

**Visalia**

UNIFIED SCHOOL  
DISTRICT

*"Every Student Succeeds"*

**2012-2013**

***STUDENT CONDUCT CODE***



***PLEASE SAVE FOR FUTURE REFERENCE***



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## **Superintendent's Message**

*School is a reflection of our larger community. The behaviors, actions and attitudes that students bring with them to school, for the most part, represent their overall development outside of school. Parents, families and life experiences all play a large part in shaping how students act as individuals and toward others.*

*School is a place where people come and expect to feel safe and protected. School is a **public** place, and as school officials, we have a responsibility to make sure that everyone is treated with respect, dignity, and a strong sense of common courtesy and decency. School does not belong to anyone, it belongs to everyone. Whether you are in first grade, seventh grade or a senior in high school, our basic expectations are the same! This handbook will go into great detail to outline the rules that must be followed for student conduct and behavior. I would like to close by sharing the simple guidelines that shape our philosophy for providing a safe learning environment for all Visalia students:*

- . School is a place to learn and have fun.*
- . We expect everyone to help take good care of our schools.*
- . We expect everyone to help us keep school 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.*

*It takes all of us, working together, to create a positive atmosphere so that school can be that place to learn and have fun!*

*Sincerely,*

*Dr. Craig Wheaton  
Superintendent*



## **THE BOARD OF EDUCATION AND STUDENT BEHAVIOR**

The Board of Education has the responsibility to see that an appropriate educational program is available 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 an excellent school year. 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  
BOARD OF EDUCATION**

Visalia Unified School District makes a point of stressing safety for our students and staff. The district has established two hotlines for students or parent use to provide confidential information that would help stop violence, alcohol, drugs and weapons on campus. These lines also support students who don't know other avenues to solve a problem.

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

**CONFIDENTIAL HOTLINE / HELPLINE NUMBER**

**730-7999**

The second is our WeTip Line, which operates 24/7. This line is connected to a national service that takes anonymous calls and provides anonymous information to VUSD officials and/or local law enforcement agencies.

The toll free number is: (800) 782-7463 or 800.78.CRIME



**Rights of Students**

- To attend school unless removed under due process as specified in the Education Code.
- To attend school in a secure academic and social climate, free of fear and violence.
- To enjoy the full benefit of their teachers' efforts, undiluted by the disruptive student.
- To have ready access to a designated counselor or 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, wholesome, stimulating atmosphere engaged in productive activity under the care and direction of a dedicated staff.
- To have assurance that school personnel will at no time preempt parental prerogative.
- To be informed of District policies and regulations and school rules.
- To review their child's record with a certificated staff member providing assistance.

**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 supportive action by making sure that children have enough sleep, adequate nutrition and appropriate clothing before coming to school.
- To maintain consistent and adequate control over their children and to approve of reasonable control measures as applied by school personnel.
- To cooperate with the school in bringing about improvements designed to enhance the educational program offered students.
- To provide the school with current information regarding legal address, phone, medical data, and other facts, which may help the school to serve their children.
- To become familiar with District policies and school rules and regulations.
- Encourage good attendance and keep your children in school all day. Avoid taking students out of school early.

**Rights of Teachers**

- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative backing when enforcing rules designed to provide an optimum learning climate.
- To teach with interruptions held to an absolute minimum.
- To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

**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 hold students accountable for their actions at all times.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased manner.
- To keep parents and students informed with timely or periodic reports, including all pertinent data related to the student's school experience.
- To consistently critique their own performance with the objective of an ever growing professional stature.

- To initiate and enforce individual classroom rules consistent with school and District policies.

### **Rights of Administrators**

- To initiate such control measures as needed to establish and maintain an 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 hold students accountable for their conduct and to take prompt and appropriate action toward those guilty of violations.
- To expect that all school employees recognize and fulfill their role in terms of campus control.

### **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 among the students.
- To request assistance from the District's support services and community agencies and resources in all cases indicating such action.
- To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.

