

# Visalia

**UNIFIED SCHOOL  
DISTRICT**

## 2021-2022

STUDENT CONDUCT CODE



# BELIEFS of the Visalia Unified School District

**WE EXIST TO PROVIDE STUDENTS WITH AN EDUCATION THAT AFFORDS THEM LIMITLESS OPPORTUNITIES FOR THE FUTURE**

## **We Believe...**

### **EVERY STUDENT CAN LEARN**

*Every child can engage in rigorous learning and can achieve at high levels.*

### **LEARNING IS CONSTANT, TIME AND RESOURCES ARE VARIABLE**

*Our focus is on learning, not just teaching. We will support students and adults to ensure that learning occurs.*

### **WE WORK IN TEAMS**

*Together, we can do more and better.*

### **FAMILIES HAVE THE MOST INFLUENCE IN A CHILD'S LIFE**

*The family is profoundly important in a child's emotional, social, and cognitive development.*

### **THE TEACHER IS THE MOST INFLUENTIAL PERSON IN A STUDENT'S EDUCATIONAL LIFE**

*The teacher-student relationship is the most important one in our organization.*

### **THE PRINCIPAL IS THE MOST INFLUENTIAL PERSON IN THE SCHOOL**

*The site principal leads and coordinates the services that support the teacher-student relationship.*

### **EVERY PERSON IN OUR SCHOOL COMMUNITY HAS VALUE**

*We respect and value every person who engages in our community.*

### **WE ARE ALL ACCOUNTABLE FOR EVERY STUDENT'S FUTURE**

*Each of us has an important role in the development of children.*

### **THE DIVERSITY IN OUR COMMUNITY IS AN ASSET**

*The students who attend our schools and their families are diverse in many ways, and we value the qualities that this diversity brings to our schools and to our community.*

### **ETHICS MATTER**

*We must develop the highest ethical standards in our students and model those standards ourselves. Our values include hard work, excellence, perseverance, trustworthiness, caring, responsibility, respect, fairness, and citizenship.*





# District Wide GOALS for 2017~22

**WE EXIST TO PROVIDE STUDENTS WITH AN EDUCATION THAT AFFORDS THEM LIMITLESS OPPORTUNITIES FOR THE FUTURE**

**To attain this goal, our organization will:**

**1. ENGAGE STUDENTS IN A CHALLENGING CURRICULUM AND PROVIDE THEM THE SUPPORT TO BE SUCCESSFUL**

- 1.1 - Maintain consistently high academic standards in a curriculum that is relevant to each student's chosen path*
- 1.2 - Provide equitable opportunities for every student to succeed*
- 1.3 - Provide systematic and reliable access to services that support academic development*

**2. SUPPORT A DISTRICT-WIDE COLLABORATIVE CULTURE FOR STUDENTS AND ADULTS FOCUSED ON LEARNING AND RESULTS**

- 2.1 - Establish a district-wide professional learning community*
- 2.2 - Engage the community fully as a partner in the education of students*
- 2.3 - Provide systematic and relevant opportunities for parents to participate in the education of their children*
- 2.4 - Communicate effectively with parents and the community*

**3. MAINTAIN A CARING AND ENCOURAGING LEARNING ENVIRONMENT FOR STUDENTS AND ADULTS**

- 3.1 - Ensure safe, secure, healthy, and positive environments that promote a sense of significance and belonging*
- 3.2 - Provide systematic and reliable access to services that support social and emotional development*

**4. RECRUIT, HIRE, AND RETAIN HIGHLY QUALIFIED, TALENTED, AND PRODUCTIVE STAFF**

- 4.1 - Aggressively recruit and hire highly qualified staff members who reflect the demographics of our students and community*
- 4.2 - Ensure competitive salary and benefits for all staff*
- 4.3 - Provide systematic and relevant certificated, classified, and management support services*

**5. ALIGN RESOURCES TO SUPPORT DISTRICT GOALS, STUDENT ACHIEVEMENT, AND SCHOOL SITES**

- 5.1 - Effectively manage resources to strengthen our fiscal foundation, maintain prudent reserves, and meet funding requirements for retiree health insurance and increases to employee retirement systems*
- 5.2 - All schools, facilities, and grounds will be clean, safe, secure, and well-maintained*
- 5.3 - Refine VUSD facility plans to align with the Measure E Implementation and Facility Master Plan*
- 5.4 - Plan for and open new schools that support the strategic interests of the district and the community*
- 5.5 - Maintain total transparency in all services and projects and be accountable to the community*



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# Superintendent's Message

*Student behavior is an important part of creating an environment for optimal learning. The behaviors, actions, and attitudes that students display at school reflect their overall development, informed by influences both in and outside of school. Parents, families, and life experiences all play an important role in shaping how students act toward others now and as adults. We hope you are willing to work in partnership with us to communicate to your child the expectations for behavior at the District's schools.*

*School is a place where everyone should feel safe and protected. Everyone has the right to be treated with respect, dignity, common courtesy, and decency. It is our responsibility to guard these rights for others. School does not belong to any one individual—it belongs to everyone. This handbook will go into great detail to outline student conduct rules that will help you understand the teachable moments your child may need to experience based on their behavior.*

*The guidelines that shape our philosophy for providing a safe learning environment for all Visalia students are:*

- School is a place to learn, achieve, and have positive experiences.*
- We expect everyone to help take good care of our schools.*
- We expect everyone to help us keep schools safe.*
- We expect everyone to be respectful of themselves and others.*
- We expect everyone to be honest, responsible, and to do "the right thing."*
- We all have individual rights until our actions impose on the rights of others.*
- We expect discipline to be a learning tool, designed to educate and not to be unnecessarily punitive.*

*It takes all of us, working together, to create the positive atmosphere that allows our schools to be the place where all students succeed.*



# The Board Of Education and Student Behavior

The Board of Education is responsible for ensuring that an appropriate educational program is provided to each student in our schools. Within the framework of California law, courses and materials are developed, teachers and administrators are selected, and rules and regulations are established to ensure a proper climate in which students may pursue their studies.

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on District transportation.

Parents, administrators, teachers, and others responsible for the welfare of students must cooperate to interpret and enforce our behavior code and attendance policy.

This publication contains the rights and responsibilities, legal basis, and rationale for which our policies are founded. It is important that you read and discuss this Student Conduct Code with your son or daughter.

We look forward to a school year filled with learning, achievement and positive experiences for every child. We ask your cooperation to ensure that our students have a school environment that promotes the educational process both in academic growth and character development.

**VISALIA UNIFIED SCHOOL DISTRICT**



# Confidential Hotline / Helpline Number

## (559) 730-7999

Visalia Unified School District makes a point of stressing safety for our students and staff. The District has an established hotline for students or parents to use to provide confidential information that would help stop bullying, violence, alcohol, drugs, and weapons on campus. This hotline also supports students who don't know of other avenues to solve a problem.

The VUSD Hotline number is a direct call to the VUSD District Office between the hours of 8:00 AM and 5:00 PM, Monday – Friday.

# RIGHTS AND RESPONSIBILITIES

The District expects students to make good use of learning opportunities by demonstrating regular attendance, appropriate conduct and respect for others. The District also respects the rights of students to express themselves and engage with the curriculum in a manner that is not disruptive to the learning environment or infringes on the rights of others. The following is a non-exhaustive list of the rights and responsibilities that are evident on school campuses:

## RIGHTS OF STUDENTS

- To receive a public education.
- To attend school in a secure academic and social climate, free of fear and violence.
- To enjoy the full benefit of their teachers' efforts.
- To have ready access to a designated counselor and administrator.
- To examine personal records upon reaching the age of sixteen or completing the 10th grade.
- To be fully informed of school rules and regulations.

## RESPONSIBILITIES OF STUDENTS

- To attend school and classes regularly and on time.
- To be prepared for class with the appropriate materials and work.
- To know and obey school rules and regulations.
- To respect the rights of school personnel, fellow students, and the public in general.
- To demonstrate pride in the appearance of school buildings and grounds.

## RIGHTS OF PARENTS

- To expect that their children will spend their time at school in a safe, inclusive, and stimulating atmosphere engaged in productive activity under the care and direction of dedicated staff.
- To have assurance that school personnel will work with them in a mutually supportive and respectful partnership.
- To be informed of District policies and regulations and school rules.
- To review their child's records.

