demand. This includes textbooks and library materials. Students must compensate the District for damaged and/or lost library and textbooks as follows:

Description of Book Damage or Loss	Fee
Any Book Damaged Beyond Use	Replacement cost
Bar Code Missing or marked	\$5.00
Missing Pages (maximum of five pages)	\$5.00 per page
Missing/Torn page	Starts at \$5.00 per page
Missing/Tom Pages (more than five pages)	Replacement cost
Water Damage	Begins at \$10.00
Cover Damage	Begins at \$5.00
Marks/Scribbles	\$5.00 per page
Minimal Spine and/or Cover Damage	\$5.00
Severe Spine and/or Cover Damage	Replacement cost
Stolen/Lost	Replacement cost

After receiving a textbook, the student should carefully inspect its condition. The student has five (5) school days after receiving a textbook to report damage to the library. After this grace period, the student and parent/guardian are liable for all damages.

It is required that all library books and/or textbooks be returned either at the end of the school year or at the time a student checks out of school during a school year. If a textbook is lost or stolen, the student will be charged the replacement cost of the book. If the book is found within a year from the date the book was lost, a student may get a refund upon presenting a receipt. All books not returned by the last day of finals will have an overdue charge of \$5.00 per book, or at the time the student checks out of school.

<u>A student's grades, high school diploma, and transcripts will be held from students and parents/guardians until</u> the lost or damaged book is either returned or the fee is paid. Upon return of the book in good condition or payment of the fee, the student's diploma will be released. If a book is misplaced and then found at a later date, the student may return it for release of the diploma only within one year's time (June of the following year). After a year, the student may receive his/her diploma <u>only</u> by paying the replacement cost of the book plus all fees.

PROMOTION/RETENTION

As early as possible in the school year and in the student's school career, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, board policy, administrative regulation, and established district criteria. The district has established district promotional standards for promotion and retention in grades 8-9. Students may be retained at other grade levels by using the district prescribed processes. A student who accumulates more than four (4) "F" grades in one academic year will be considered for retention in grades 6, 7 and 8.

During the school year, the student may attend after school remediation classes to meet district promotional standards. Students may also attend summer school to meet district promotional standards. Students may be assigned additional periods. Attendance standards and satisfactory coursework must be maintained to receive credits.

Before promoting a student due to special considerations, students, parents, and staff shall make every effort for the student to have no more than four (4) failing grades in an academic year and meet the district promotional standards.

A student study team will review retentions and promotions from grades 6 to 7 and 7 to 8. Appeals will be forwarded to the principal whose decision will be final.

When an appealing party has a disagreement on promotion or retention of students in grades 8-9, after following prescribed procedures, the principal will refer the matter to the District Placement Appeal Team. The District Placement Appeal Team's decision shall be final.

Sixth and Seventh Grade Earned Promotion

- 1. Middle school students who have been retained in the 6th or 7th grades may be considered for an earned promotion at the beginning of the third quarter of their retained year if they maintain at least a 3.0 GPA, with no F's each quarter during both the first and second quarters.
- **2.** Those students who are able to maintain a 3.0 GPA over two quarters will earn a promotion to the next grade for the second semester. This will negate the retention at middle school.
- 3. Students who have been retained in the 8th grade are not eligible for an earned promotion to high school.

Eighth Grade Promotion Activities Academic/Behavior Standards

Eighth grade students will be denied participation in eighth grade promotion activities as a result of inappropriate behavior in accordance with school standards. Behavior standards are as follows:

- 1. One (1) suspension during the year will cause a warning letter to be sent home about promotion activities.
- 2. Two (2) suspensions, or five (5) total days of suspension during the year will exclude a student from the eighth grade trip.
- **3.** Three (3) suspensions, or seven (7) total days of suspension during the year will exclude a student from the eighth grade promotion dance.

4. Four (4) suspensions, or eight (8) total days of suspension during the year will exclude a student from not only the eighth grade promotion ceremony but also all other promotion activities.

Significant improvement in behavior, as determined by the Promotion Review Committee and Principal, may be considered as grounds for the reinstatement of a Promotion privilege. A maximum of one privilege may be reinstated and that privilege will be the last privilege lost. Students who are suspended for serious offenses, which cause a danger to persons or property or threaten to disrupt the operation of the school or a school activity, after the Promotion Review Committee has met, may be excluded from any of the promotion activities.

- Any student excluded from the eighth grade trip, which is truant from school and goes to eighth grade trip that day, will lose the next activity.
- Expulsion of an eighth grade student may result in a loss of one or more Promotion activities, including the right to participate in the eighth grade promotion ceremony.

Further, to participate in the 8th grade promotion activities and to receive an 8th grade certificate, students must meet district promotional standards. Students receiving F's for one-fifth of the grades for that school year (rounded up) will not be eligible for the 8th grade promotion ceremony and promotion activities. Eligibility status will transfer if students change schools and will be converted to meet the eligibility standards of the receiving school.

Eighth Grade Promotion Assembly Dress Policy

The following guidelines shall be observed in determining appropriate school attire for the eighth grade promotion ceremony:

- 1. All students participating in the eighth grade promotion will wear the school adopted attire during the entire assembly. Students must wear the attire in their original condition and without modification. Students not conforming to this requirement will not be allowed to participate in the eighth grade promotion activities.
- 2. The regular school dress code will also be in effect throughout the eighth grade promotion activities.

BP 5131.2

BULLYING PREVENTION POLICY

The Tracy Unified School District believes that all students have a right to a safe and healthy school environment. The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. The district, schools, and community have an obligation to promote the six pillars of character: Trustworthiness, Respect, Responsibility, Fairness, Caring, and Citizenship.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate cyber-bully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Definition

The Tracy Unified School District will not tolerate bullying which shall be defined as: "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated. (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Bullying Prevention

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

The Tracy Unified School District expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated. This policy applies to students whose behavior is related to school activity, studentson school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5131.2 –Bullying Prevention.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyber-bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyber-bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

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. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Tracy Unified School District will adopt a Student Code of Conduct to be followed by every student.

The Student Code of Conduct includes, but is not limited to: Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to the principal or staff. Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal. If the complaint is not resolved at the school site/principal level the Office of Student Services should be contacted (830-3280). The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following: All staff, students, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.

The school will make reasonable efforts to keep a report of bullying and the results of the investigation confidential.

Staff are expected to immediately intervene when they see a bullying incident occur. People witnessing or experiencing bullying are encouraged to report the incident. Such reporting will not reflect on the victim or witnesses in any way.

Legal Reference: EDUCATION CODE 200-262.4 Prohibition of discrimination 32261 Intergovernmental Agencies School Safety 32282 Comprehensive safety plan 35181 Governing board policy on responsibilities of students 35291-35291.5 Rules 35294.2 School Safety Plan 48900-48925 Suspension or expulsion 48985 Translation of notices PENAL CODE 647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety
UNITED STATES CODE, TITLE 47
254 Universal service discounts (e-rate)
COURT DECISIONS
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources: CSBA PUBLICATIONS Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010 Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008 Bullying at School, 2003 U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: http://www.csba.org California Cyber safety for Children: http://www.cybersafety.ca.gov California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss Center for Safe and Responsible Internet Use: http://cyberbully.org National School Boards Association: http://www.nsba.org National School Safety Center: http://www.schoolsafety.us U.S. Department of Education, Office for Civil Rights: <u>http://www.ed.gov/about/offices/list/ocr</u>

Adopted 02.13.13

CONFLICT RESOLUTION POLICY

The Tracy Unified School District believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent a conflict, each school within the Tracy Unified School District will incorporate conflict resolution education and problem solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the school community and helps ensure a safe and healthy learning environment.

The Tracy Unified School District will provide training to develop the knowledge, attitudes, and skills that students will need to choose alternatives to self- destructive, violent behavior and dissolve interpersonal and intergroup conflict. Tracy Unified School District will adopt a Student Code of Conduct to be followed by every student while on school grounds, when traveling to and from school or at a school-sponsored activity, and during lunch period, whether on or off the campus.

The Student Conduct Code includes but is not limited to:

Students are to resolve their disputes without resorting to violence.

Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peacefully.

Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence

Students needing help in resolving a disagreement, or students observing conflict may go to the office to contact an adult, or to set up an appointment with peer mediators.

Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult peer mediators. Staff and mediators will keep the discussions confidential.

Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

<u>Sexual Harassment</u> <u>Parent/Student</u>

Students

BP 5145.7

SEXUAL AND GENDER-BASED HARASSMENT

The Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits sexual and gender-based harassment of any employee, student, or other person at school or at any school-related activity. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of 1972 and is prohibited by both federal and state law.

It shall be a violation of this policy for any district employee to harass another district employee, applicant or student through conduct or communications of a sexual nature as defined in Administrative Regulation 4119.11. It shall also be a violation of this policy for students to harass other students or district employees through conduct or communications of a sexual nature as defined in Administrative Regulation 5145.7.

Information

The Superintendent or designee shall ensure that students receive age-appropriate information related to sexual harassment. Such information shall include:

1. Examples of acts and behavior which constitute sexual harassment

2. Students shall be assured that they need not endure any form of sexual conduct or communication, including harassment because of sexual orientation, gender identity, or gender expression.