### **BEHAVIOR EXPECTATIONS AND CONSEQUENCES**

EXCEPTIONS: The number of offenses and the consequences relating to discipline and extra-curricular activities eligibility for substance abuse violations carry over from year to year in grades 7-8 and 9-12, but not from middle school to high school. A school may have additional rules unique to its site as long as they do not conflict with the Student Conduct Code (E.C. 35291.5)

### **DURING SUSPENSION:**

1. Student shall not report to school during the period of suspension, except in the case of in-school suspension, unless coming to the office on official business by prior arrangement with a school administrator. 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.)
2. Student is not to attend any school event or be on any school campus during suspension.
3. The responsibility of obtaining and doing classwork lies with the student. (Parents may contact 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.

## 7-12 District Dress code

It is the responsibility of students and parents with the cooperation of the school to maintain an acceptable standard of dress. **General campus and classroom dress should be safe, neat, clean and worn as not to disrupt the learning environment.** The following guidelines regarding dress and grooming shall apply to all regular school activities:

### **ATTIRE THAT PROTECTS THE HEALTH AND SAFETY OF THE STUDENT:**

- Shoes must be worn at all times. Shoes with cleats, spikes, or wheels are not allowed.
- Attire or accessories, 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.

### **ATTIRE SHALL NOT INTERFERE WITH THE EDUCATIONAL PROCESS:**

- Clothing, jewelry and personal items shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive; which bear drug, alcohol or tobacco company advertising, promotions or likeness; which promote violence, illegal activity, or relate to gang affiliation or activity; or which advocate racial, ethnic, religious, or sexual orientation prejudice.
- Clothes shall be worn as intended and be sufficient to conceal undergarments which shall be worn and covered at all times. See-through or fish-net fabrics, halter tops, tube tops, spaghetti straps, off-the-shoulder and low-cut tops are not acceptable. Other types of dress that expose bare midriffs or cleavage are prohibited. Basketball jersey style tank tops with scooped front, back and armholes are only allowed if worn with a T-shirt with sleeves. Shirts with cut-off sleeves are not allowed. Students may wear leggings or tights with dresses only. Shirts or smocks may not be used in place of a dress over the tights or leggings.
- Sunglasses shall not be worn in school buildings unless there is a letter on file from a doctor.
- Coaches, teachers, and administrators may impose more relaxed/or stringent dress requirements to accommodate the special needs of certain sports, classes, activities or ceremonies.
- Students are not allowed to wear headgear. This includes, but is not limited to caps, bandanas, sweatbands, hairnets, beanies and do-rags. However students are allowed to wear "sun-protective headgear," which consists of a full brim hat, with no logo or lettering, which is of a solid color and is made of either canvas or cotton cloth. The hat is to be worn as intended to provide sun protection and is only to be worn outdoors. The school or district is not responsible for lost, stolen, or damaged headgear.

1st Offense: Verbal warning to student. Notification of parent. Change of clothing.

2nd Offense: Student counseled. Notification of parent. Change of clothing, and detention or loss of privilege, or one day suspension

3rd Offense: Student counseled. Notification of parent. Change of clothing, and loss of privilege, or 1-3 days of suspension.

### **IMPORTANT NOTICES**

1. (E.C. 48900) No pupil shall be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:
  - a. While on school ground.
  - b. While going to or coming from school.
  - c. During the lunch period whether on or off the campus.
  - d. During, or while going to, or coming from, a school sponsored activity.
2. Students accumulating twenty (20) days of in-school and/or home suspension are subject to involuntary transfer to an alternative program.

3. Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this Student Conduct Code.
4. (E.C. 48904 (a)(1) Parental liability for willful misconduct of a minor that results in injury or death to a pupil, school employee, school volunteer or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school District or personal property of any school employee shall be liable for all damages so caused by the minor. The liability of the parent or guardian shall not exceed ten thousand dollars (\$10,000) and shall also be liable for the amount of any reward not exceeding ten dollars (\$10,000) both amounts are adjusted annually for inflation.
5. Students and parents have a right to appeal disciplinary action taken against a student. A meeting must be requested with the principal.
6. 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.
7. The comprehensive high schools have a modified open campus, except 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 Student Conduct Code during this time. This open campus policy is a privilege. Students who violate the Student Conduct Code may lose this privilege.
8. Students, who leave campus without proper authorization shall be classified as truant and subject to disciplinary action and loss of eligibility for extra-curricular activities. In an effort to promote safety and security for our schools, a student that leaves campus without permission or is in an "out of bounds area" and returns to the campus is subject to being searched by school personnel.
9. Required Parent Attendance: A teacher may require a parent or guardian to attend a portion of the day in his/her child's or ward's classroom whenever his/her pupil has been suspended by a teacher for reasons specified in Education Code 48900 sections (i) or (k). (BP 5144.1 (b), (E.C. 48900.1).
10. Students, who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use (BP 5131.6 (c)).
11. **Warning:** Students who brandish a knife will be expelled for one calendar year as required by Ed. Code 48915(c). As used in this section, "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)).
12. **Cell Phone Alert:** Students who possess cell phones on campus must abide by the rules governing their use as outlined in the Student Conduct Code. Misuse of cell phones could lead to confiscation, search, or banning the use of cell phones at school.
13. Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, assistant principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a student that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of students, or to maintain proper and appropriate conditions conducive to learning. (EC sections 44800-44824)

**NOTICE:** This Conduct Code may be subject to change because of new state laws. You will be notified of any changes.

**Note:** The California Constitution was amended in 1982 with the addition of Section 28(c) to Article I, and now states, "All students and staff of primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful." (California Constitution, Article I, Sec. 28(c)).

*WARNING: Depending upon the seriousness of the violation, students who violate the Conduct Code are subject to restrictions or elimination from participating in extracurricular activities. Students may lose the privilege of participation in the 8th grade promotion or high school graduation ceremony for violations of the conduct code.*

**Children in the primary grades (K-3)** are still growing in their ability to always know right from wrong in their everyday decisions. The Board of Education recognizes this and has instructed principals to take it into consideration when making conduct decisions. In **no case** will a child who violates the Conduct Code be without consequences. Serious offenses will be cause for expulsions

When a student violates the Conduct Code, the principal will follow the guidelines related to consequences as outlined in this code. However, in some cases, particular circumstances may make expulsion inappropriate. In those instances, the principal may use his/her discretion and not recommend expulsion. When this option is exercised, within five (5) days of the infraction, the principal will write a letter to the Superintendent with a copy to the Expulsion Hearing Officer, describing the incident, the particular circumstances that make expulsion inappropriate, and the nature of the alternative consequences that will be used to hold the student accountable. This applies to all elements of the Conduct Code, except the five (5) **mandatory expulsion offenses** outlined in Ed. Code 48915 (c);

- 1) Possessing, selling or furnishing a firearm
- 2) Brandishing a knife at another person
- 3) Unlawfully selling a specified controlled substance
- 4) Committed or attempted to commit sexual assault or committed sexual battery
- 5) Possession of an explosive (federal definition)

A conduct violation involving any of these five (5) offenses requires a mandatory expulsion without exception. The following document serves as a conduct guideline for site administrators. When a student should be considered for suspension, the principal can use his/her discretion to impose alternative consequences that are comparable in magnitude. These may include community or school service, Saturday School, detention, in-school suspension, etc. **In no case** will a student who violates the Conduct Code be without consequences. Warning: For **all offenses listed in this handbook** a student may be recommended for an alternative educational placement or expulsion on the first or succeeding offenses, depending on the seriousness or egregiousness of the act.

### **CAUSES FOR MANDATORY RECOMMENDATION FOR EXPULSION**

**“Expulsion”** means the loss of opportunity for a student to attend any regular school program in the Visalia Unified School District for a specific period of time.

Parents will be notified when student is suspended. These are serious offenses and notification of appropriate law enforcement agency is required.

1. **CAUSED SERIOUS PHYSICAL INJURY** to another person, except in self-defense.  
(E.C. 48915 and 48900, sub-section a)

**1st Offense:** 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Serious bodily injury means a serious impairment of physical condition including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (P.C. 243)

2. **POSSESSED, SOLD, OR OTHERWISE FURNISHED ANY FIREARM, KNIFE, EXPLOSIVE, OR OTHER DANGEROUS OBJECT** unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal (E.C. 48915 and 48900, sub-section b).