## RESPONSIBILITIES OF PARENTS

- To visit school periodically to participate in conferences with teachers, counselors, or administrators regarding the academic and behavioral status of their children.
- To provide support at home by making sure that children have enough sleep, adequate nutrition, and appropriate clothing before coming to school.
- To assist their children understand the academic and conduct standards of school.
- To offer productive feedback on District and school policies, regulations, and programs.
- To provide the school with current contact information which may help the school to serve their children.
- To become familiar with District policies and regulations and school rules.
- Ensure their children have good attendance and arrive on time.

## RIGHTS OF TEACHERS

- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative support to ensure a safe classroom for the teacher and their students.
- To teach with minimal interruptions.
- To enjoy respectful and courteous treatment by students and other staff.

## RESPONSIBILITIES OF TEACHERS

- To consider the personal worth of each individual student as a single, unique, important human being.
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To teach students about accountability for their actions using age-appropriate disciplinary measures and alternative means of correction that are tailored to correct a student's specific misbehavior.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased, and fair manner.
- To keep parents and students informed with timely or periodic reports about the student's school experience.
- To be receptive to critique and welcoming of praise, with the objective of an ever growing professional stature.
- To manage the classroom environment consistent with District policies and school rules.



## **RIGHTS OF SUPPORT STAFF**

- To expect and receive the attention, effort, and participation of the students they are supporting.
- To have parental and administrative support to ensure a safe classroom for the teacher, support staff and students.
- To support learning with minimal interruptions.
- To enjoy respectful and courteous treatment by students and other staff.

## **RESPONSIBILITIES OF SUPPORT STAFF**

- To consider the personal worth of each individual student as a single, unique, important human being.
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To support students in accountability for their actions using age-appropriate disciplinary measures and alternative means of correction that are tailored to correct a student's specific misbehavior.
- To be receptive to critique and welcoming of praise, with the objective of an ever growing professional stature.
- To support the classroom environment consistent with District policies and school rules.

## **RIGHTS OF ADMINISTRATORS**

- To initiate actions necessary to maintain a productive, healthy, safe, and inclusive environment in which optimum learning and teaching conditions prevail.
- To make decisions on all issues confronting schools, primarily on the basis of what is best for the students.
- To manage the operations of District schools with input and cooperation from students, parents, and teachers.
- To expect that all school teachers recognize and fulfill their role as educators and other employees provide support and enhance the educational program.

## **RESPONSIBILITIES OF ADMINISTRATORS**

- To provide leadership that will establish, encourage, and promote good teaching and effective learning.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship and civil discourse among the students.
- To request assistance from the District's support services, community agencies, and other relevant resources to assist students access their education.
- To assess divergent ideas, opinions, and expressions from students, staff, and parents objectively and deal with them in a balanced, unbiased, and fair manner.

# DRESS AND GROOMING

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and administrative regulations.

It is the responsibility of students and parents/guardians, with the cooperation of the school, to maintain an acceptable standard of dress. General campus and classroom dress should be neat, clean and not disruptive to the learning environment. All students should be able to dress appropriately and comfortably for school without fear of unnecessary discipline or fear of displaying their body in front of others when the dress code is enforced. An individual student's clothing should not be regulated based on another student or staff member's personal perspective or discomfort but should instead be regulated to prevent a student's attire from interfering with their or any other student's health or safety, and to ensure that student attire does not contribute to a hostile or intimidating atmosphere for any student.

*(cf. 0420 - School Plans/Site Councils)*

The following guidelines shall apply to all regular school activities for grades K- 12, and includes clothing and where applicable, jewelry and other personal items (e.g., backpacks, fanny packs, gym bags, water bottles, etc.):

1. Students must wear appropriate bottoms, tops, and shoes must be worn at all times. Students may wear pants; fitted pants, including leggings, yoga pants, and "skinny jeans"; sweatpants; ripped jeans, as long as underwear is not exposed; athletic attire; shorts; skirts; and dresses. Tops must reach the waistband of bottoms, regardless of arm position. When students are sitting or standing, clothing must cover underwear, genitals, buttocks, and areolae/nipples with opaque material. Shoulders must be covered with at least a non-undergarment strap of clothing, unless it is formal attire for a school-sponsored event. (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)
2. Students cannot have clothing or personal items on campus with:
  - a. Violent language or images.
  - b. Images or language depicting vaping, drugs, or alcohol (or any illegal item or activity) or the use of same
  - c. Clothing, jewelry, personal items (backpacks, fanny packs, gym bags, water bottles etc.), shall be free of writing, pictures or any other insignia which is vulgar, lewd, obscene, profane or sexually suggestive, or which promotes the use of drugs, alcohol, tobacco, violence, illegal activity, which advocate racial, ethnic, religious or sexual orientation prejudice, or which constitute hate speech as defined in BP 5145.9 – Hate-Motivated Behavior.
  - d. Profanity
  - e. Pornography
  - f. Images and/or language that creates a hostile or intimidating environment based on any protective class. Religious messages may not be singled out for suppression, but shall be subject to the same rules that apply to comparable non-religious messages. Students with any tattoo in violation of this regulation that creates a hostile or intimidating environment based on a protective class may be required to wear clothing or other types of coverings over the tattoo to ensure an appropriate and safe learning environment for all students.
  - g. Helmets, hoods, or other headgear that obscures the face (except as a religious observance)

*(cf. 5145.9 – Hate-Motivated Behavior)*

3. Students may wear sun-protective clothing, including hats, caps, beanies, durags, and other head coverings shall not be worn indoors/outdoors. Students shall be allowed to wear sun- protective clothing, including but not limited to hats and hats with the school logo, for outdoor use during the school day. (Education Code 35183.5) Students without religious accommodations must remove headwear when indoors in the classroom. Helmets, hoods, headphones, or other headgear that obscures the face or ears (except as a religious observance) are not allowed except as required by law, including religious observance and disability accommodation, or as necessary for the educational or athletic activity.
4. Clothes shall be sufficient to conceal undergarments at all times and worn in a manner that does not disrupt the learning environment. See-through tops, bare abdomens, and pants worn in a manner so they sag to show underwear are prohibited. Leggings are permitted as long as no part of the leggings are see-through.
5. Attire or accessories, that could be considered dangerous or which may be used as a weapon, are not allowed. This includes, but is not limited to chains, wallet chains, and items with spikes or studs.

6. Sunglasses shall not be worn in school buildings unless there is a physician's letter on file specifying the need or the need is specified in a student IEP.

Students shall be provided, as necessary, access to alternative clothing when their dress and grooming violates the above regulations.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. When wearing particular attire, such as yarmulkes, head scarves, hijabs, patkas, or other clothing or jewelry associated with their religion or containing a religious message during the school day, schools generally may not prohibit the wearing of such items, unless it is likely to cause a substantial disruption of, or interference with, the orderly operation of the school. Students desiring to attend school with a kirpan should consult with school officials to ensure that the wearing of a kirpan complies with applicable laws restricting knives on school grounds while also accommodating as best as possible the student's sincerely held religious belief. If a student's religious attire could cause a safety hazard in a particular activity, an alternative activity shall be substituted for that student.

## Gang-Related Apparel

At individual schools that have a board approved dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 35294.1)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed periodically. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

## Dress Code Enforcement

To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement.

- Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined above. Students in violation of the dress code will be provided three (3) options to be dressed more to code during the school day:
  - o Students will be asked to put on their own alternative clothing, if already available at school, to be dressed more to code for the remainder of the day.
  - o Students will be provided with temporary school clothing to be dressed more to code for the remainder of the day.
  - o If necessary, students' parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, cultural or religious identity, household income, body size/type, or body maturity.
- School staff shall not enforce the school's dress code more strictly against transgender and gender nonconforming students than other students.
- Students should not be required to display their body in front of others (students, parents, or staff) in school during dress code enforcement by staff. This includes, but is not limited to, staff instructing students to:
  - o Kneel or bend over to check attire fit;
  - o Measure straps or skirt length;
  - o Answer questions to account for their attire in the classroom or in hallways in front of others;

These dress code guidelines shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances and prom.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact the Administrator of Equity & Student Services or file a report using the District's Student Reporting System.

# STUDENT BEHAVIOR AND DISCIPLINE

The District is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and will help prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The District believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Discipline (i.e. teaching and responding to student behavior) occurs along a continuum in schools; beginning with universal school-wide preventative strategies to ensure daily civility to best practices for alternative means of correction to formal school/district consequences. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement age-appropriate disciplinary strategies. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn. Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies.