They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

3. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

Students shall be informed that they should immediately contact the principal or designee if they feel they are being harassed.

4. Students shall be encouraged to report observed instances of sexual harassment, even where the victim of the harassment has not complained

Complaint Process

The Board expects students or staff to immediately report incidents of sexual harassment to the principal or designee, to another district administrator or a faculty member. Any student who feels that he/she is being harassed should immediately contact the principal or designee at his/her school.

Staff shall immediately report complaints of sexual harassment to the principal or designee or to another district administrator. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated. The investigation shall include identification of any other students, in addition to the complainant, who may have been subjected to the prohibited harassment and who may have been subjected to a hostile environment.

If a situation involving sexual harassment is not promptly investigated and remedied by the principal or designee, a complaint of harassment can be filed in accordance with AR 1312.1 – Complaints Concerning District Employees or AR 1312.3 – Uniform Complaint Procedures. The principal or designee or district administrator shall determine which procedure is appropriate.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process, except as necessary to carry out the investigation or take other subsequent necessary action. . Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

Disciplinary Actions

Any student who engages in sexual harassment of anyone at school or at a school-related activity is in violation of this policy and shall be subject to disciplinary action... For students in grades 4-12, disciplinary action may include suspension and/or expulsion.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Effects of Sexual Harassment

The Superintendent or designee shall ensure that if sexual harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim(s). The types of actions will vary depending on the circumstances, but may include discipline of the harasser, counseling and/or other support services for any person found to have been subjected to prohibited harassment, or separation of the victim(s) and the harasser. When separation of the victim and harasser is warranted, the Superintendent or designee shall not unduly burden the victim.

Legal Reference: **CIVIL CODE** 51.9 Liability for sexual harassment; business, service and Professional relationships 1714.1 Liability of parents/guardians for willful misconduct of Minor **EDUCATION CODE** 200-264.2 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion 48900.2 Additional grounds for suspension or expulsion; sexual harassment 48904 Liability of parent/guardian for willful student misconduct 48980 Notice at beginning of term **UNITED STATES CODE, TITLE 42** 2000d & 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended 2000h-2et seq. Title IX, 1972 Education Act Amendments COURT DECISIONS Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473 Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

SEXUAL HARASSMENT

*

A.

<u>Purpose and Scope</u> To provide guidance and direction for all District employees regarding harassment, including sexual harassment.

B. <u>General - Definition</u>

Sexual harassment is a violation of the Board's rules of conduct. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- * Submission to the conduct is made either an explicit or implicit condition of employment or academic status or progress;
- * Submission to or rejection of the conduct is used as the basis for any employment or academic decision affecting the individual employee or student; or
- The conduct has the purpose or effect of unreasonably interfering with an employee or student's work or academic performance or creating an intimidating, hostile or offensive work or academic environment.

Sexual harassment includes conduct based on sex, whether directed toward a person of the opposite or same sex, and also may include, but is not limited to, the following:

- * Repeated leering, sexual flirtations, or propositions.
- * Suggestive or obscene letters, notes, or invitations
- * Slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
- * Sexual jokes, stories, drawings, pictures or gestures.
- * Spreading sexual rumors.
- * Touching an individual's body or clothes in a sexual way.
- Attempts to pull down pants or gym shorts or flip up skirts.

- * Impeding or blocking normal movements.
- * Displaying sexually suggestive objects.
- * Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered harassment.)
- * Implying or withholding support, based on sex, for an appointment, promotion, or change of assignment, suggesting a poor performance report will be prepared, or suggesting probation or other discipline will be used. Within the academic environment, implying or withholding grades earned or deserved, suggesting a poor performance evaluation will be prepared, or suggesting a scholarship or college recommendation will be denied.
- * Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the academic environment, engaging in coercive sexual behavior to control, influence, or affect the academic opportunities, grades, and/or learning environment of a student.
- * Offering favors or academic or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations in exchange for sexual favors.

Where no tangible employment or academic action has occurred, this conduct can be unlawful only if it is both unwelcome and either severe or pervasive. Nonetheless, the Board discourages any such conduct in the District, regardless of the circumstances.

In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be investigated. The Assistant Superintendent for Human Resources or designee has the responsibility of investigating and resolving complaints of harassment of employees. The Director of Student Services or designee, in conjunction with school principals, has the responsibility of investigating and resolving complaints of harassment of students.

C. <u>Forms Used and Additional References</u> None

D. Procedures

Everyone at the District is responsible for assuring that the work and academic environment is free from prohibited harassment and is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment.

General Procedures - Students

Any student who feels he or she is being sexually harassed should immediately report such conduct to his or her teacher, the principal, or any other school administrator, without fear of reprisal. The student need not first report the harassment to his or her teacher, especially if the student believes the teacher engaged in or knowingly tolerated any harassment of the student. The student may make this report alone or with his or her parent/guardian.

An employee who receives a report of sexual harassment of a student or who witnesses the sexual harassment of a student shall immediately report the harassment to the Assistant Superintendent for Human Resources (if alleged harassment is by an employee) or the principal or principal's designee (if the alleged harassment is by another student). Administrators, upon receiving a report of sexual harassment from a student, shall provide the student with a copy of the sexual harassment policy as well as the Administrative Regulation which contains procedures for filing complaints regarding sexual harassment.

Each complaint of sexual harassment shall be promptly investigated in a way that attempts to respect the privacy of all parties concerned. If the student requests that his or her name not be disclosed to the alleged harasser, an informal investigation of the allegations shall be conducted to the extent possible without disclosing the complainant's name. In order to file a formal complaint of sexual harassment, however, the student must be willing to disclose his or her name to the alleged harasser.

A student who feels he or she is being sexually harassed by his or her teacher may request to be transferred out of the teacher's class. The District will attempt to accommodate such requests to the extent practicable.

Each complaint of sexual harassment shall be promptly investigated in a way that attempts to respect the privacy of all parties concerned.

General Procedures - Any Other Persons

Any person who alleges sexual harassment by any employee or student in the District may file a complaint under the complaint procedures contained in Administrative Regulation 4119.11; 4219.11; and 5145.7.

Formal Complaint Procedures

The Board designates the following compliance officers to receive and investigate complaints and ensure compliance with law:

Superintendent	830-3200 ext. 1004
Assistant Superintendent for Human Resources	830-3260 ext. 1304
Director of Student Services	830-3280 ext. 1601
1875 W. Lowell Ave. Tracy, CA. 95376	

It is desirable that complaints of sexual harassment be resolved in a prompt and appropriate manner. If possible, such complaints should be resolved in an informal manner. If the complaint cannot be resolved informally, the following procedures shall be followed for filing a formal complaint of sexual harassment.

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance.

The complaint shall be presented to the Superintendent or designee, who will then give it to the appropriate compliance officer. The Superintendent or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints of sexual harassment must be initiated, in writing within sixty (60) calendar days of the date the alleged violation occurred, or the date the complainant first obtained knowledge of the facts of the alleged violation.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, District shall help him/her to file the complaint.

Step 2: Investigation of Complaint

Within sixty (60) school days from receipt of the complaint, excluding summer session, when the alleged violation occurred during the regular school year, the Superintendent or designee shall complete the investigation of the complaint. This time period may be extended by written agreement of the complainant.

Step 3: Response

Within sixty (60) days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step 4 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within fifteen (15) calendar days, file his/her complaint, in writing, with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting.

The Board may decide not to hear the complaint, in which case the compliance officer's decision is final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within seven (7) calendar days or within the time period that has been specified in a written agreement with the complainant.

Step 4: Final Written Decision

The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

- * The findings and disposition of the complaint.
- * Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal.

If an employee or student is disciplined as a result of the complaint, this report shall simply state that appropriate action was taken and that the employee or student was informed of the District's sexual harassment policy. The report shall not give any further information as to the nature of the corrective or disciplinary action. However, when

a student is expelled as a result of a substantiated charge of sexual harassment, the expulsion record shall be a nonprivileged, discloseable public record.

If dissatisfied with the District's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the District's decision. For good cause, the Superintendent may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the District's decision and must include a copy of the locally filed complaint and the District's decision.

Corrective Action

A substantiated complaint of sexual harassment may subject the offending employee or student to corrective action, up to and including suspension and discharge/expulsion. Such corrective action shall be consistent with the California Education Code and any collective bargaining agreement or student discipline code, if applicable.

In the event of harassment by an individual who is not an employee or student of the District, the District will take whatever corrective action is reasonable and appropriate under the circumstances.

Even if the reported conduct is not considered sexual harassment under this policy, it may be in violation of other rules and standards of conduct of the District. The District may discipline an employee or student for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. Supervisors may be held personally liable under the law for acts of harassment.

Retaliation and Confidentiality

The District forbids retaliation against anyone for reporting harassment, filing a complaint pursuant to this policy, assisting in making a harassment complaint, or cooperating in a harassment investigation. Anyone experiencing or witnessing any conduct they believe to be retaliatory are to immediately follow the procedures outlined above. In an investigation and in imposing any discipline, the District will attempt to preserve confidentiality to the extent the circumstances permit.