**1st Offense:** 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

**Note:** Possession of tear gas/tear gas weapon/pepper spray is considered a dangerous object.  
(Penal Code Sec. 12401, 12402) (E.C. 49330)

3. **FURNISHED OR SOLD ANY CONTROLLED SUBSTANCE** (as defined in the Health and Safety Code Section 11053 et seq.), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

4. **POSSESSED ANY CONTROLLED SUBSTANCE** (as defined in the Health and Safety Code Section 11053 et seq.), except for the first offense of possession of not more than one ounce of marijuana, other than concentrated cannabis. (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

5. **POSSESSED WITH INTENT TO SELL ANY CONTROLLED SUBSTANCE** (as defined in the Health and Safety Code Section 11053 et seq.), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48900, sub-section c)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

6. **OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE** defined in the Health and Safety Code Section 11053 et seq., alcoholic beverage, or intoxicant and then sold, delivered, or furnished look-alikes or in lieu substances. (E.C. 48900, sub-section d)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: Furnishing or possessing an IMITATION CONTROLLED SUBSTANCE (LOOK-ALIKES) with the intent to distribute will result in a recommendation for expulsion. This offense is also in violation of Health and Safety Code 11680.

7. **COMMITTED OR ATTEMPTED TO COMMIT ROBBERY OR EXTORTION** (E.C. 48915 and 48900 sub-section e)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

8. **THREATENED, ATTACKED, OR COMMITTED ASSAULT OR BATTERY ON SCHOOL PERSONNEL** (Penal Code Sec. 240, 242) (E.C. 48915 and E.C. 48900, sub-section a, E.C. 44014)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

9. **COMMITTED OR ATTEMPTED TO COMMIT A SEXUAL ASSAULT** as defined in Sections 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (E.C. 48915 and E.C. 48900, sub-section n)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

10. **COMMITTED A TERRORISTIC THREAT** including but not limited to threats of, a bomb, abduction, sexual assault, shooting, or other violence where the threats directly name the school site, staff member, school equipment and/or property (EC 48900.7)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

11. **POSSESSED AN IMITATION FIREARM** a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900, sub-section m)

1st Offense: 1 to 5-days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

### **CAUSES FOR HOME SUSPENSION ON FIRST OFFENSE**

“**Suspension**” means removal of a pupil from on-going instruction for adjustment purposes.

*Parents will be notified when student is suspended.*

1. **POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF** an alcoholic beverage or intoxicant of any kind. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in the Health and Safety Code Section 11053 et seq.) (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 1-5 days suspension and notification of appropriate law enforcement agency. May be recommended to attend a substance abuse counseling program.

Note: If the student receives a four or five day suspension, the suspension will be reduced to three (3) days if the student completes a site-approved intervention program. (If the student does not complete the program, alternative consequences will follow at the discretion of the site administration.)

Examples:

- A 12 step program
- A substance abuse support group
- Private therapist
- School based group/program.

Please note: the length of the intervention will depend on the needs of the student. Ineligibility for extracurricular activities would then be reduced from ten (10) school weeks to six (6) school weeks.

2nd Offense: 3-5 days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: Students appearing at school functions and having consumed or having in their possession alcoholic beverages or drugs may be handled by police action. (Penal Code Sec. 647) (Health and Safety Code Sec. 11550)

2. **UNLAWFULLY POSSESSING OR UNLAWFULLY OFFERING, ARRANGING, OR NEGOTIATING TO SELL ANY DRUG PARAPHERNALIA** as defined in Section 11014.5 of the Health and Safety Code. (E.C. 48900, subsection j)

1st Offense: 1-5 days suspension and notification of appropriate law enforcement agency. May be recommended to attend a substance abuse counseling program.

Note: If the student receives a four or five day suspension, the suspension will be reduced to three (3) days if the student completes a site-approved intervention program. Ineligibility for extra curricular activities would then be reduced from ten (10) school weeks to six (6) school weeks. (If the student does not complete the program, alternative consequences will follow at the discretion of the site administration.)