NOTE: Individual schools may have their own unique rules governing certain student behavior due to the age of students present, and other factors necessary to protect the health and safety of the school's students. These unique school rules must be designed in cooperation with teachers, students, and parents/guardians and approved by the Board. In particular, dress code policies may be modified by each school site but shall still be consistent with Board Policy and Administrative Regulation 5132 and reviewed by the Board. We expect further changes to these policies and school site rules over the course of the 2021-2022 school year as various task forces are being conducted to consider implementation of existing dress code rules and possible modifications. Parents and students will be notified as soon as the changes become effective.

## Grounds for Discipline

Student conduct – whether occurring on school grounds, during lunch on or off campus, while going to or from school, at a school function, or off campus if it is reasonably likely to cause, or causes a substantial disruption of school activity – may result in a teachable moment, alternative means of correction, or formal disciplinary depending on the circumstances. Disciplinary measures may include: alternative means of correction, detention, suspension, and/or expulsion. Suspension and/or expulsion shall be imposed only when (1) other means of correction have failed to bring about proper conduct; (2) the student's presence causes a danger to themselves or others; and/or (3) as required or permitted by law. Specific details of the procedures and due process rights following suspension and/or recommended expulsion from school are provided in Board Policy and Administrative Regulations 5144, 5144.1, and 5144.2.

### INDIVIDUAL SEARCHES

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Board Policy 5145.12 (a) – Search and Seizure/Administrative Regulation 5145.12(b) – Search and Seizure

## Disciplinary Strategies

Disciplinary strategies include informal classroom management techniques to keep students engaged in the task at hand. However, more extensive disciplinary strategies may be required such as, but not limited to, the following:

1. Discussion or conference between school staff and the student and their parent(s)/guardian(s);
2. Referral of the student to the school counselor or other school support service personnel for case management and counseling;
3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians;
4. When applicable, referral for a comprehensive psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan;
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 school day on campus;
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably;
9. Participation in a program that is sensitive to the trauma experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner;
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups;
11. Recess restrictions, subject to the following conditions:
  - a. The teacher shall have tried other disciplinary measures first;
  - b. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate;

- c. The student shall remain under a certificated employee's supervision during the period of restriction;
  - d. Teachers shall inform the principal of any recess restrictions they impose;
12. Detention after school hours, up to one hour after the close of the maximum school day, or until the departure of school transportation to which the student has been assigned unless the principal has provided parents/guardians with at least one day advance notice so alternative transportation arrangements may be made;
  13. Community service during non-school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds;
  14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities;
  15. Reassignment to an alternative educational environment; and,
  16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation.

## Suspension

Except when a student's act violates Education Code 48900(a)-(e), or when their presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6) Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

"Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. Suspensions may be made by a teacher, the Superintendent, principal or principal's designee.

Reinstatement meetings will be held for any suspension. Students must meet with administration (or administrative designee) prior to their return to their normal school schedule. During this meeting, the student, parents and administrator (or administrator design) will review the student's completed reflection packet. An intervention plan will be developed to support the student and emailed to all necessary stakeholders (intervention plans are informal plans for success, which may include Tier II supports). Follow up meeting to be held 4-6 weeks following original reinstatement meeting.

### Suspension by Teacher

A teacher may suspend a student, including grades K-3, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 listed under the "Grounds for Suspension" section below. (Education Code 48910) However, before suspending the student from the classroom, the teacher must implement alternative means of correction unless the student has committed an offense of Education Code section 48900, subdivisions (a) through (e). If the student has been suspended before, or if after alternative means of correction have been previously attempted and the student commits another disciplinable offense, the teacher must answer the following questions:

1. Have other interventions failed to bring about proper conduct/change behavior?
2. Does the student's presence in class create a major disruption?
3. Is the student unwilling to comply with alternative interventions?

If the answer is yes to 1 or more of these questions, then the violation may warrant a suspension from class, and evidence of the "yes" answer must be noted.

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended.

The duration of the suspension shall not last more than 2 days, or if sooner, until an intervention is put in place to address the identified area(s) of concern.

A reinstatement meeting will be attempted for all suspensions by a teacher. As soon as possible following the suspension by the teacher, the teacher shall ask the parent/guardian of the pupil to attend a parent/teacher conference regarding the suspension. If an in-person conference cannot be arranged, a telephone conference may be substituted. A school administrator shall attend the conference if the teacher or parent/guardian so request. During this meeting, the student, teacher and administrator will review the students completed reflection packet, and discuss a plan for success (possible Tier II Supports). Follow up meeting to be held 4-6 weeks following original reinstatement meeting.

The student shall not be returned to the class during the period of suspension by teacher without the concurrence of the teacher and the principal/designee. A student suspended from a class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal.



A teacher's suspension under Education Code section 48910 shall count towards the restrictions on days of suspension under Education 48903, and should be considered by IEP teams and 504 teams when determining whether a "change in placement" should be considered and whether a manifestation determination review is needed. (34 CFR 300.536; 34 CFR 300.530)

## **Suspension by Superintendent, Principal, Principal's Designee**

Students suspended by administrators or the Board from school shall not report to school during the period of suspension, unless by prior arrangement with a school administrator. A suspended student is expected to be under the supervision of a parent during school hours when serving suspension days at home. (7:00 a.m. - 4:30 p.m.) Additionally, during this time, the student is not to attend any school event or be on any school campus during suspension.

The responsibility of obtaining and doing classwork during a suspension lies with the student. (Parents may contact the teacher to obtain classwork.) The teacher may require the student to complete any assignments and tests missed during the suspension. The student shall not be denied the opportunity to make up work. (Grades 9-12) For 1 to 2 scheduled days of removal from his/her educational schedule, the student should communicate with teacher regarding class work. For 3 to 5 scheduled days of removal from his/her educational schedule, the school will coordinate and communicate regarding class work.

1. Does the student's attendance at school present an imminent endangerment to the physical, emotional or mental safety of specific students(s)/staff?
  - Did the student express credible intent to harm specific student(s) or staff member(s)?
  - Did the student cause bodily injury to another individual(s)?
  - Did the student cause mental or emotional distress to another individual(s) that interfered with the targeted individual(s)'s ability to participate in school activities?
  - Does the conflict/issue remain unresolved?
  - Are drugs and/or weapons involved?
  - Does the targeted individual(s) express an ongoing fear of intimidation by the student?
  - Are there other means of correction that will address the behavior?
2. Has the student caused chronic or extreme interruption to other students' participation in school activities, and were prior interventions attempted?
  - Does the student's behavior disrupt school activities for a considerable number of students?
  - Did the interruption prevent the routine functioning of school activities for a significant amount of time?
  - Is it likely that the student will continue to severely disrupt other students?
  - Does the issue remain unresolved?
  - Have reasonable interventions been attempted with fidelity by multiple staff members (i.e., restorative practices and de-escalation strategies)?
  - Are there other means of correction that will address the behavior?

## **Inappropriate Student Behaviors/Conduct Violations**

Inappropriate student behavior occurs along a continuum, ranging from behaviors that are ineffective or inappropriate and best addressed by teachers and other staff through re-teaching and reflection; to illegal, dangerous, and/or seriously disruptive behaviors that require the removal of a student from the learning environment and more formal administrative consequences. The section below specifies the types of inappropriate student behaviors that warrant both interventions and consequences. Behaviors are listed in six groups, according to the degree of disruption or potential danger posed in the learning environment.

**Group 1 lists behaviors that are inappropriate/class-managed.**

**Group 2 lists behaviors that are disruptive, but likely not dangerous.**

**Group 3 lists behaviors that are seriously disruptive, and/or possibly dangerous.**

**Group 4 lists behaviors that are very seriously disruptive and/or dangerous.**

**Group 5 lists behaviors that are most seriously disruptive and/or dangerous.**

**Group 6 lists behaviors that are illegal and most seriously disruptive and dangerous.**

## Group 1

Interventions & Consequences: assign appropriate reflective, restorative and instructional response. This may require teaching, support, and intervention provided by the classroom teacher or support staff member; including but not limited to: re-teaching expectations, providing choice, restorative conferencing, task/activity modifications, peer supports, environmental adjustments & accommodations, parent contact, behavioral response changes, restitution, etc. Documented as class/staff-managed incident to facilitate proactive support and prevent reoccurrence.

Cut: Student leaves or fails to report to a designated school campus location (e.g. classroom); and does so without permission and/or staff consent.

Defiance/Non-compliance: Student engages in brief, low intensity, and/or low frequency failure to follow directions or school/classroom expectations.