Department of Fair Employment and Housing 2000 O Street, Suite 120 Sacramento, CA 95814 (916) 445-9918

Federal agencies enforcing the prohibition of sexual harassment are the Equal Employment and Opportunity Commission ("EEOC") and the Office of Civil Rights ("OCR"). The addresses and telephone number of these agencies are as follows:

Office of Civil Rights Old Federal Building 50 United Nations Plaza, Room 239 San Francisco, CA 94102

Equal Employment Opportunity Commission 1265 West Shaw Avenue, Room 103 Fresno, CA 83711

Notification - Students

A copy of the sexual harassment policy and Administrative Regulation shall be displayed in a prominent location in the main administrative building located at 1875 W. Lowell Ave., Tracy, CA and in a prominent location near each school principal's office.

Notice of the sexual harassment policy and Administrative Regulation which contain the complaint procedures will be sent to all students and parents or guardians upon enrollment and annually thereafter. A copy of the sexual harassment and Administrative Regulation shall be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable. Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

Students may also file a separate claim of sexual harassment with the Office of Civil Rights (OCR). The address and telephone number of the OCR is listed under the notifications section for employees.

- E. <u>Reports Required</u> Investigation report regarding allegations of harassment.
- F. <u>Record Retention</u> Personnel file when appropriate.
- G. <u>Responsible Administrative Units</u> Human Resources Student Services
- H. <u>Approved By</u> Assistant Superintendent for Human Resources Director of Student Services

SEXUAL HARASSMENT

PERSONNEL & STUDENTS (BP4119.11, 4219.11, 4119.111, 4219.111, 5145.7)

It is the policy of the Governing Board of the district to maintain learning and working environment that is free from sexual harassment. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of 1972 and is prohibited by both federal and state law.

It shall be a violation of this policy for any district employee to harass another district employee, applicant or student through conduct or communications of a sexual nature as defined in Section II. It shall also be a violation of this policy for students to harass other students or district employees through conduct or communications of a sexual nature as defined in Administrative Regulation 4119.11; 4219.11; 4119.111; 4219.111 and 5145.7.

The district further prohibits retaliatory behavior against any complainant or participant in the complaint process concerning sexual harassment.

Definition of Sexual Harassment

- 1. Prohibited sexual harassment includes, <u>but is not limited to</u>, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature made by a district employee to a student or another district employee, or when made by a student to another student, where:
 - a. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress; or

- b. Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual; or
- c. The conduct has the purpose or effect or having a negative impact on the individual's academic or work performance or of creating an intimidating, hostile or offensive educational or work environment.
- d. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school.
- 2. Other types of conduct which are prohibited in the district and which may constitute sexual harassment include, <u>but are not limited to:</u>
 - a. Unwelcome leering, sexual flirtations, or propositions.
 - b. Sexual suggestions or obscene letters, notes, invitations, unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
 - c. Attempts to pull down pants or gym shorts or flip up skirts.
 - d. Sexual jokes, stories, drawings, pictures or gestures.
 - e. Spreading sexual rumors.
 - f. Touching an individual's body or clothes in a sexual way.
 - g. Impeding or blocking normal movements.
 - h. Purposefully limiting a student's access to educational tools.
 - i. Displaying sexually suggestive objects in the educational or work environment.
 - j. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)
 - k. Implying or withholding support for an appointment, promotion, or change of assignment; suggesting a poor performance report will be prepared; or suggesting probation or other discipline will be used. Within the <u>educational</u> environment, implying will withhold or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.
 - 1. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the educational environment, engaging in coercive sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
 - m. Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
 - n. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

In determining whether the alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be considered.

Procedures - Student Harassment

Any student who feels that he or she is being sexually harassed by an employee, staff member or student in the district should immediately contact the principal or another administrator or faculty member and report the harassment without fear of reprisal. The student does not have to report the harassment to his or her

teacher, especially if the student believes that the teacher is the harasser. The student can make this report alone or with his or her parent/guardian.

A district employee who receives a report of sexual harassment of a student or who witnesses the sexual harassment of a student shall immediately report the harassment to the Assistant Superintendent for Human Resources (if alleged harassment is by a district employee) or the principal or principal's designee (if the alleged harassment is by another student). Administrators, upon receiving a sexual harassment report from a student, shall inform the student of his or her rights and shall make every effort to assist the student in securing those rights. The administrator shall provide the student with a copy of the sexual harassment policy as well as the Administrative Regulation which contains procedures for filing complaints regarding sexual harassment.

Each complaint of sexual harassment shall be promptly investigated in a way that attempts to respect the privacy of all parties concerned. Formal complaints of sexual harassment filed in accordance with the complaint procedures contained in Administrative Regulation 4ll9.ll; 4219.ll; 4119.111; 4219.111 and 5l45.7 will be investigated in accordance with "Step 2" of those procedures. If the complainant requests that his or her name not be disclosed to the harasser, an informal investigation of the allegations shall be conducted to the extent possible without disclosing the complainant's name. In order to file a formal complaint of sexual harassment, however, the student must be willing to disclose his or her name to the alleged harasser.

Students who allege sexual harassment by their teacher may request to be transferred out of the teacher's class. The district will attempt to accommodate such requests to the extent practicable. Students who believe that a district employee (e.g., teacher, staff member, etc.) has touched them inappropriately or made inappropriate comments to them of a sexual nature should report such conduct immediately. Even if such behavior is not considered sexual harassment under this policy, it may be in violation of other rules and standards of conduct of the district. (Refer to the complaint procedures contained within Administrative Regulation 5145.7 for filing a formal complaint of sexual harassment.)

SEXUAL AND GENDER-BASED HARASSMENT

BP5145.7

The Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits sexual and gender-based harassment of any employee, student, or other person at school or at any school-related activity. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of 1972 and is prohibited by both federal and state law.

It shall be a violation of this policy for any district employee to harass another district employee, applicant or student through conduct or communications of a sexual nature as defined in Administrative Regulation 4119.11. It shall also be a violation of this policy for students to harass other students or district employees through conduct or communications of a sexual nature as defined in Administrative Regulations 5145.7

Information

The Superintendent or designee shall ensure that students receive age-appropriate information related to sexual harassment. Such information shall include:

1. Examples of acts and behavior which constitute sexual harassment

2. Students shall be assured that they need not endure any form of sexual conduct or communication, including harassment because of sexual orientation, gender identity, or gender expression.

They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

3. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

Students shall be informed that they should immediately contact the principal or designee if they feel they are being harassed.

4. Students shall be encouraged to report observed instances of sexual harassment, even where the victim of the harassment has not complained

Complaint Process

The Board expects students or staff to immediately report incidents of sexual harassment to the principal or designee, to another district administrator or a faculty member. Any student who feels that he/she is being harassed should immediately contact the principal or designee at his/her school.

Staff shall immediately report complaints of sexual harassment to the principal or designee or to another district administrator. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated. The investigation shall include identification of any other students, in addition to the complainant, who may have been subjected to the prohibited harassment and who may have been subjected to a hostile environment.

If a situation involving sexual harassment is not promptly investigated and remedied by the principal or designee, a complaint of harassment can be filed in accordance with AR 1312.1 – Complaints Concerning District Employees or AR 1312.3 – Uniform Complaint Procedures. The principal or designee or district administrator shall determine which procedure is appropriate.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process, except as necessary to carry out the investigation or take other subsequent necessary action.

Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

Disciplinary Actions

Any student who engages in sexual harassment of anyone at school or at a school-related activity is in violation of this policy and shall be subject to disciplinary action... For students in grades 4-12, disciplinary action may include suspension and/or expulsion.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Effects of Sexual Harassment

The Superintendent or designee shall ensure that_if sexual harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim(s). The types of actions will vary depending on the circumstances, but may include discipline of the harasser, counseling and/or other support services for any person found to have been subjected to prohibited harassment, or separation of the victim(s) and the harasser. When separation of the victim and harasser is warranted, the Superintendent or designee shall not unduly burden the victim.

Legal Reference: CIVIL CODE 51.9 Liability for sexual harassment; business, service and Professional relationships 1714.1 Liability of parents/guardians for willful misconduct of Minor EDUCATION CODE 200-264.2 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion 48900.2 Additional grounds for suspension or expulsion; sexual harassment 48904 Liability of parent/guardian for willful student misconduct 48980 Notice at beginning of term UNITED STATES CODE, TITLE 42 2000d & 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended 2000h-2et seq. Title IX, 1972 Education Act Amendments COURT DECISIONS Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473 Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

<u>Procedures - Any Other Persons Alleging Harassment By a District Employee, or Student</u> Any person who alleges sexual harassment by any employee, or student in the district may file a complaint under the

complaint procedures contained in Administrative Regulation 4119.11; 4219.11; 4219.111; 4219.111 and 5145.7.

Sanctions

A substantiated charge of sexual harassment against an employee of the district shall subject the employee to disciplinary action, up to and including discharge. Such discipline shall be consistent with the California Education Code and any collective bargaining agreement, if applicable. If the conduct complained of constitutes sexual harassment under this policy, a charge of such conduct will be substantiated where a preponderance of evidence supports the allegations.