2nd Offense: 3-5 days suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

3. **Unlawfully offering, arranging to sell, negotiating to sell, or selling the prescription drug soma** (E.C. 48900 p)

1st Offense: 1- 5-days suspension and notification of appropriate law enforcement agency.

2nd Offense: 3-5 days suspension, recommendation for expulsion, notification of appropriate law enforcement agency.

4. **FIRE-SETTING OR ATTEMPTED FIRE-SETTING** including the activation of false alarms or tampering with emergency equipment. (Penal Code Sec. 447 and 455, 148.4).(E.C. 48900, sub-section k)

1st Offense: 1-5-days suspension.

2nd Offense: 3-5 days suspension, recommendation for expulsion.

Note: Fire-setting of any nature may lead to recommendation for alternative education program or expulsion on the first offense. Fire-setting is never considered to be a prank. The burning of trash cans can lead to immediate and serious consequences.

5. **WILLFUL DEFIANCE OR DISRUPTION OF THE SCHOOL OR INTERFERING WITH THE PEACEFUL CONDUCT OF THE ACTIVITIES OF THE SCHOOL** (Penal Code Sec. 148.1) (E.C. 48900, subsection k)

1st Offense: 1-5 days suspension.

2nd Offense: 3-5 days suspension, recommendation for alternative education program or expulsion. Mandate removal from campus.

6. **HARASSED, THREATENED, OR INTIMIDATED A PUPIL WHO IS A COMPLAINING WITNESS OR WITNESS IN A SCHOOL DISCIPLINARY PROCEEDING** for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (E.C., 48900, subsection o)

1st Offense: 1-5 days suspension and possible recommendation for expulsion.

2nd Offense: 3-5 days suspension, recommendation for expulsion.

7. **Engaged in an act of bullying**, including, but not limited to, bullying committed by means of an electronic act as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

1st Offense: 1-5 days suspension and possible recommendation for expulsion

2nd Offense: 3-5 days suspension, recommendation for expulsion

**OTHER CAUSES RESULTING IN HOME SUSPENSION OR ALTERNATIVE CONSEQUENCES**

When “suspension” is indicated the site administrator will determine whether the consequence should include, **but not be limited** to, in-school suspension/ home suspension/Saturday School/intervention group/detention/community service. Community service may include, but is not limited to, work performed on school grounds during non-school hours in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs and work performed in the community during non school hours with written parent permission. (E.C. 48900.6) **Alternative consequences imposed in lieu of suspension will result in the loss of the same extra curricular privileges that would have been forfeited if the student had been suspended.**

Law enforcement agencies may be notified at the discretion of the administration.

If the nature of the offense is serious enough to warrant an alternative education placement or expulsion recommendation appropriate, the student may be suspended five (5) days for the infraction.

Student may be suspended on the first offense if it is determined that the pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process. (E.C. 48900.5)

**Gang related offenses** – a student could be suspended for five (5) days on the first offense and could be recommended for an alternative education placement or expulsion.

**Gang definition** – gangs are best described as groups of individuals involved in unusually close social relationships, which promote negative behavior. They share a common collective identity expressed through a gang name. Gangs adopt certain

symbols or signs and claim control over a certain turf or territory. These organized groups can create fear among other students and increase the level of violence in schools. Gangs solidify through participation in group and individual activities that are often antisocial.

**INFRACTIONS THAT MERIT EITHER A WARNING  
ALTERNATIVE CONSEQUENCES OR SUSPENSION UP TO 5 DAYS.**

The following rubric may be used as a guide for determining the consequence for the following infractions. However, the administrator may by-pass one or more steps if it is believed the infraction merits more serious consequences:

- 1<sup>st</sup> Offense: Warning, Alternative Consequence, and/or 1-3 days suspension
- 2<sup>nd</sup> Offense: Alternative Consequence and/or 1-3 days suspension
- 3<sup>rd</sup> Offense: 1-3 days suspension
- 4<sup>th</sup> Offense: 3-5 days suspension and/or recommendation for alternative education program or expulsion

1. **CAUSING, ATTEMPTING OR THREATENING TO CAUSE PHYSICAL INJURY OR USING FORCE OR VIOLENCE UPON ANOTHER PERSON** except in self-defense. (E.C. 48900, subsection (a) (1) and (a) (2).