Disrespect: Student delivers brief, low intensity, and/or infrequent socially rude or dismissive verbal and/or nonverbal messages to adults or students.

Disruption: Student engages in brief, low intensity or infrequent verbal or physical disruption of the learning environment or school activity.

Dress Code Violation: Student wears clothing that does not adhere to the dress code guidelines defined by the District Code of Conduct.

Electronic Device Violation: Student engages in brief, low intensity or infrequent inappropriate use of cell phone, music/video players, camera, and/or computer.

Inappropriate Language/Gesture: Student engages in brief, low intensity or infrequent use of inappropriate language and/or nonverbal gesture.

Inappropriate Social Interaction: Student engages in brief, low intensity or infrequent inappropriate verbal or non-verbal behavior, including but not limited to: intimidation, teasing, taunting, threats, and/or exclusion; which results in limited and/or brief physical, social, emotional, and/or academic harm to another individual(s).

Academic Dishonesty/Lying: Student is dishonest in their words or actions; or the student has signed a person's name without that person's permission, claims someone else's work as their own, or is dishonest in the work they produce.

Off Task/Refusal to Participate: Student continues to engage in behavior unrelated to currently assigned learning activities and/or refuses to engage in expected and required tasks and learning activities.

Physical Contact: Student engages in brief, low intensity or infrequent inappropriate physical contact that results in little to no physical harm to another individual(s).

Property Misuse: Student engages in brief, low intensity or infrequent misuse of property that results in limited damage or needed repair, if any.

Property Misconduct: Student takes an item that does not belong to them (possible first offense, low value item that can be returned).

## Group 2

Interventions & Consequences: assign appropriate reflective, restorative and instructional response. This may include utilizing alternative means of correction (see 'disciplinary strategies'). When possible, interventions and consequences that do not exclude the student from regular school participation should first be considered. Documented as office/admin.-managed incident to facilitate proactive support and prevent reoccurrence.

Willful Defiance or Disruption of School Activities {E.C. 48900(k)(1)}\*\* Note: With the exception of classroom suspensions imposed by a teacher under Education Code 48910, no student K-12 may be suspended for violation of Education Code 48900(k)(1). Additionally, no student enrolled in kindergarten through grade twelve, regardless of age, may be recommended for expulsion for violation of Education Code 48900(k)(1). [E.C. 48900(k)(2)]

Willful defiance is defined as: when a student's conduct, presence or actions disrupts or threatens to disrupt normal district or school operations, threatens the health or safety of anyone on district or school property, or causes or threatens to cause damage to district property or to any property on school grounds.

Examples include, but are not limited to:

1. Classroom behavior that impedes a teacher's ability to teach and other students' ability to learn,
2. student talking loudly or making other distracting noises or gestures while a teacher is speaking to and instructing the class and when students are expected to be silent and attentive.
3. The intentional activation of the fire alarm causing the temporary evacuation of the school and/or causing emergency personnel to respond.

Willful disruptions is defined as: when a student defies the valid authority of a district or school official or district or school staff in a manner that has an impact on the effective or safe functioning of district or school operations, such as

1. Continuing to remain at the scene of a fight or to instigate a disturbance after being told to stop the subject behavior. Repeated disobedience to or defiance of school personnel when other interventions have not been successful in modifying the misbehavior.
2. One-time or first-time disobedience to or defiance of school personnel that has an impact on the effective or safe functioning of district or school operations.

Examples include, but are not limited to:

1. Continuing to remain at the scene of a fight or other violent disturbance despite specific directions to leave the area by administrators or other school staff attempting to break up the fight or mitigate the disturbance caused by the fight.
2. Repeated episodes of misbehavior, despite multiple efforts and/or directives by a classroom teacher or other district staff intended to change and correct the student's misbehavior.

Additional examples:

1. Disrupting school activities.
2. Refusing to follow the valid authority of school personnel, including supervisors, teachers, school officials or other school staff performing their duties.
3. Failure to follow school rules.
4. Failure to follow directive or instruction of staff or teachers.
5. Failure to follow conduct code for school bus passengers.

## Group 3

Interventions & Consequences: assign appropriate reflective, restorative and instructional response. This may include 1-2 day suspension or alternative means of correction (see 'disciplinary strategies'). Documented as office/admin.-managed incident, using appropriate state code to facilitate targeted support and prevent reoccurrence.

Acts of Violence {E.C. 48900(a)}: (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

Damage to Property {E.C. 48900(f)}: Caused, or attempted to cause damage to school or private property.

Theft or Stealing {E.C. 48900(g)}: Stealing, or attempting to steal school or private property.

Possession and use of Tobacco/Tobacco products {E.C. 48900(h)}: Products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.

Profanity, Obscene Acts, Vulgarity {E.C. 48900(i)}: (1) Directed at peers. (2) Directed at school personnel.

Drug Paraphernalia {E.C. 48900(j)}: Possessed, offered, arranged, or negotiated to sell any drug paraphernalia.

Possession of Stolen Property {E.C. 48900(l)}: Knowingly received stolen school property or private property.

Harassment of a Student Witness {E.C. 48900(o)}: Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.

Prescription Drug Soma {E.C. 48900(p)}: Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

**\*\*Law enforcement MUST be notified**

Hazing {E.C. 48900(q)}: Engaged or attempted to engage in hazing.

Bullying and Bullying by Electronic Act {E.C. 48900(r)}: Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, directed specifically toward a pupil.

Aided or Abetted to Inflict Physical Injury {E.C. 48900(t)}: Aided or abetted in the infliction or attempted infliction of physical injury to another student.

Sexual Harassment {E.C. 48900.2}: Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Applies to grades 4-12.

Acts of Hate Violence {E.C. 48900.3}: Students in grades 4-12 may be suspended or recommended for expulsion for causing, threatening, or attempting to cause, or participating in an act of hate violence defined as willfully interfering with or threatening another person's person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation. Speech that threatens violence, when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence.

Other Harassment {E.C. 48900.4}: Students in grades 4-12 may be suspended or recommended for expulsion for intentionally engaging in harassment, threats, or intimidation against a student or group of students when the harassment is severe and pervasive and disrupts classes or creates disorder or an intimidating or hostile educational environment.

Terrorist Threats {E.C. 48900.7}: Making terrorist threats against school officials and/or property.

## Group 4

Interventions & Consequences: possible 1-3 day(s) suspension (first offense) 3-5 days suspension (repeated offense) and/or consideration of expulsion recommendation (discretionary). Note: 5 day suspension required for all recommended expulsions. Documented as office/admin.-managed incident, using appropriate state code, to facilitate appropriate reflective, restorative and instructional response and prevent reoccurrence. The recommendations for expulsion shall be based on one or all of the following:

1. Other means of correction are not feasible.
2. Other means of correction have repeatedly failed to bring about proper conduct.
3. Due to the nature of the act, the presence of the student causes a continuous danger to the pupil and/or others.

Acts of Violence {E.C. 48900(a)}: (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

Weapons and Dangerous Objects {E.C. 48900(b)}: (1) Possession, sale, or furnishing of weapons (knife, gun, sharp object, club, or an object that could inflict injury) or explosive. (2) Explosives, use or possession.

**\*\*Law enforcement MUST be notified**

Drugs and Alcohol {E.C. 48900(c)}: (1) Possession, use, sale, or furnishing, or otherwise being under the influence of alcohol, controlled substances, or an intoxicant.

**\*\*Law enforcement MUST be notified**

Sale of "Look-Alike" Controlled Substance or Alcohol {E.C. 48900(d)}: Offering, arranging, or negotiating to sell drugs, alcohol or any intoxicant and then substituting a look-alike substance intended to represent drugs, alcohol, or an intoxicant.

**\*\*Law enforcement MUST be notified**

Robbery or Extortion {E.C. 48900(e)}: Committed or attempted to commit robbery or extortion.

Damage to Property {E.C. 48900(f)}: Caused, or attempted to cause damage to school or private property.

Theft or Stealing {E.C. 48900(g)}: Stealing, or attempting to steal school or private property.

Profanity, Obscene Acts, Vulgarities {E.C. 48900(i)}: (1) Directed at peers. (2) Directed at school personnel.

Drug Paraphernalia {E.C. 48900(j)}: Possessed, offered, arranged, or negotiated to sell any drug paraphernalia.

Possession of Stolen Property {E.C. 48900(l)}: Knowingly received stolen school property or private property.

Imitation Firearm {E.C. 48900(m)}: Possession of an imitation firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.