A substantiated charge against a student in grades 4 through 12 in the district shall subject that student to student disciplinary action, up to and including suspension or expulsion, consistent with the student discipline code and the California Education Code. If the conduct complained of constitutes sexual harassment under this policy, a charge of such conduct will be substantiated where <u>substantial</u> evidence supports the allegations.

PERSONNEL & STUDENTS

Federal agencies enforcing the prohibition of sexual harassment are the Equal Employment and Opportunity Commission ("EEOC") and the Office of Civil Rights ("OCR"). The addresses and telephone number of these agencies are as follows:

Office of Civil Rights Old Federal Building 50 United Nations Plaza, Room 239 San Francisco, CA 94102 Equal Employment Opportunity Commission 1265 West Shaw Avenue, Room 103 Fresno, CA 83711

Notifications - Students

A copy of this policy shall be displayed in a prominent location in the main administrative building located at 1875 W. Lowell Avenue, Tracy, CA and in a prominent location near each school principal's office.

Notice of the sexual harassment policy and administrative which contains the complaint procedures will be sent to all students and parents or guardians upon enrollment and annually thereafter. A copy shall be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable. Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

Students may also file a separate claim of sexual harassment with the OCR. The address and telephone number of the OCR is listed under the notifications section for employees. The time limit for filing a complaint with the OCR is 180 days from the date the act of sexual harassment occurred, or if a student decides to file a complaint internally with the district under the complaint procedures outlined in Administrative Regulation 5145.7, sixty (60) days after that complaint process is exhausted.

COMPLAINT PROCEDURES

The Governing Board designates the following compliance officers to receive and investigate complaints and ensure district compliance with law:

Superintendent	Asst. Superintendent for Human Resources	Director of Student Services
1875 W. Lowell Ave	1875 W. Lowell Ave	1875 W. Lowell Ave
830-3200	830-3260	830-3280

It is desirable that problems and complaints of alleged sexual harassments brought by students, employees, parents or other members of the community be resolved in a prompt and equitable manner. If possible, such problems and complaints should be resolved in an informal manner. If the complaint cannot be resolved informally the following procedures shall be followed for filing a formal complaint of sexual harassment:

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance. The complaint shall be presented to the Superintendent or designee, who will then give it to the appropriate compliance officer. The Superintendent or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

All types of complaints regarding sex equity and sexual harassment must be initiated, in writing, within sixty (60) calendar days of the date the alleged violation occurred, or the date the complainant first obtained knowledge of the facts of the alleged violation.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint.

Step 2: Investigation of Complaint

Within sixty (60) school days from receipt of the complaint, excluding summer session, when the alleged violation occurred during the regular school year, the Superintendent or designee shall complete the investigation of the complaint. This time period may be extended by written agreement of the complainant.

Step 3: Response

Within sixty (60) days of receiving the complaint, the Compliance Officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step 4 below. If the complainant is dissatisfied with the Compliance Officer's decision, he/she may, within fifteen (15) calendar days, file his/her complaint, in writing, with the Governing Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting.

The Board may decide not to hear the complaint, in which case the Compliance Officer's decision is final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within seven (7) calendar days or within the time period that has been specified in a written agreement with the complainant.

Step 4: Final Written Decision

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary

language, the district will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

- 1. The findings and disposition of the complaint.
- 2. Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal.

If an employee or student is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee or student was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action. However, when a student is expelled as a result of a substantiated charge of sexual harassment, the expulsion record shall be a non-privileged, disclosable public record.

If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision. (Title 5, Section 4652)

Uniform Complaint Procedure

A. Purpose and Scope

Except as the Governing Board may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

- (cf. 1312.1 Complaints Concerning District Employees)
- (cf. 1312.2 Complaints Concerning Instructional Materials)
- (cf. 1312.4 Williams Uniform Complaint Procedures)
- (cf. 4031 Complaints Concerning Discrimination in Employment)

The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

(cf. 5145.6 - Parental Notifications)

B. <u>General</u>

1. Compliance Officers

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Director of Student Services (209) 830-3280 or,

Director of Curriculum, Accountability and Special Programs (209) 830-3275 or,

Assistant Superintendent for Educational Services and Human Resources (209) 830-3202 1875 W. Lowell Tracy, CA 95376

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

C. Notifications

- 1. The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)
- (cf. 0420 School Plans/Site Councils) (cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges) (cf. 4112.9/4212.9/4312.9 - Employee Notifications) (cf. 5145.6 - Parental Notifications)

- 2. The Superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge. (5 CCR 4622)
- 3. The notice shall:
 - a.. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
 - b. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
 - c. Advise the complainant of the appeal process, pursuant to Education Code 262.3 including, if applicable, the complainant's right to take a complaint directly to the

California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies

- d. Include statements that:
- 1. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
- 2. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
- 3. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
- 4. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
- 5. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- 6. Copies of the district's uniform complaint procedures are available free of charge.

D. Procedures

- 1. All complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)
- 2. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.
- 3. All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Mediation

Within three business days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)
In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Response

OPTION 1:

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

- 1. The findings of fact based on the evidence gathered
- 2. The conclusion(s) of law
- 3. Disposition of the complaint
- 4. Rationale for such disposition
- 5. Corrective actions, if any are warranted
- 6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying

complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

E. Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

- 1. A copy of the original complaint
- 2. A copy of the decision
- 3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
- 4. A copy of the investigation file including, but not limited to, all notes, interviews, and ` documents submitted by the parties and gathered by the investigator
- 5. A report of any action taken to resolve the complaint
- 6. A copy of the district's uniform complaint procedures
- 7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including when the district has not taken action within 60 calendar days of the date the complaint was filed with the district. (5 CCR 4650)

F. Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

G. Record Retention

Records of complaints must be maintained for at least 36 months after settlement.

H. <u>Responsible Administrative Unit</u> Educational Services

I. Approved by Administrator of Division

Assistant Superintendent for Educational Services and Human Resources

UNAUTHORIZED GROUPS (BP 5136)

The Governing Board desires to keep district schools and students free from the threats or harmful influence of any unauthorized groups which advocate drug use, or disruptive behavior, such as but not limited to violence, intimidation, threats, coercion, congregating in mass. The principal or designee shall maintain continual, visible supervision of school premises so as to deter unauthorized group intimidation of students and confrontations between members of different unauthorized groups.

The Superintendent or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

The Superintendent or designee shall in cooperation with law enforcement provide in-service training which helps staff to identify various symbols, recognize early manifestations of disruptive activities, and respond to inappropriate behavior. Staff and selected students shall be trained in the use of conflict management techniques and alerted to intervention measures and community resources, which may help our students.

The Board realizes that many students become involved in unauthorized groups without understanding the consequences of unauthorized group association. Early intervention is a key component of efforts to break the cycle of unauthorized group association. Therefore, Violence prevention education in the schools may start with enrollment in TUSD.

The Board prohibits the presence of any apparel, jewelry, accessory, notebook, tattoos or manner of grooming which, by virtue of its color, or combination of color, arrangements, trademark, or any other attribute, denotes membership in any unauthorized group, which advocates disruptive behavior such as but not limited to violence, intimidation, threats, coercion and congregation in mass. This policy shall be applied as the need for it arises at individual school sites.

If a student exhibits signs of unauthorized group affiliation, staff shall so inform the parent/guardian.

UNAUTHORIZED GROUPS (AR 5136)

A. Purpose and Scope

The Governing Board desires to give school sites and district guidelines that keep schools free from threats and harmful influence of any unauthorized group activity which advocate drug use, disruptive behavior, such as, but not limited to violence, intimidation, threats, coercion, congregating in mass.

B. Prevention and Intervention Measures

In order to discourage the influence of unauthorized groups, school staff shall take the following measures:

- 1. Any student displaying behavior, gestures, apparel or paraphernalia indicative of unauthorized group affiliation shall be referred to the principal or designee.
 - a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
 - b. The student may be sent home to change clothes if necessary.
- 2. Staff members shall be provided with the names of known unauthorized group members.
- 3. Students who seek help in rejecting unauthorized group associations may be referred to community-based unauthorized group suppression and prevention organizations.
- 4. Any unauthorized group graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
 - a. Daily checks for graffiti shall be made throughout the campus.

b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

- 5. Classroom and after-school programs at each school shall be designed to enhance individual self esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:
 - a. Explain the dangers of unauthorized group membership
 - b. Provide counseling for targeted at-risk students
 - c. Include lessons or role-playing workshops in unauthorized group avoidance skills and nonviolent conflict resolution, including communication skills, anger management, ethnic/cultural tolerance, and mediation skills
 - d. Assign individual unauthorized group members to cooperative learning groups in which they may work toward common goals with students who are not members of their unauthorized group

- e. Provide school-to-career instruction
- f. Provide positive interaction with local law enforcement staff
- g. Unauthorized group prevention lessons may be taught jointly by teachers and law enforcement staff.
- 6. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging, including:
 - a. Positive sports and cultural activities and affiliations with the local community
 - b. Structured, goal-oriented community service projects

C. Community Outreach

Unauthorized group prevention classes or counseling offered for parents/guardians shall address the following topics:

- 1. The dangers of unauthorized group membership.
- 2. Warning signs which may indicate that children are at risk of becoming involved with unauthorized groups.
- 3. The nature of local unauthorized group apparel and graffiti.
- 4. Effective parenting techniques.
- 5. Conflict resolution techniques.