Note: If a student caused serious physical injury (as defined in Penal Code Section 243) to another person, except in self-defense, the principal must recommend expulsion or report in writing to the Superintendent who will advise the Governing Board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915)

2. **CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY**—cutting, defacing, or otherwise injuring any school District property, or the malicious injury or destruction of any other person’s real or personal property. “School property” includes, but is not limited to, electronic files and databases. (Penal Code Sec. 594) (E.C. 48900, subsections, f, t)

Note: Parent/guardian will be held responsible for damage to school District property. When the minor and parent are unable to pay for the damages, the school District shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage. (E.C. 48904)

3. **USE OF TECHNOLOGY**, including but not limited to cell phones, computers, and other devices, **TO TRANSMIT, RECEIVE OR POSSESS MATERIAL THAT IS SEXUALLY EXPLICIT OR PORNOGRAPHIC**. For the purpose of threatening to cause or causing physical or emotional harm or property damage. May include technological communications occurring during non school hours or off-campus but which have an impact on attendance, the educational atmosphere of the school, or school safety. (E.C. 48900, subsections, i, k, r and .2)
4. **THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT OR DISCRIMINATORY CONDUCT) ANY OTHER PERSON** (E.C. 48900 subsection a and/or k) (E.C. 48900.2) (E.C. 48900.4) (BP & AR 5145.3) Possible removal from campus or separation of student.

Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints.

5. **COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY, INCLUDING RACIAL/ETHNIC SLURS** either verbally or in writing. (E.C. 48900, sub-section i) (BP & AR 5145.3)

Note: Any act committed against school staff would warrant consequences starting at Step 2. A student will be suspended on the first offense for five (5) days if such behavior disrupts school activities, (E.C. 48900, subsection k) threatens to disrupt the instructional process, or causes a danger to persons or property (E.C. 48900.5)

6. **ENGAGING IN, OR HAVING ANY PART IN HAZING** or committing any act that injures, degrades, or disgraces any other person attending school. Causing, attempting to cause, threatening to cause, or participating in an act of hate violence. (E.C. Sec. 32050-52) (E.C. 233) (E.C. 48900, subsections a, k and q), (E.C. 48900.3)

7. **STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY** “School property” includes, but is not limited to, electronic files and data bases. (E.C. 48900 subsections g, t)
8. **KNOWINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY** “School property” includes, but is not limited to, electronic files and data bases. (E.C. 48900 subsections g, t, l)
9. **ANY ACT OF DEFIANCE OR DISOBEDIENCE** either in language or in action against school personnel, refusing to comply with the reasonable requests or orders of school personnel. (E.C. 48900, subsection k)
10. **POSSESSING ANY OBJECTS ON CAMPUS WHICH COULD BE CONSIDERED DANGEROUS OBJECTS** (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) if the principal deems expulsion inappropriate. (E.C. 48900 subsection b)

Note: Laser pointers could be considered as dangerous objects.

11. **Reckless driving** (E.C. 48900, subsection k)
12. **FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE OR PASSES** (E.C. 48900, subsection k)
13. **VIOLATING THE COMPUTER AND NETWORK ELECTRONIC INFORMATION POLICY** (E.C. 48900, subsection k) (BP 6163.4 (a) and (Penal Code Sections 502, 313(a), 632)

Note: Any infraction that may constitute a breach in network security or damage to the network, may result in disciplinary action including recommendation for alternative education program or expulsion and notification of law enforcement on the first offense.

14. **POSSESSING OR USING TOBACCO** (or any products containing tobacco or nicotine products) in grades 7-12. (E.C. 48900, subsection h) Tobacco and nicotine products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. E.C. 48011, subsection h)

Note: No school shall permit the smoking or use of tobacco, or any product containing tobacco, or nicotine products, by pupils of the school while pupils are on campus, or while attending school sponsored activities or while under the supervision and control of school District employees. (E.C. 48901) Confiscated materials will not be returned to students, but will be returned to the parents if requested within 5 days of the incident.