Sexual Assault or Sexual Battery {E.C. 48900(n)}: Committed or attempted to commit a sexual assault or battery.

**\*\*Law enforcement MUST be notified**

Harassment of a Student Witness {E.C. 48900(o)}: Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.

Prescription Drug Soma {E.C. 48900(p)}: Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

**\*\*Law enforcement MUST be notified**

Hazing {E.C. 48900(q)}: Engaged or attempted to engage in hazing.

Bullying and Bullying by Electronic Act {E.C. 48900(r)}: Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, directed specifically toward a pupil.

Aided or Abetted to Inflict Physical Injury {E.C. 48900(t)}: Aided or abetted in the infliction or attempted infliction of physical injury to another student.

Sexual Harassment {E.C. 48900.2}: Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Applies to grades 4-12.



Acts of Hate Violence {E.C. 48900.3}: Students in grades 4-12 may be suspended or recommended for expulsion for causing, threatening, or attempting to cause, or participating in an act of hate violence defined as willfully interfering with or threatening another person's person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation. Speech that threatens violence, when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence.

Other Harassment {E.C. 48900.4}: Students in grades 4-12 may be suspended or recommended for expulsion for intentionally engaging in harassment, threats, or intimidation against a student or group of students when the harassment is severe and pervasive and disrupts classes or creates disorder or an intimidating or hostile educational environment.

Terrorist Threats {E.C. 48900.7}: Making terrorist threats against school officials and/or property.

## Group 5

Interventions & Consequences: 3-5 day suspension and/or consideration of expulsion recommendation (required). Note: 5 day suspension required for all recommended expulsions. Documented as office/admin.-managed incident, using appropriate state code, to facilitate appropriate reflective, restorative and instructional response and prevent reoccurrence.

The recommendations for expulsion shall be based on one or all of the following:

4. Other means of correction are not feasible.
5. Other means of correction have repeatedly failed to bring about proper conduct.
6. Due to the nature of the act, the presence of the student causes a continuous danger to the pupil and/or others.

E.C. 48915(a)(1) states than administrator (e.g. superintendent, superintendent's designee, principal or principal's designee) shall recommend expulsion for the following violations unless the administrator determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct.

1. Causing serious physical injury to another person except in self-defense.
2. Possession of any knife, or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any drug except for: 1) the first offense of possession of not more than one ounce of marijuana, or 2) for the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician.
4. Robbery or extortion.
5. Assault or battery upon a school employee.

## Group 6

Interventions & Consequences: required 5 day suspension and mandatory expulsion recommendation. Documented as office/admin.-managed incident, using appropriate state code, to facilitate appropriate reflective, restorative and instructional response.

Mandatory Expulsion {E.C. 48915(c)}

1. Possession, selling, or otherwise furnishing a firearm. However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.
2. Brandishing a knife.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or battery.
5. Possession of an explosive.

## SPECIAL NOTES:

### Academic Progress

Poor academic achievement is not an inappropriate behavior. The student conduct code and school rules may not be used to discipline students for poor academic progress or failure to complete in-class and homework assignments. Instead, struggling students should be considered for academic or behavioral interventions to help them improve. Also, students must not be disciplined for the parents/guardians' refusal to consent to the administration of medication.

### Dating Violence Statement

Any school employee who is notified by a parent, guardian or student, or who reasonably suspects that a student has been the victim of dating violence shall immediately report that information to the principal/designee. Dating violence is defined as violent, controlling, or intimidating behavior that an individual uses against a current or former dating partner. It can include emotional, physical and sexual abuse, stalking, yelling, harassing, threatening, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy and possessiveness. These allegations or suspicions should be reported to the Office of Equity and Student Services immediately.

The principal shall ensure that the student victim of dating violence receives appropriate support services in accordance with the U.S. Department of Education <https://www2.ed.gov/about/offices/list/oese/oshs/teendatingviolence-factsheet.html>

# EXPULSIONS

“Expulsion” means removal of a student from the immediate supervision and control or the general supervision of school personnel at any regular school or program in the Visalia Unified School District for a specific period of time. This is different than an involuntary student transfer, which is governed by Board Policy 5116.2.

With the exception of mandatory recommendations for expulsions noted below, the following questions will be reviewed when considering expulsion:

1. Does the student’s presence on campus poses a continuous danger to himself or others?
2. Have other interventions failed to bring about proper conduct/behavior change?
3. No other alternative means of correction are feasible, other than expulsion?

If the answer is yes to 1 or more of these questions, then the violation may warrant a recommendation for expulsion from school. Note a student may not be recommended for expulsion for a 48900k infractions K-12. Evidence should be provided to support the reason for your decisions.

While a student is out on suspension, the District will notify parents/guardians if their student is being recommended for expulsion. Parents/guardians will then be notified of a meeting to consider whether the student’s suspension will be extended pending an expulsion hearing. If the recommendation for expulsion is upheld, and an expulsion hearing is pursued, the parent/guard and student shall be notified at least ten (10) days in advance of an expulsion hearing from the District office. An expulsion hearing is conducted to determine whether expulsion is warranted.

## Mandatory Expulsion Recommendations

The principal or Superintendent shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a student that he or she determines has committed any of the following acts whether occurring on school grounds, during lunch on or off campus, while going to or from school, at a school function, or off campus if it is likely to cause a substantial disruption of school activity:

1. Possessing, selling, or furnishing a firearm;
2. Brandishing a knife at another person. “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade (E.C. 48915(g));
3. Unlawfully selling a specified controlled substance;
4. Committing or attempting to commit sexual assault or committed sexual battery; or
5. Possessing an explosive (federal definition).

A conduct violation involving any of these five (5) offenses requires a mandatory recommendation of an expulsion hearing without exception. (E.C. 48915(c).)

## Discretionary Expulsion Recommendations

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student’s expulsion for any of the following acts whether occurring on school grounds, during lunch on or off campus, while going to or from school, at a school function, or off campus if it is likely to cause a substantial disruption of school activity:

1. Causing serious physical injury (except in self-defense);
2. Possession of any knife or other dangerous objects of no reasonable use to the student;
3. Possession of drugs (except for first offense of possession of not more than one ounce of marijuana or the possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician);
4. Robbery or extortion; or,
5. Assault or battery upon a school employee.

(E.C. 48915(a).)

Upon recommendation by the principal or the Superintendent, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a student expelled upon finding that the student, whether the act occurred on school grounds, during lunch on or off campus, while going to or from school, at a school function, or off campus if it is likely to cause a substantial disruption of school activity, violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

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

(E.C. 48915(e).)

## PROCEDURES FOR SUSPENSION/EXPULSION HEARING

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension, if any, as required pursuant to Education Code 48900.5, 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. (E.C. 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (E.C. 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (E.C. 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (E.C. 48911)

This notice shall state the specific offense committed by the student. (E.C. 48900.8)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program, such as requiring the student to enroll in a program that teaches prosocial behavior or anger management, even while the student is suspended

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (E.C. 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement because the parent/guardian failed to attend the conference. (E.C. 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (E.C. 48911)

a.) Parents/guardians will be notified in advance that the District intends to hold a conference concerning the recommendation that the District pursue an expulsion against the student, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b.) The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process, then the suspension is extended pending the Board's decision in the action. (E.C. 48911)

c.) If the student involved is a foster youth, the Superintendent or designee shall notify the District liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (E.C. 48853.5, 48911, 48918.1)

d.) If the student involved is a homeless child or youth, the Superintendent or designee shall notify the District liaison for homeless students. (E.C. 48918.1)

6. Expulsion Hearing: Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation, unless otherwise allowed by law to hold the hearing at a later time. Parents may choose to waive the expulsion hearing. Due process will be accorded to the student with all rights to a hearing and is entitled to a fair process (E.C. 48918(a))

a.) Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (E.C. 48918(a)) An Administrative Panel shall conduct a hearing to consider the expulsion of a pupil in a session closed to the public unless the pupil or the pupil's parent or guardian request, in writing at least five (5) days prior to the date of the hearing, that the hearing be a public meeting. (E.C. 48918, subsections c, d) Within three (3) school days following the hearing, the Administrative Panel shall determine whether to recommend expulsion of the pupil to the Governing Board. (E.C. 48918, subsection e) The Governing Board shall make its decision about a pupil's expulsion within forty (40) school days after the date of the pupil's removal from his/her school of attendance for the incident for which the recommendation for expulsion is made by the principal or the Superintendent unless the pupil requests in writing that the decision be postponed. (E.C. 48918, subdivision (a).)