D. Discipline Process

Staff will use the following techniques and procedures to discourage the influence of unauthorized groups:

- 1. Upon a first offense, when a student causes, attempts to cause or threatens to cause physical injury to another student as a part of any unauthorized group activity, the following shall result:
 - a. Parent/guardian contact.
 - b. A five (5) day suspension and recommendation for an expulsion for a minimum period of nine (9) weeks.
 - c. A requirement that the student must apply for readmission to school after he/she has served the minimum expulsion period.
 - d. A recommendation for a rehabilitation program that is subject to review at a time of application for readmission. The plan shall include, but is not limited to:
 - (i) Community Service minimum of 20 hours maximum of 80 hours, to be recommended by the District Discipline Review Board based upon the seriousness of the violation of the Education Code.
 - (ii) A minimum of eight (8) weeks of counseling.
 - (iii) Prohibited from violating any of the sub-sections (a) through (q) contained in Education Code 48900 associated with school attendance.
 - (iv) Prohibited from participating in unauthorized group related activities, flying colors, or displaying unauthorized group paraphernalia.

- e. A recommendation for an extension of the suspension to the expulsion hearing date.
- f. Unauthorized Group Contract.
- 2. Upon a first offense, when a student causes, attempts to cause physical injury to classified or certificated staff member as part of any unauthorized group activity, the following shall result:
 - a. Parent/guardian contact.
 - b. A five (5) day suspension and recommendation for an expulsion for a minimum period of the balance of the semester in which the violation occurred plus one additional semester.
 - c. A requirement that the student must apply for readmission to school after he/she has served the minimum expulsion period.
 - d. A recommendation for a rehabilitation program that is subject to review at the time of application for readmission. The plan shall include, but is not limited to:
 - (i) Community Service minimum of 20 hours maximum of 80 hours, to be recommended by the District Discipline Review Board based upon the seriousness of the violation of the Education Code.
 - (ii) A minimum of eight (8) weeks of counseling.
 - (iii) Prohibited from violating any one of the sub-sections (a) through (q) contained in Education Code 48900 associated with school attendance.
 - (iv) Unauthorized Group Contract and Law Enforcement Contact.
 - e. Contact with law enforcement agency.
- 3. Upon a first offense, when a student wears or carries any apparel, jewelry, accessory, notebook, or makes gestures that symbolize unauthorized group membership, the following shall result:
 - a. Referral to the principal or designee.
 - b. Student sent home to change clothes or provided with alternative clothing.
 - c. Confiscation of unauthorized group related jewelry, accessory, notebook, etc.
 - d. Parent/guardian contact.
 - e. Documented counseling with a "No Unauthorized Group Contract" and Law Enforcement contact.
- 4. A second offense of #3 above will result in the following:
 - a. Parent/guardian conference.
 - b. One to five day suspension.
- 5. A third offense will result in the following:
 - a. Parent/guardian contact.
 - b. A minimum five day suspension.
 - c. Contact with law enforcement agency.
 - d. Possible recommendation for expulsion.
- 6. A fourth and subsequent offenses will result in the following:
 - a. Parent/guardian contact.
 - b. A minimum five day suspension and recommendation for expulsion
 - c. Contact with law enforcement agency.

- d. Possible recommendation for expulsion.
- 7. Any unauthorized group graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
 - a. Daily checks for graffiti shall be made throughout the campus, including restroom walls and doors.
 - b. Graffiti shall be photographed before it is removed. These photographs will be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.
- 8. Classroom and after-school programs at each school shall be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of positive activities.
- 9. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging.
- 10. Each school within the Districts shall develop an action plan that includes but is not limited to the following.
 - a. In-service for all staff on signs and symptoms of unauthorized group activity.
 - b. Techniques and procedures to discourage the influence of unauthorized groups.
 - c. Campus safety and supervision.
 - d. Unauthorized group prevention education.
 - e. Outreach program for students identified as unauthorized group-oriented students as well as actual members of existing unauthorized groups.
 - f. Parent support program.

Unauthorized Group Prevention Education

- 1. Explain the dangers of unauthorized group membership.
- 2. Include lessons or role-playing workshops in nonviolent conflict resolution and unauthorized group avoidance skills.
- 3. Promote constructive activities available in the community.
- 4. Involve students in structured, goal-oriented community service projects.
- 5. Encourage positive school behavior.

Unauthorized group prevention lessons may be taught jointly by teachers, law enforcement staff, and contracted organizations.

Community Outreach

Unauthorized group prevention classes or counseling offered for parents/guardians shall address the following topics:

1. The dangers of unauthorized group membership.

- 2. The nature of local unauthorized group apparel and graffiti.
- 3. Ways to deal effectively with one's children.
- 4. Warning signs which may indicate that children are at risk of becoming involved with an unauthorized group.
- 5. Resources available to them for further assistance.

Community programs offered for staff, parents/guardians, churches, city officials, business leaders and the media shall address:

- 1. The scope and nature of local unauthorized group problems.
- 2. Ways that each segment of the community can help to alleviate these problems.

Intervention Measures

Staff shall make every effort to engage unauthorized group-oriented students into the academic, extracurricular and social mainstream and into work experience programs. To this end:

- 1. Staff members shall be provided with updated information regarding unauthorized group activities which advocate drug use, disruptive behavior, such as but not limited to violence, intimidation, threats, coercion, and congregating in mass.
- 2. Classroom teachers shall refer individual unauthorized group oriented students for individual and/or group counseling.
- 3. Students who seek help in rejecting unauthorized group associations may be referred to communitybased unauthorized group suppression and prevention organizations.

PARENT'S GUIDE TO HOMEWORK

HOMEWORK IN TRACY UNIFIED SCHOOL DISTRICT

Homework

The Governing Board believes that homework serves many purposes. Research supports that homework is an essential part of a student's academic achievement. Through their homework, students can reinforce academic skills taught in school, learn how to conduct research effectively, develop ideas creatively and become life-long learners.

The Board believes that homework is the responsibility of the student. It is the student's job to develop regular study habits and to do most assignments independently. The Board encourages teachers at all grade levels to use the parent as a contributing resource and to structure homework assignments so as to involve the parent to help oversee homework without diminishing the student's sense of responsibility. To be effective, homework assignments should not place an undue burden on students and families. Homework should reinforce learning objectives and state standards.

Board Policy 6154

- Homework reinforces student learning to meet state and district standards
- Homework is planned, systematic, selectively checked and graded
- Homework is clear, specific and relevant
- Homework is a combination of skill reinforcement and exploration
- Long-term homework assignments will have checkpoints for completion and while students may work on them over holidays and weekends, ample time will be allowed to complete them during the week and prior to holidays
- Homework will be reviewed in class and returned in a timely fashion
- K-5 students will not be required to complete homework on holidays and intercessions. K-5 students will not typically be given homework on weekends. 6-8 students will not be required to complete homework on intercessions. 6-8 students may be given limited homework on holidays and weekends.
- Per night, K-3 homework assignments will typically average thirty minutes; 4th-5th grade homework assignments will typically average one hour; 6th-8th grade homework assignments will typically average one and a half hours
- Unfinished classroom work may be sent home to be completed but should not be required in addition to homework. Unfinished classroom work can be done at recess and after school.
- Regular reading at home on a nightly basis is encouraged but not required in addition to the assigned homework.

Tips for Parents

- When there is a specific assignment, the best way for parents to help a child learn is by offering support when it is requested. At the same time, limits need to be set so that children learn to work independently. Even when children do not have specific assignments due, parents can be helpful by listening when children talk about school and by expressing interest in class work and school activities.
- Talk with teachers if assignments seem to be causing students continuing problems
- Share thoughts and ideas with children on many topics of interest
- Read to your child
- In helping students with homework, parents should:
 Show interest in the student's work

- > Encourage the child to work independently most of the time
- > Provide a suitable place for study, free from distraction, and if possible, reserved for that student alone
- > Check to see the homework assignments are completed, and reasonably neat and correct
- > Assist in balancing school work with other activities

If you feel that your student's teacher is not following Board Policy 6154, Homework, please take the following steps: 1) Contact your student's teacher and discuss his/her homework practices: If it is not resolved then; 2) Contact your school principal: If it is not resolved, then 3) Contact Carol Anderson-Woo, Director of Curriculum, Accountability & Continuous Improvement at 830-3275.