15. **FAILING TO IDENTIFY ONESELF** or giving false information to school personnel. (E.C. 48900, subsection k)
16. **TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT** or belongings of any other person. (E.C. 48900, subsection k)
17. **CHEATING OR PLAGIARIZING ON SCHOOL ASSIGNMENTS** (E.C. 48900, subsection k), (BP 5131.9)
18. **BEING IN A PARKING LOT OR OUT OF BOUNDS** without proper authorization. (E.C. 48900, subsection k)
19. **GAMBLING AND WAGERING** or habitually being present where gambling and wagering are taking place. (E.C. 48900, subsection k)
20. **INTERFERING WITH THE PEACEFUL CONDUCT OF THE CAMPUS OR CLASSROOM** causing class or campus disruption of a minor but annoying nature. (E.C. 48900, sub-section k)
21. **LOITERING ON OR ABOUT ANY CAMPUS** without apparent lawful purpose. (E.C. 48900, subsection k) (Penal Code 653G and 627)

Note: A student may be subject to arrest according to Penal Code 653G if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or re-enters or comes upon such school or place after being asked to leave by

a school official. Punishment for loitering includes a fine not to exceed \$1,000 and/or imprisonment in the county jail not to exceed six (6) months.

22. **ANY DRESS, GROOMING, OR APPEARANCE** which disrupts, or tends to disrupt the educational process, or affect the health or safety of individuals shall be prohibited. (E.C. 48900, subsection k) (E.C. 35161, 35183, 35291.5, 35294.1; Cal. Code Regs., Title 5, Section 302)

Note: In addition to the Dress Code listed on pages 6 and 7, schools may have additional rules approved by School Safety Committees /School Site Council. Principals also have the discretion to prohibit any attire that is not described, or listed in the Dress Code and can also make reasonable exceptions to the Dress Code for special days or special events.

23. **POSSESSING OF ANY OBJECT NOT OF A DANGEROUS NATURE** (i.e. CD players, tape players, cameras or other item's a school administrator identifies as disruptive) (E.C. 48900, sub-section k) (Unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.)

Note: Unauthorized object will be confiscated by school authorities. Object will be returned to the parent/guardian, not the student.

24. **POSSESSING OR USING ANY ELECTRONIC SIGNALING DEVICE** Student may possess or use electronic devices, including but not limited to, pagers, beepers and cellular/digital telephones, while on campus or at school-sponsored activities provided that such devices do not disrupt the educational program or school activity. Electronic signaling devices shall be turned off during class time and at any other time directed by a district employee. **(Exception: K-8 students must have devices turned off at all times during the regular school day)** **The use of any electronic listening or recording device in any classroom without the prior consent of the teacher or principal of the school given to promote an educational purpose, disrupts and impairs the teaching process and discipline in the school is prohibited (EC 51512).** If disruption occurs, the employee may direct the student to turn off the device and/or confiscate the device until the end of the period, school day or activity. **Such devices are considered personal property. Students possess these items at school entirely at their own risk. The school or district is not responsible for lost, or stolen, or damaged devices.** (BP 5131 (b). No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. Devices are subject to search of content if used in violation of Conduct Code, Education Code, or have information in them regarding Education Code/Conduct Code Violations (Education Code 48901.5)

Note: Students who violate these rules and regulations may be subject to discipline including suspension, expulsion or transfer to alternative programs.

25. **BEHAVIOR ON BUS** (Decisions about bus discipline will be a collaborative effort between transportation and school administration.)

Consequences range from warning to loss of bus privileges.

Note: Depending on the seriousness of the act, the student may lose bus privileges for the remainder of the school year on the first or succeeding offenses.

## STUDENT HARASSMENT AND DISCRIMINATION

**(Prohibited by Law and by Visalia Unified School District's Board Policy 5145.3, 5145.7 and 5145.9)**

The Board of Education will **NOT** tolerate harassment or discrimination and will make efforts to maintain school free from this type of behavior. Any and all forms of harassment or discrimination based on race, ethnic group, religion, gender, color, race, ancestry, national origin, and physical or mental disability, age or actual or perceived sexual orientation which includes perceptions of a person's identity, appearance or behavior is expressly prohibited.