b.) Written notice of any decision of the Governing Board to expel or to suspend the enforcement of the expulsion order during a period of probation shall be sent by the Superintendent or designee to the student or the student's parents/guardians. The notice shall include notification of the right to appeal the expulsion to the county board of education, the education alternative placement to be provided during the time of expulsion, and the obligation of the parent, guardian, or student if emancipated or otherwise legally of age, upon the student's enrollment in a new school district, to inform that school district of the student's expulsion. (E.C. 48918, subsection j)

# STUDENT HARASSMENT, DISCRIMINATION, AND BULLYING

(Prohibited by Law and by District Board Policy 5131.2, 5145.3, 5145.7 and 5145.9)

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

## VISALIA UNIFIED SCHOOL DISTRICT'S BOARD POLICIES:

1. Prohibit harassment, discrimination, hate speech, and bullying toward another individual or group of individuals by any employee, student, or other person employed by the District.
2. Expect students and staff to immediately report incidents of harassment, discrimination, or bullying to a site administrator or to another District administrator.
3. Each site administrator has the responsibility of maintaining an educational and work environment free of harassment, discrimination, and bullying.
4. Each harassment, discrimination, and bullying complaint shall be promptly investigated in a way designed to respect the privacy of all parties concerned. This responsibility includes discussing this policy with students and employees and assuring them that they NEED NOT endure insulting, degrading, exploitative treatment, or any other form of harassment, discrimination and bullying, even if the behavior does not rise to the level of unlawful harassment, discrimination, or bullying.

## Examples Of Harassment

Harassing conduct may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. When such harassment is based on an actual or perceived protected characteristic, it rises to the level of discriminatory harassment.

**Forms of harassment (BP 5145.3) include, but are not limited to, the following:**

1. **Verbal Harassment** – Derogatory comments, jokes, or slurs; graphic verbal abuse of a racial or sexual nature; comments about an individual's body/dress, sexual preferences, sexual conduct, sexual orientation, or gender preference; racial/sexual degrading words used to demean, label, or describe an individual; or spreading sexual rumors.
2. **Physical Harassment** – Unnecessary or offensive touching, or impeding or blocking movement.
3. **Visual Harassment** – Derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures; suggestive or obscene letters, notes, or invitations; the display in the educational environment of or sexually suggestive objects or racially derogatory pictures.
4. **Sexual Favors** – Unwelcome sexual advances, requests for sexual favors, unwelcome sexual flirtations, or propositions.
5. **Retaliation** – The District prohibits retaliatory behavior against any complainant.
6. **Electronic Harassment** – The use of text messages, email, internet postings such as on social media to make libelous, degrading, hateful, hurtful, or any type of derogatory remark about a student or staff member.



## HATE SPEECH

The governing board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other immutable physical or cultural characteristic (BP 5145.9).

Hate speech is defined as abusive, threatening, insulting or intimidating speech, writing or symbols directed or targeted at another individual or group of individuals, which (1) infringes on their right to be secure or left alone at school; and, (2) which expresses prejudice against a particular group motivated by hostility towards the other individual's real or perceived characteristics, including, but not limited to, race, religion, ethnicity, national origin, sex, disability, sexual orientation, or gender identity.

A student's use of hate speech shall be considered prohibited discrimination and a hate-motivated act, communicating a message or hate, intolerance, and discrimination due to the tension these words create, the actual or reasonably foreseeable substantial disruption they cause to the educational environment, and the negative psychological impact they have on other students.

Any student who uses hate speech should first be counseled about the use of hate speech, the history and social ramifications of the speech, and warned that messages of hate, intolerance, and discrimination are unacceptable at school and, if continued, could lead to further discipline, including possible suspension or expulsion.

## BULLYING

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 priority and shall not tolerate bullying of any student. No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel. (BP 5131.2) Students and parents/guardians may report bullying behavior to any school personnel or utilize the confidential hotline, (559) 730-7999.

School personnel receiving and investigating complaints of bullying, including those based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics, must adhere to the following guidelines:

- School Personnel who witness such acts take immediate steps to intervene when safe to do so;
- Coordinate assistance with the investigation of the incident and interim measures with the school's administration team.
- Set a reasonable timeline to investigate and resolve complaints, including following timelines in accordance with BP/AR 1312.3 – Uniform Complaint Procedures upon request by the student or parent, or as deemed necessary by staff; and
- Provide an appeal process for the complainant if the complainant disagrees with the resolution.

The District recognizes that bullying may occur at a lower standard than which is disciplinable but is still abhorrent to everyday civility. The District desires to utilize classroom management techniques and alternative means of correction to create teachable moments about bullying behavior that does not rise to the level of suspension or expulsion.

Complaints and reports of harassment, discrimination, bullying, and hate-motivated behavior should be reported to the school administration team (e.g. principal, assistant principal) at each school site, who are responsible for investigating and resolving such complaints, and coordinating with the District's Uniform Complaint Procedures compliance officers. It is the responsibility of the school site administration to promptly and appropriately respond to verbal and written complaints.

Certain symbols or slur words will be interpreted to be communicating a message of hate, intolerance, and discrimination against an individual of a protected class. Discipline will be enforced unless other means of correction would address the issue and after a thorough investigation has taken place to analyze the student's intent and viewpoint on a case-by-case basis. All matters regarding hate speech, intolerance, and/or discrimination will be referred to the Office of Equity and Student Services.

## **COMPLAINT PROCESS**

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff members. Reports can also be made directly from PowerSchool using our student reporting system.

Please use this web address/link below on how to make a report using our student reporting system.

<https://youtu.be/sRByKyigDgU>

Complaints and reports of harassment, discrimination, bullying, and hate-motivated behavior should be reported to the school administration team (e.g. principal, assistant principal) at each school site, who are responsible for investigating and resolving such complaints, and coordinating with the District's Uniform Complaint Procedures compliance officers. It is the responsibility of the school site administration to promptly and appropriately respond to verbal and written complaints.

Any staff member who is notified that harassment, discrimination, bullying, and/or hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the school's administration team (e.g. principal or assistant principal) who may then contact the district's compliance officer responsible for coordinating the district's investigation response to complaints and complying with state and federal civil rights laws. As appropriate, the administrator shall also contact law enforcement. It is the responsibility of the school site's administration team to promptly and appropriately respond to hate-motivated behavior while coordinating with the District's compliance officer.

## **TITLE IX COORDINATOR FOR SEXUAL HARASSMENT**

The District's Administrator of Equity and Student Services serves as the Title IX Coordinators to investigate and resolve sexual harassment complaints under AR 1312.3 – Uniform Complaint Procedures.

The Title IX Coordinator may be contacted at:

Address: 5000 W. Cypress Avenue, Visalia, CA 93277

Phone: (559) 730-7300

Email: [studentservices@vusd.org](mailto:studentservices@vusd.org)

# STUDENT USE OF TECHNOLOGY

## (Board Policy 6163.4)

The Governing Board recognizes that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. Every reasonable effort shall be made to provide safe access to technological resources throughout the District's schools and classes and that students use technology at school in a responsible and proper manner.

Before a student is authorized to use the District's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. Student users of District technology shall have no expectation of privacy and understand that District staff may monitor or examine all system activities to ensure safe, responsible, and proper use of the system.

Students are authorized to use District equipment to access the Internet or other online services in accordance with Acceptable Use Agreement and/or Board Policy and Administrative Regulation 6163.4. Students who fail to abide by the Acceptable Use Agreement and/or Board Policy and Administrative Regulation 6163.4 may be subject to disciplinary strategies, revocation of the right to use technological resources, and/or legal action, as appropriate.

## Technological Resources - Internet Definition And Usage Risks

The Internet is one technological resource that students may have access to as part of the educational process. The following are some items that define what the Internet is today:

1. An information resource (news, library, art gallery, product support);
2. An educational resource (online textbooks and curriculum);
3. A public meeting place (social media);
4. A communications medium (voice/real-time audio & video, electronic mail);
5. A gateway for virtual field trips (visits to faraway places);
6. A market place; and,
7. An entertainment source.

As technology and culture changes, so does the Internet. What it looks like today is not necessarily what it will look like tomorrow. There are some risks involved when students are allowed to access the Internet. Known risks are as follows:

1. Websites that contain inappropriate content (like pornography, alcohol or drugs) for students or contain content that doesn't agree with one's views or beliefs (like politics, religion, or hate).
2. Websites that could lead to contact with undesirable persons.