Make-up Work

- Students shall be given the opportunity to make-up work missed because of an excused absence and shall receive full credit if the work is turned in according to a reasonable make-up schedule. Typically, each day of excused absence merits a make-up day.
- Teachers may or may not allow a suspended student to complete any assignments and tests missed during suspension.
- Students who miss school work because of unexcused absences may or may not be given the opportunity to make-up missed work for full or reduced credit. Teachers may assign such make-up work as necessary to ensure academic progress, not as a punitive measure.
- Teachers need at least twenty-four hours to supply make-up work.
- Teacher's procedures and processes for make-up work should be clearly explained to both students and parents **in the individual class syllabus.**

REQUEST FOR OFFICIAL TRANSCRIPTS &/OR COPIES OF RECORDS

The District has provided forms for parents' requests for official transcripts. A copy of the form is provided on the next page. <u>TRACY UNIFIED SCHOOL DISTRICT</u> NOTICE TO PARENTS AND GUARDIANS

As required by law (Education Code Section 49063) you are hereby notified that you have a right to permit or to refuse to permit your student to engage in the school activities listed below. NOTE: Complete policies and excerpts from the Education Code are available in the office of each school.

- 1. <u>Absence for religious purposes</u> at a place away from school property and after the pupil has attended school for a minimum day. (Ed. Code 46014)
- 2. <u>Sex education courses, venereal disease education or family life education and AIDS education</u> in which reproductive organs and their functions are described, illustrated or discussed. If such a course is planned at some future time, you will be notified of your rights to inspect and review pertinent written or audio-visual materials prior to the holding of the course (written consent is not required but objection shall be honored for your child). A student shall be excused from attending that part of any instruction in health, family life education, and sex education courses which conflict with the religious training, beliefs, or personal moral conviction of the parent or guardian of the student, if the parent or guardian requests such exemption in writing. (Ed. Code 51240, 51550, 51201.5, 51820, 51553, 51555)
- 3. **Refusal to harm or destroy animals** is a student right covered in Board Policy 5145.8.

- 4. **Immunization for communicable disease** control may be consent to in writing by a parent for a licensed physician to administer an immunizing agent. Immunizations shall not be required for admission to district schools or programs if an affidavit signed by a parent or guardian states that such immunization is contrary to his/her beliefs. (Health and Safety Code, Section 3385; Ed. Code 49403)
- 5. <u>Administration of medication</u> prescribed by a physician for a child during the school day may be done by a nurse, or other designated school personnel if the school district receives a written statement from such physician detailing the method, amount, and time schedules by which such medication is to be taken and a written statement from the parent or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement. (Ed. Code 49423)
- 6. <u>Any mental examination or physical examination</u> may not be given to a child whose parent has filed an objection. However, the child may be sent home, if for good reason, he is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code 49451)
- 7. **Evaluation of vision** of a child, including tests for visual acuity and color vision by the school nurse, or teacher if authorized, upon first enrollment and at least every third year thereafter. The vision evaluation or any hearing examination or scoliosis screening may be waived upon presentation of an appropriate certificate from a physician or optometrist and upon written parental request. (Ed. Code 49451, 49452, 49452.5)
- 8. <u>Medical and hospital services</u> for pupils injured at school or school sponsored events or while being transported may be insured at district or parent expense. (Ed. Code 49472)
- 9. <u>**Corporal punishment.**</u> Tracy Schools has a policy not to utilize corporal punishment as a disciplinary measure. (Ed. Code 49000, 49001)
- 2. <u>Certification of Proficiency/High School Equivalency.</u> The principal of each school maintaining either or both of grades 11 and 12 shall distribute to each pupil in those grades an announcement explaining the California High School Proficiency Examination provided under Education Code Section 48412, in time for students to meet all examination registration requirements for the fall test of that year. (Administrative Code, Title 5, Section 11530)
- 3. Education Code Sections 49065-49078 Student Records: Parents have the right to review any records, relating directly to the child, that the school may have on file; i.e., attendance, achievement, conduct, test scores, et al.
- a. The principal of each school is responsible for supervision of maintenance of such records. The Certificated staff and Health Department personnel have similar access to such records.
 b. Records are reviewed by building administrators and certificated staff when necessary to expunge such records. Parents may request principals to review records and request expunging of records.
 c. Parents have the right to challenge content of records and to request a hearing before district administration.
 - d. Reproduction of records for parents to be charged at rate of 10 cents per page.

e. Directory information. The following items are considered directory information: A student's name, home address, date and place of birth, major field of study, participation in activities and sports officially recognized by Tracy Public Schools, dates of attendance at school, degrees and awards received, and the most recent previous public or private school attended. The weight and height of members of officially recognized athletic teams are also considered directory information. Upon receipt of a written request, direction information may be released to the following official organizations:

- 1. parent-teacher organizations;
- 2. employers and prospective employers of the student;
- 3. representatives of the news media.

13. <u>Education for Handicapped Children</u>: Tracy School District will provide a free appropriate public education to all handicapped children between the ages of 3 years and 21 years. The school district will arrange for free evaluation services for any child who is suspected of having a handicap and of needing special education and related services. The Director of Special Education coordinates education for the handicapped.

<u>Attendance Options and Programs:</u> Attendance Options and Programs within the district are available at school sites and in the Student Services Office. This information includes information on residency requirements for school attendance, program options offered within local attendance areas, inter-district and intra-district transfers and the appeals process. Forms requesting intra-district transfers are available at all school sites. Forms requesting inter-district transfers can be obtained at the district office.

- 14. <u>Sexual Harassment Policy:</u> A copy of the district's sexual harassment policy is included in school handbooks given to students at the beginning of the year and extra copies are available at school sites.
- 15. <u>Section 504</u>: Tracy School District will identify, evaluate and provide a free, appropriate public education to students who are handicapped within the meaning of Section 504 of the Rehabilitation Act of 1973. The Director of Student Services is the compliance officer.
- 16. <u>Search and Seizure:</u> Board Policy 5145.12 explains district policy and procedures on search and seizure, including the use of breathalyzers and metal detectors.
- 17. **Confidential Reporting:** Students reporting any weapons seen on a school campus or at a school-sponsored event will have the right of confidential reporting to the extent permitted by law.
- 18. <u>Confidential Medical Services:</u> School authorities may excuse any student, grades 7-12, from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)
- <u>Suspension and Expulsion/Due Process</u>: District regulations concerning student discipline and due process is available in school handbooks and upon request at the Principal's office in any district school. (Education Code 35291)
- 20. **Home/Hospital** instruction is available for students with temporary disabilities.
- 21. **Investing for future college or university education** for your children is important and parents should consider investment options including but not limited to United States Savings Bonds.
- 22. **Insurance** is available under a group plan for students. Information is available in school offices.
- 23. **Excuse From School:** Notwithstanding Section 48200, a pupil shall be excused from school for justifiable personal reasons, including but not limited to, an appearance in court, observation of a holiday or ceremony of his or her religion, attendance at religious retreats, or an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. A pupil shall also be excused from school when he or she is the custodial parent of a child who is ill or has a medical appointment during school hours.

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence which can be reasonably provided and, upon satisfactory completion, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine, pursuant to the regulations of the governing board of the school district, what assignments the pupil shall make up and in what period of time the pupil shall complete those assignments. The tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments which the pupil missed during the absence.

For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

Absences pursuant to this section shall be deemed to be absences in computing average daily attendance and shall not generate state apportionment payments, except as otherwise provided by Article 1 (commencing with Section 46000) of Chapter 1 of Part 26, including, but not limited to, an absence for the purpose of attending the funeral services of a member of a pupil's immediate family. (Amend. Stats. 1994, Ch. 134)

- 24. **Early Release Days** are staff training and work days. Early Release Days are on Mondays in all schools in Tracy. On Early Release Days students will be released at 1:25 pm. Minimum Days are for parent conferencing, tracking on and off at Year Round Schools, and for report card grading. Your student's school will notify you through school handbooks or newsletters on upcoming minimum days.
- 25. High School Exit Exam: Students scheduled to graduate in the Spring of 2006 or later are required to pass the California High School Exit Exam as one of the conditions of graduation. Examination dates for 2012-2013 are November 6-7 (juniors and seniors), February 5-6 (seniors only), and March 12-13 (Sophomores only), May 14-15 (sophomores absent during March testing, juniors and seniors). Students must pass both the English/Language Arts and Math section of the test. Students not passing the exam will not be awarded a high school diploma as passing the exam is a state requirement for graduation. (Education Code 48980, 60850)
- 26. **Release of Information:** Student record information will be released upon request to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition.
- 27. <u>Advanced Placement Examination Fees:</u> Any economically disadvantaged student, as defined in Education Code 52241, who is enrolled in an advanced placement course, may apply to the Superintendent or Superintendent's designee to cover the costs of Advanced Placement Examination fees minus five dollars that shall be paid by the student. (Ed Code52244) Examination fee assistance may be available for disadvantaged students. Please see the AP Coordinator at West High School for details.
- 28. <u>Management Plan for Asbestos</u>: The district's complete updated management plan for materials containing asbestos in school building shall be available for inspection in district and school offices. (40 CRF 763.93)
- 29. **Professional Qualifications:** Parents have the right to request information on the professional qualifications of their child's teacher and paraprofessional. (Section 1111 P.L. 107-110)

AUTHORIZATION FOR RELEASE OF PUPIL INFORMATION

This school does not release information or records concerning your child to non-educational organizations or individuals without your consent. The release of certain information would benefit your child such as information on athletic or academic awards, or other such information for press releases. If your child is eligible for a work permit, such information as age, scholastic records and school staff employment recommendations may be of use to an employer or potential employer. Federal Law includes the release of student directory information to Military recruiters.