The District cannot guarantee that a student will never access sites such as those mentioned above, but will minimize the likelihood of occurrence by the following:

1. Using electronic filtering to block access to age-inappropriate content or sites without educational value;
2. Reasonably supervising student activities during student use;
3. Using technology through guided lessons;
4. Monitoring use of District's systems for improper use without advance notice or consent; and,
5. Regularly reviewing practices for improvement

## Reminders And Guidelines For Safe And Effective Technology Use

1. Use appropriate language in your electronic communication. Remember that you are a representative of not only yourself, but also your school and community on a publicly accessible system. You may be alone with your computer, but what you say and do could be viewed globally.
2. Digital communications are never truly deleted. Know that everything that you put out on the Internet or other electronic systems is kept indefinitely – even after you hit the 'delete' button – and can be reviewed.
3. Remember that sharing personal information with strangers can result in unsafe conditions and unwanted intrusions of your privacy.
4. Take care of technology equipment and resources so it is in good condition and ready for other students. Use proper handling and storage methods.
5. Use accurate and descriptive titles for your documents and communication. Tell people what it is about before they read it.
6. Target your communications appropriately. Use the appropriate audience for your message, not the widest.
7. Be brief and to the point with your communication. Shorter messages are more often read completely and understood better.
8. Make sure your documents and communication use correct spelling and grammar. Forgive the spelling and grammatical errors of others.
9. Remember that humor and satire are often misinterpreted.
10. Cite references for facts you present.
11. Remember that we all make mistakes. Don't attack other's writing; persuade them with facts.

## RESPONSIBLE SOCIAL MEDIA USE

Stop & Think. Before you hit send, post, or share; think about what you want: respect and acceptance, positive relationships, team participation, leadership activities, graduation, a certain job, college, scholarships, and more. All of this can be lost because of a hateful, violent, sexual or illegal post, text or comment. Your teachers, administrators and support staff want better for you than school consequences or criminal charges. During a time when you see anger, hurt, and frustration played out in the world around you, stop and consider how you might be smart on social media and show kindness and empathy towards others. One moment can change your life forever.

Board policy related to harassment, discrimination, bullying, and hate-motivated behavior (BP 5131.2, 5145.2, 5145.3, 5145.9) shall also apply to off-campus speech, including expression on off-campus internet web sites, when the speech has some nexus to the school or is reasonably foreseeable to reach the school, and the speech substantially disrupts or materially interferes with the school environment or activities, causes an administrator to reasonable forecast that it will cause a substantial disruption of or material interference with the school environment or activities, or collides with the rights of students to be left alone in the school environment.

# CLASSROOM CITIZENSHIP EXPECTATIONS AND CONSEQUENCES

## Overview

It is one of the school's duties to assist parents in helping students develop responsible attitudes and behavior. This means teaching students the principles of equality, human dignity, mutual respect, fairness, and honesty. These attributes are what defines citizenship. Citizenship is not only important for students to learn how to live as an adult, but also to prepare them for their higher education and careers.

## The Citizenship And Effort Mark

Students in grades 9-12 will receive a citizenship and effort mark from each of their classroom teachers. The mark will be based solely on the citizenship and effort displayed in each teacher's classroom. Students in grades 9-12 may receive a mark of "outstanding," "satisfactory," "needs improvement" or "unsatisfactory" based on the criteria set forth below, and in District Board policy and regulation 5121(c,d).

Criteria for determining citizenship marks for students in grades 9-12 may include but are not limited to:

1. Student obeys rules.
2. Student respects public and personal property.
3. Student maintains courteous, cooperative relations with teachers and fellow students.
4. Student works without disturbing others.

Criteria for determining grades for effort may include but are not limited to:

1. Student takes responsibility for having necessary tools and materials.
2. Student shows interest and initiative.
3. Student goes to work immediately, and completes assignments.
4. Student uses free time resourcefully.

Students in grades 7-8 will receive two (2) citizenship marks from each of their classroom teachers. The marks will be based on two areas: classroom behavior and completion of class and homework. Students in grades 7-8 may receive rubric scores of 4 (outstanding/exceeds standard, 3 (satisfactory/meets standard), 2 (needs improvement/approaching standard), and 1 (unsatisfactory/not meeting standard), based on the rubric set forth below, and in District Board policy and regulation 5121.2(d).

Unsatisfactory/Not Meeting Standard (1)	Needs Improvement/ Approaching Standard (2)	Satisfactory/Meets Standard (3)	Outstanding/Exceeds Standard (4)
Rarely completes or turns in documents when due.	Occasionally turns in complete or partially completed documents when due.	Turns in completed documents when due.	Submits completed documents on time and shows a willingness to revise and redo assignments to improve score.
Frequently is disrespectful of people and/or property.	Fails to show respect for people and property.	Shows respect for people and property.	Is respectful and helpful to classmates and handles property with care.
Lacks an interest in learning.	Shows moderate interest in learning.	Shows a high interest in learning and a strong work ethic.	Maintains a high interest in learning and is willing to work hard to accomplish difficult tasks or to master difficult concepts.
Is disorganized and unprepared for class.	Fails to always be prepared and organized for class.	Is always prepared and organized for class.	Is well prepared for class and maintains personal organization to ensure that class requirements can be met.



Excessive tardiness and/or absences interfere with academic success.	Irregular attendance and/or frequent tardiness affect academic success.	Attends school and class regularly and on time.	Attends school and class regularly and on time and is willing to work outside of the regular school day to improve performance and master concepts
Rarely completes or turns in classroom work.	Fails to always complete classroom work.	Classroom work completed in a timely manner.	Completes classroom work in a timely manner and maintains an academic focus in class.

Students in grades TK-6 will receive four (4) citizenship marks from their classroom teacher. The marks will be based on the student's demonstration of these four criteria: respectful to people and property, shows interest in learning, prepared and organized, completes documents/assignments when due. Students in grades TK-6 may receive rubric scores of 4 (outstanding/exceeds standard), 3 (satisfactory/meets standard), 2 (needs improvement/approaching standard), and 1 (unsatisfactory/not meeting standard), based on District Board policy and regulation 5121.1(b).

**Teachers must have a minimum of three parent contacts before an unsatisfactory citizenship mark can be issued.** However, if a student commits a serious citizenship offense, the student may receive an unsatisfactory citizenship mark for one offense. The **teacher must notify the parents before issuing an unsatisfactory citizenship mark for one offense.**

The citizenship mark or rubric score for each class will be shown on the student's report card. Citizenship marks or rubric scores will not be shown on the student's transcript or other permanent records.

Teachers are required, based on the "Citizenship Guidelines", to establish written classroom rules regarding classroom behavior. These written expectations will be provided to students at the beginning of the year or when new students transfer into the class. Teachers are also required to discuss these standards with their students and explain their expectations at the beginning of each semester.

## Appeal Of Citizenship Mark

Students and parents/guardians have the right to appeal citizenship marks with the Superintendent or designee in writing if the marks are alleged to be any of the following: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competences; (4) not based on the personal observation of a named person with the time and place of the observation noted; (5) misleading; or (6) in violation of the privacy or other rights of the student. (E.C. 49070; 34 CFR 99.20;/AR 5125.3.)

Within 30 days of receiving a request to correct or remove any information from a record, the Superintendent or designee shall meet with the parent/guardian and the District employee who recorded that information, if he/she is presently employed by the District, in accordance with AR 5125.3 – Challenging Student Records. (E.C. 49070)

# ATTENDANCE EXPECTATIONS AND CONSEQUENCES

The District believes that regular attendance plays an important role in student achievement. If students do not attend school, they have limited their opportunity to become mature, knowledgeable, and productive members of society. Absenteeism has a direct, negative effect on student achievement, promotion, graduation, behavior, and employment potential. It has been well demonstrated that regular attendance is a key factor in the success a student achieves at school.

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours. Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board Policies and Administrative Regulations 5112.1, 5112.2, 5112.3, 5112.5, 5113, and 5113.1. (E.C. 48205)

All K-8 campuses are **closed** throughout the school day including break and lunch times. Students must obtain permission from office personnel prior to leaving campus during the school day.

The comprehensive high schools have a **modified open campus** except for the Freshman Class at all high schools who must remain on campus during the lunch period. All other students may leave the campus during the established lunch period. Students are held accountable to the District's policies and school rules during this time. This modified open campus policy is a privilege.

Students who leave campus or fail to return following lunch without proper authorization, shall be classified as truant and subject to disciplinary strategies, which may lead to loss of eligibility for extracurricular activities.