Your consent is required for the release of such information. Such consent may be revoked by you at any time by notifying the principal of your child's school in writing. You may receive a copy of the information released by submitting your request in writing to the school office.

CONSENT TO RELEASE PUPIL INFORMATION

Information concerning my child's participation in school events and information concerning any scholastic or athletic awards that my child may receive may be released to the news media upon their request. If my child is eligible for a work permit, information such as age, scholastic records and school staff recommendations may be released to an employer or potential employer. Directory information may be released to federal, state and local agencies, military recruiters, and non-profit youth organizations.

PERMISSION FOR STUDENT NAME ON SCHOOL/DISTRICT WEB PAGES

Web pages are published on the Internet and are, therefore, available world-wide to anyone browsing the Internet. Student information on District Web Pages: 1) For K-8 students—only first names can be used with written permission of parent. 2) For 9-12 students—both first and last names can be used with written permission of parent.

TRACY UNIFIED SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT (AUA) NETWORK AND COMPUTER RELATED RESOURCES (Based on BP/AR 4040 and BP/AR 6163.4)

In exchange for the use of the Tracy Unified School District (TUSD) computer systems and data communication networks, either locally attached or through remote connection on or near school property, in school vehicles and buses, and at school-sponsored activities, the following agreement will apply. **Please read this document carefully**. It is a legally binding agreement when signed. The guardian/parent must sign when the user is under 18 years of age.

The use of the TUSD network/computer system is a privilege for which users accept responsibility. Each user must act in an appropriate manner consistent with TUSD Board of Education policies, California Education Code, and other local, state and federal laws and regulations governing the applicable matter. It is intended to provide Internet and technological resources to:

- Support learning
- Promote educational excellence and innovation
- Improve administrative efficiency
- Increase opportunities for communication and communicate with others in furtherance of the user's education
- Conduct research and provide additional resources for general information
- Result in more timely and accurate information
- Increase opportunities for professional/personal growth
- Enhance parent involvement

The TUSD network/computer system is shared and available to all registered users. The system may not be used in a way as to disrupt or interfere with its use by others. Inappropriate use of the system includes, but is not limited to:

- Virtual and physical damage, vandalism or theft of equipment as well as theft, piracy or altering of software.
- Theft of services, including connection of unauthorized network/computer equipment to the system.
- Installation of non-approved software/programs, or the download and installation of software/programs on District computers or network communication systems.
- Use of the system to communicate unlawful information or to transmit computer viruses.
- Accessing or communicating information which is pornographic, obscene, sexist, racist or abusive.

- Access or communication of "Harmful matter" as defined by California Penal Code 313.
- Violation of copyright law and Plagiarism of ideas or information.
- Use of the system for anonymous access or communication of information.
- Use of the system for commercial purposes or for political campaigning.
- Other conduct deemed objectionable by the Tracy Unified School District.
- Any violations of the classroom rules, school conduct code, educational code, or penal code.
- Students, parents/guardians, and District Staff shall recognize that the nature of the use of

District technological resources extends outside of the school itself and into off-campus remote locations such as homes. The District's jurisdiction to enforce student behavior and discipline policies, and rules shall apply whether the misuse or violation is at school or away from school as long as the District's technological resources are being used in the inappropriate behavior.

The District will log the use of all systems and monitor all system utilization. Any and all information on the TUSD networks, with the exception of student and personnel records is **not** deemed private. Digital storage is TUSD property. All District computers will comply with A.R.S. 34-501 (enacted, 1999) (access to materials harmful to minors) and all District employees are required to comply with the Family Education and Privacy Rights Act of 1974 (disclosure of personally identifiable information). Student names will be included as part of their network user/email accounts. The Superintendent or designee will determine what is appropriate use of technology resources and their decision is final. The TUSD reserves the rights to any materials stored in files, and will remove any material which the Superintendent or designee may believe to be unlawful, obscene, pornographic, abusive, or otherwise objectionable. The system may not be used to obtain, view, download, or otherwise gain or provide access to such materials. The Superintendent or designee to resource of the staff after application of due process.

The Tracy Unified School District will not be held responsible for any damages suffered by the user, including those arising from non-deliveries, mis-deliveries, service interruptions, unauthorized use, loss of data and exposure to potentially harmful or inappropriate material sustained or incurred in connection with the use, operation, or inability to use the system. The TUSD specifically denies any responsibility for the accuracy or quality of information obtained electronically. Use of any information obtained electronically is at the risk of the user. The District assumes no liability for personal technology, including computers, smart phones, network access devices, or other electronic signaling devices, if such devices are damaged, lost or stolen. The user, or user's parent/guardian, shall indemnify and hold TUSD harmless from any losses sustained as the result of use or misuse of the District's technological resources by the user, and/or the loss or damage of personal technology.

One of the services available through the TUSD network/computer system is the Internet. The Internet, a community of network systems, is not governed by any entity. The District does not have control over the kind or quality of the information that is accessible to Internet users. It is not feasible to limit access to all materials or all emails that a parent/guardian might consider inappropriate; therefore, inappropriate use is the responsibility of the user.

Not all access to the Internet can be supervised. Users agree not to send, access, submit, publish, display or print over the Internet or TUSD network, or using TUSD technology resources, any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, offensive or illegal material. Cyberbullying is

specifically prohibited. It shall be the user's responsibility to report the inappropriate use, web site, or communications to teachers or other District Staff.

The use of TUSD network/computer system requires that all users abide by the following rules:

- Be polite, do not send or respond to abusive, harassing, or suggestive messages to anyone. Report such messages.
- Respect (do not access, delete, move, or alter) anyone else's files and/or data.
- Use appropriate language. Do not swear, use vulgarities, or express yourself in any other inappropriate language.
- Communication advocating, encouraging or supporting illegal activities is strictly forbidden.
- Copyright, trademark and/or registered laws must be adhered to at all times. All materials from the Internet and other digital resources, including graphics, must be properly cited.
- Respect the privacy of all users. Do not reveal the personal address or phone numbers of yourself or anyone else.
- District e-mail accounts are not private. TUSD e-mail is operated for and by the District.
- Respect the originator of email and do not forward e-mail messages or information without permission.
- Individuals will ONLY use authorized accounts they have been personally issued.
- All users must keep their account passwords confidential.
- Do not send "junk", "mass", or "spam" email.
- Do not use a modem connected to a TUSD computer or network.
- Access to the Internet or other District network communication systems from personal technology is limited to wireless access points on the school campuses. Access to the Internet or other District network communication systems from personal technology is not available via hardwire connections.

The Tracy Unified School District computer system is intended for the exclusive use of its registered users who are responsible for their password and their accounts. Any problems which arise from the use of the account are the responsibility of the account holder. Any misuse of the account or system will result in disciplinary action and/or the suspension or cancellation of privileges. Use of the account by someone other than the registered user will be grounds for cancellation and/or may result in disciplinary action.

Dear Parents and Student: Please read the Behavior and Attendance Agreement below, then sign and keep the Student Handbook until your child's teacher asks for it during the first week of school. Should you have any questions regarding the Attendance/Behavior expectations, please phone the Assistant Principal.

ATTENDANCE AGREEMENT

Welcome to the Tracy Unified School District (TUSD) for the 2013-2014 school year. Our main concern in the Department of Child Welfare and Attendance is the daily school attendance of all of the children in our community. Education Code 48200 requires compulsory daily school attendance for students 6 to 18 years of age. Our Superintendent, along with all district staff, is continuing our commitment to see our school's academic programs improve. Improvement in our children's achievement must start with *daily school attendance* and we feel this is *everyone's responsibility*. Daily school attendance must start at home with the importance and value of education being stressed. It is vital for TUSD to build on this value, maintaining the essential partnership between school and home to ensure daily attendance. If your child is absent, California Education Code allows *EXCUSABLE* absences for the following reasons:

1. Illness

- 2. Medical/dental/eye appointments
- 5. Administrative discretion
- 3. Funeral services for immediate family

The parent/guardian of the student must send a note and/or phone the school to clear any of these excusable absences. Failure to excuse the absence will result in a recorded truancy on the student's permanent record.

Another way to insure your child's daily attendance is by reviewing the school district's 2013-2014 calendar to plan family holidays and vacations to coincide with school holidays. Parent notification to the school of a student absence for a family vacation results in lost instructional time for the student and is <u>not</u> an *excusable* reason for absence. Some other examples of reasons that are <u>NON-EXCUSABLE</u> for student absences are:

Going shopping	Visiting relatives	Family moving from one home to another
Student's birthday	Oversleeping	Child care by the student at home
Car trouble		·

School staff may request you to attend a conference when your child is absent for non-excusable reasons.

Schools send a formal letter to the parents/guardians of students who accumulate three days of unexcused absences, numerous unexcused class periods, or numerous tardies. This letter will inform the family of a potential declaration of truancy on your child's school record according to Education Code 48260. Students with excessive absences may be required to submit a doctor's note. Please review this attendance information with your child and we ask that you sign this agreement and return it to the school office. The Tracy Unified School District's goal for 2013-2014 is to improve our district's students' attendance to 100%. We appreciate your assistance in this goal since every day of good school attendance can count towards your child's continued academic success.

Thank you for your support, Paul Hall, Director, Child Welfare & Attendance

Parent needs to have read the above attendance information and will make every effort to ensure their child(ren) attends school every day that school is in session.

SEX EDUCATION AGREEMENT

Since 1988, AIDS Prevention Education curriculum has been in place in Tracy Unified School District. An Advisory Committee composed of teachers, parents/community members, trustees, administrators, school health professionals and local clergy oversee the implementation of the curriculum and advise the School Board of Trustees. The focus of the AIDS curriculum is prevention and abstinence.

Ninth grade students enrolled in Biology will receive state approved curriculum: Positive Prevention. Every other year, eleventh and twelfth grade students will see a play sponsored by Kaiser Permanente entitled "SECRETS" which provides information for teenagers who are faced with the pressures of becoming sexually active in the age of HIV/AIDS & STD's. The program increases student awareness of AIDS and the transmission of HIV. It reduces apprehension and prejudice arising from misinformation and encourages risk-reducing choices and behavior. Also, Pregnancy Resource Center presents "RESPECT" to 9th grade PE classes. The RESPECT team is comprised of high school peer educators that present skits on the dangers of HIV/AIDS/STD's while stressing abstinence.

In accordance with our district policy, materials and information presented throughout the school year will be available on the school site for preview. Healthy Living Month and other special events will be announced in the school newsletter to give you ample time to preview.

If you <u>WANT</u> your child to receive this information, you would sign the parent notification (page 85) in the "I **approve**" option and return this to your child's second period teacher.

If you do <u>NOT</u> want your student to attend the AIDS activities, you would sign the parent notification (page 85) next to the line "I **do not** want my child to receive HIV/AIDS education".

You may revoke your permission for your child to receive this information by contacting the school at least two days prior to the event so that arrangements can be made for your child's regular instructional program.

VIDEO YEARBOOKS

Image Release for School Promotional Purposes

The middle school is producing a video yearbook this school year. The following statement allows the use of your student's image to be used in the video yearbook.

I hereby grant Tracy Unified School District the right to record and use my child's image, likeness and/or voice on film or video tape for the use in public relations, yearbook and school information systems.

It is my understanding that Tracy Unified School District owns the copyright to these images and recordings and I agree to waive any claims to them and thereby, grant permission for these images and recordings to be used for the purposes described above.

BEHAVIOR AGREEMENT AND STUDENT/PARENT NOTIFICATION

In order to insure a positive school year, please make sure that you read and review the Tracy Unified School District **Student Handbook**, including the <u>Student Conduct Code</u>. Should you have any questions regarding the Behavior Agreement, please phone your Assistant Principal. We are looking forward to a great 2013-2014 school year. If we all work together, it will be a positive and productive one!

- We, as Parents/Guardians, accept our responsibility to:
 - 1. Read and understand the Tracy Unified Middle School Student Handbook Conduct Code.

2. Make certain that our student is aware of the school rules, state laws, and district regulations contained in the student handbook.

3. Fully comprehend the consequences for breaking the rules, regulations or laws.

4. Pledge our cooperation in maintaining and encouraging appropriate school behavior from our student.

The personnel of **Tracy Unified School District** will cooperate in notifying and working with students and parents in order to make education an enjoyable experience, will make misbehavior known to the students and to the parents/guardians when appropriate, and take timely and appropriate actions for such misbehavior. The staff also pledges to provide an orderly school climate. By working together, misbehavior can be minimized or eliminated entirely. Without disruptions of instructional programs, learning time can be increased for all students.

TRACY UNIFIED SCHOOL DISTRICT Student Services 1875 W. Lowell Ave. Tracy, California 95376 (209) 830-3280

Dear Parents:

California state law requires HIV/AIDS prevention education is taught in middle school and in high school. If comprehensive sexual health education is taught, the District shall follow state laws (*Education Code 51933*). The District may not pick and choose topics to teach. HIV/AIDS prevention instruction includes:

- Information on HIV/AIDS and how it affects the body.
- How HIV is and is not spread.
- Discussion of ways to lower the risk of HIV, including: Sexual abstinence and the latest medical information on ways to prevent sexually transmitted HIV infection.
- Discussion of the public health issues related to HIV/AIDS.
- Places for HIV testing and medical care.
- Making good decisions and staying away from risky activities.
- Discussion about society's views on HIV/AIDS and people with HIV/AIDS.

You can examine instructional materials at your student's school site or in the District's IMC department. If you have questions, please contact the teacher or principal at your child's school. State law allows you to remove your student from comprehensive sexual health education or HIV/AIDS prevention education. An alternative arrangement will be made for your student during sexual health education instruction.

The goal of a comprehensive sexual health education program is to help students learn the facts and to make good decision now and later in life.

I approve HIV/AIDS Education for my child.

Parent Signature

I do not want my child to receive HIV/AIDS education.

Parent Signature

The next page has the Behavior Agreement and Parent/Student Notification Agreement. Please review with your student the important areas of the Student Handbook, initial next to each area, and sign and date the form. This form will be returned to your child's second period teacher during the first week of school.

<u>Behavior Agreement and</u> <u>Parent/Student Notification Agreement</u>

Student Name (please print) Grade Teacher	Date
Grade Teacher_	
I have reviewed the handbook online with my child. If I paper copy from the school office. My signature or initi gives my acknowledgement and/or permission. This pag period teacher.	als next to the document title <u>on this sheet</u> ge will be collected by your student's second
Document	Parent's Signature
Notice to Parents and Guardians, (Parent acknowledges notification of rights)	
Authorization to Release Pupil Information (Parent agrees to release of pupil information)	
Consent to Release Pupil Information (Parent agrees to web page use)	
Permission for Student Name on School/Dist. Web page (Publicity)	S
TUSD Acceptable Use Agreement/Computers (Parent and Student agreement)	Sign page and return it with this form
Attendance Agreement (Parent acknowledges notification)	
Video Yearbooks (Student possibly viewed in video yearbook)	
BEHAVIOR AGREEMENT – Student/Parents	
HIV/AIDS Prevention Education	Please sign and return
Signature Initials of Instruction Page (this page)	
I have read and discussed the <u>Tracy Unified School Dist</u> my student, and will abide by its provisions and the rule	
Student Signature	Date
Parent Signature	Date



OFFICIAL TRANSCRIPT REQUEST FORM FOR CURRENT STUDENT

TRACY UNIFIED SCHOOL DISTRICT 1875 W Lowell Avenue Tracy, CA 95376 209-830-3200

Turnaroun	d tim	le is 2	2-4 Da	IVS.

1. Name			2. Date of Birth	3. Stude	ent ID Num	ber	
Last	First	Middle					
4. Send Transcript To			5. Type of Records Requesting (Inc	dicate ()	uantity & 1	Tota	Cost
Name of Institution:			Transcript Type	Fee	Quantity	Olter	Cost
Attention:			Official High School Transcript	\$ 3.00		=	\$
Number and Street:				1			
City:	State:	Zip Code:	Special Services- Fees are in addition to cost of the transcript				Cost
Name of Institution:			Same Day Service	\$ 10.00		=	S
Attention:			Faxing of Documents	\$ 5.00		=	\$
Number and Street:							
City:	State:	Zip Code:	Total Fees Enclosed				\$
	NO PERSONAL CHE	CKS ACCEPTED • FEE	S ARE PAYABLE BY CASH OR MON	EY OR	DER		
6. Authorization for Rele	ase		and the second s				
The signature below very	ifies that I have comp	oleted all sections acc at this application will	urately and enclosed the correct fee. not be processed if it is incomplete.	luno	lerstand t	hat	the
Signature		Date	For requests being picked up by student				
						-	

REQUIRED SIGNATURES

TRACY UNIFIED SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT (AUA) NETWORK AND COMPUTER RELATED RESOURCES (Based on BP/AR 4040 and BP/AR 6163.4)

<u>The following two sections are for students and their parents and</u> <u>REQUIRE SIGNATURES. Please return this form at registration</u>

STUDENT AGREEMENT

I have read the Tracy Unified School District "**NETWORK AND COMPUTER RELATED RESOURCES** (06/2012)" Acceptable Use Agreement and understand its provisions. I accept responsibility for the appropriate use of the TUSD computer system as outlined in this agreement and that violations will result in disciplinary and if appropriate criminal action. <u>I understand that</u> <u>misuse of the system will result in disciplinary action and/or the cancellation of privileges. I agree</u> to report any misuse to a teacher or District administrator.

Student User (Print Name)

School Site

SIGNATURE

_I___ Date

PARENT/GUARDIAN AGREEMENT

I have read the Tracy Unified School District "**NETWORK AND COMPUTER RELATED RESOURCES** (06/2012)" Acceptable Use Agreement and understand the responsibility my child has for the use of the TUSD computer system and that violations will result in disciplinary and if appropriate criminal action. <u>I accept full responsibility for my child's use</u>. I also agree to report any misuse of the system to a teacher or District administrator.

Parent/Guardian (PRINT NAME) SIGNATURE Date

Students who do not have this completed form on file will not be allowed to use Tracy Unified School District computers.

Date: _____