## Method Of Verification

When a student who has been absent returns to school, they shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, another person having control of the minor, or the student if age 18 or older. (E.C. 46012; 5 CCR 306) This explanation is required no later than the day following the absence. (5 CCR 306)

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to E.C. 46010.1, for a confidential medical appointment.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of the student;
  - b. Name of the parent/guardian or parent representative;
  - c. Name of the verifying employee;
  - d. Date(s) of absence; and,
  - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
  - a. When excusing students for confidential medical services or verifying such appointments, District staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
  - b. If a student shows a pattern of chronic absenteeism due to illness, District staff may require physician verification of any further student absences.

## Excused Absences

Absences listed below are excused when verified in accordance with the Education Code and Board Policy:

- a. Personal Illness. (E.C. 48205)
- b. Quarantine as directed by county or city health officer. (E.C. 48205)
- c. Medical, dental, optometric or chiropractic appointments: (E.C. 48205)
  1. Parents or guardians may provide annual written consent to the school to release and excuse their child(ren) upon doctor verification.
- d. Attending funeral services of a member of the pupil's immediate family, so long as such absence is not more than one (1) day if the service is conducted in California and not more than three (3) days if the service is conducted outside of California. Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (E.C. 45194, 48205)
- e. Jury duty in the manner provided by law. (E.C. 48205)
- f. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (E.C. 48205)
- g. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (E.C. 48205)
  - i. Appearance in court;
  - ii. Attendance at a funeral service;
  - iii. Observation of a holiday or ceremony of his/her religion;
  - iv. Attendance at religious retreats for no more than four hours per semester;
  - v. Attendance at an employment conference; and/or,
  - vi. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process.
- h. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (E.C. 48205)
- i. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in E.C. 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (E.C. 48205)
- j. To attend his/her naturalization ceremony to become a United States citizen. (E.C. 48205)
- k. Participation in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination in accordance with District policy, subject to the following conditions: (E.C. 46014)
  - i. The student's parent/guardian shall provide written consent for the absence.
  - ii. The student shall attend at least the minimum school day.
  - iii. The student shall be excused from school for this purpose on no more than four days per school month.

Note: A student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of E.C. 48205 in the notice (E.C. 48980) The time for make-up should be coordinated with the student's teacher(s) and may be extended by the teacher. Responsibility for requesting missed work lies with the student.

## Absences For Lice

If a student is found with active, adult head lice, he/she shall be excluded from attendance. The parent/guardian of an excluded student shall receive information about recommended treatment procedures and sources of further information. The student shall be allowed to return to school the next day in accordance with Board Policy 5141.33 and shall be checked by the school nurse or designee before returning to class.

## Unexcused Absences Made Up In Saturday School

Students who have unexcused absences may be assigned to Saturday School to make up class work missed because of the unexcused absence. (E.C. 37223)

## Truancy, Excessive Absenteeism, Tardies

The District believes that excessive absenteeism, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The District desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the District.

## DEFINITIONS

**Chronic absentee** means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in regular schools of the District, exclusive of Saturdays and Sundays. (E.C. 60901)

**Truant** means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period of time during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (E.C. 48260)

**Habitual Truant** means a student who has been reported as a truant three or more times within the same school year, provided the District has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian after either of the two previous reports.. (E.C. 48262, 48264.5)

**Chronic Truant** means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the District has met the requirements of E.C. 48260, 48260.5, 48261, 48262, 48263, and 48291. (E.C. 48263.6)

## ADDRESSING CHRONIC ABSENCE

When a student is identified as a chronic absentee, the attendance supervisor and/or designee shall communicate with the student and his/her parents/guardians to determine the reason(s) for excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's attendance.

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her. A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or educational options as appropriate.

Whenever chronic absenteeism is linked to a health issue or non-school condition, the attendance supervisor and/or designee may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of truantries he/she has committed:

### 1. First Incident of Truancy (See definition of "Truant" above)

The student shall be reported to the attendance supervisor and/or designee. (E.C. 48260) The student and parents will be notified of the mandatory attendance laws and the District's pertinent policy and procedures. The student's parent/guardian will be notified that if the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to E.C. 48290-48296. Also, the student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator, or attendance supervisor or his/her designee under E.C. 48264 if found away from home and absent from school without a valid excuse; and may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7. It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day. Student may be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step.

The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (E.C. 48264.5)

The student and, as appropriate, his/her parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (E.C. 48264.5)

### 2. Second Incident of Truancy

Any student who has been reported as a truant shall again be reported to the attendance supervisor and/or designee as a truant if he/she is absent from school without a valid excuse on one or more days or is tardy 30 minutes or more on one or more days during the school year. (E.C. 48261) The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (E.C. 48264.5) The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to consequences under "Third Incident of Truancy" below. (E.C. 48264.5)

The appropriate District staff member shall make a conscientious effort to hold at least one conference with the student and his/her parent/guardian by communicating with the parent/guardian at least once using the most cost effective method possible which may include email or a telephone call. (E.C. 48262) The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (E.C. 48264.5)

The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with the policies and procedures above. (E.C. 48260.6)

### **3. Third Incident of Truancy (Habitual Truant)**

A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school, may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the District's attendance supervisor. (E.C. 48263, 48264.5)

Upon making a referral to the School Attendance Review Board (SARB) or the probation department, the attendance supervisor shall provide the student and parent/guardian, in writing, the name and address of the School Attendance Review Board (SARB) or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the District staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (E.C. 48263)

If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to the procedures under "Fourth Incident of Truancy" listed below.

If the attendance supervisor determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/her parents/guardians have failed to respond to the directives of the District or to services provided, that attendance supervisor may so notify the district attorney and/or probation officer.

### **4. Fourth Incident of Truancy**

Upon a student's fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (E.C. 48264.5; W&I 601) If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent or designee shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (E.C. 48267)

The student may be referred to the local School Attendance Review Board (SARB). If the local SARB/attendance supervisor determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/he parents/guardians have failed to respond to the directives of the School Attendance Review Board (SARB), the attendance supervisor may notify the district attorney.

## **Excessive Absenteeism**

### **Absence for 10 percent of school days (Chronic Absenteeism)**

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education laws and take full advantage of educational opportunities provided by the District.

Students identified as habitual truants or chronically absent shall be subject to the interventions specified in law and administrative regulation. A student's truancy, tardiness, or other absence from school shall not be the sole basis of his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.

1. The attendance supervisor shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's attendance problems.
2. If a chronically truant student is at least age six years and is in any of grades K-8, the Superintendent or designee shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

NOTE: The number of periods in a typical school day equals one full absence; number of periods may vary depending on the school site. Periods absent may accumulate toward full day absences to be counted toward days of truancy and chronic absenteeism. *(For example, in grades 7-8 seven (7) period absences equal one (1) full-day of absence, and in grades 9-12 six (6) period absences equal one (1) full-day of absence.)*

## TARDIES

One of the responsibilities of each student is to be in the classroom in his/her seat or work station when the bell rings or when class is to begin. Being tardy is irresponsible behavior in that it is disruptive to the learning process.

## SCHOOL ATTENDANCE REVIEW BOARD (SARB)

(E.C. 48320-48324, 48292-48293)

After other interventions have been exhausted, students with a pattern of chronic absenteeism may be referred to a school attendance review board (SARB), in accordance with applicable law, in order to receive intensive guidance and assistance.

The **School Attendance Review Board** (SARB) may include but is not limited to the following: a parent/guardian as well as representatives of the district; county probation department; county welfare department; county office of education; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (E.C. 48321)

The School Attendance Review Team/Board has the authority to recommend that parents and students take certain measures to correct inappropriate behavior, refer the pupil to community agencies for assistance, or suggest adjustments to the school assignment. In the event that a parent or guardian or pupil fails to respond to the directives of SARB or to services offered on behalf of the minor, SARB may:

1. Direct that the minor be referred to the county welfare department under Section 300 of the Welfare & Institutions Code.
2. Direct that the minor be referred to the county probation department under Section 601 of the Welfare & Institutions Code.
3. Request the Superintendent Designee, to file a complaint against the parent, guardian, or other person in charge of such minor with the District Attorney.

The parent/guardian of any pupil who fails to comply with the directives of SARB, unless excused or exempted therefore, is guilty of an infraction and shall be punished in accordance with the law.



# Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

# Notes

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook paper. There are no margins, text, or other markings on the page.

# Notes

[illegible]

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