## VISALIA UNIFIED SCHOOL DISTRICT'S BOARD POLICIES

1. Prohibits harassment/discrimination of any student by any employee, student, or other person in, or from the District.

2. Expects students or staff to immediately report incidents of harassment or discrimination 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 and discrimination.
4. Each harassment complaint shall be promptly investigated in a way designed to respect the privacy of all parties concerned. This responsibility includes discussing this policy with his/her students and employees and assuring them that they NEED NOT endure sexually insulting, degrading, or exploitative treatment or any other form of sexual harassment or discrimination.

### **EXAMPLES OF HARASSMENT**

Harassment may occur as a pattern of degrading sexual speech, or action ranging from verbal or physical annoyances, or distractions to deliberate intimidations and frank threats or sexual demands.

Forms of harassment 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 My Space or Facebook to make libelous, degrading, hateful, hurtful, or any type of derogatory remark about a student or staff member.

### **SEXUAL HARASSMENT** (E.C. 212.5)

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from, or in, the work or educational setting under any of the following conditions:

1. When submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status, or progress.
2. When submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
3. When the conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive educational environment.
4. When submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs or activities available at, or through, the educational institution.

### **SEXUAL ORIENTATION HARASSMENT AND DISCRIMINATION**

Harassment or discrimination based on sexual orientation and gender, which includes perceptions of a person’s identity, appearance or behavior, is expressly prohibited under VUSD policies and state law, including Education Code Section 220 and Penal Code sections 422.6 and 422.76. The prohibition on retaliation, the consequences for sexual harassment and the grievance complaint procedures applicable to sexual harassment are equally applicable to harassment or discrimination based on sexual orientation.

School Safety Counselors have been designated at each school site whose role will include accepting complaints of harassment or discrimination. The names of the School Safety Counselors are listed below and it is their responsibility to promptly and appropriately respond to and report on verbal and written complaints of harassment or discrimination of students.

## SCHOOL SAFETY COUNSELORS

### ELEMENTARY

The school principal is the designated school safety counselor

### MIDDLE SCHOOLS

**Divisadero Middle School:** Dave Whitmore & Michelle Kettle

**Green Acres Middle School:** Adrienne Ashford & Robert Crow

**La Joya Middle School:** Maria Bueno & Jose Espinoza

**Valley Oak Middle School:** Brian Wulf & Emily Rodriguez

### HIGH SCHOOLS

**El Diamante:** Jeff Brown & Joy Naylor

**Golden West:** Adolfo Reyes & Bill Davis

**Mt. Whitney:** Debbie Dichiera & Michal Yates

**Redwood:** Lou Irwin & Angie O'Neal

**Sequoia:** Yolanda Flores Luoma

### CHARTER & ALTERNATIVE SCHOOLS

**Charter Alternatives Academy:** Rhonda Crews

**Visalia Charter Independent Study:** Michelle Tippit & Jeannette Duran-Alonzo

**Visalia Technical Education Center:** Victoria Porter

Student training programs will be provided at all VUSD high schools, continuation schools and middle schools on addressing school safety issues. This will involve addressing forms of harassment and discrimination, including preventing harassment and discrimination on the basis of actual or perceived sexual orientation.

## RETALIATION

The District prohibits retaliatory behavior against any complainant as a result of a negative response to sexual advances or the making of an informal or formal complaint alleging sexual harassment.

## CONSEQUENCES FOR HARASSMENT

Any student who engages in harassment is subject to disciplinary action according to the Student Conduct Code K-6 and 7-12 and Board Policies 5145.7 and 5131, and in accordance with the Education Code. (Employees are subject to disciplinary action according to Board policies and in accordance with the Education Code.)

## GRIEVANCE (COMPLAINT) PROCEDURES

1. Any student who feels that he/she is being harassed should immediately contact a school site or District administrator.
2. Staff members who receive complaints of harassment from students should refer such complaints to the site or other District administrator.
3. If the site or District administrator is notified that an allegation of harassment was not addressed to the complainant's satisfaction, that administrator should provide the student and/or the student's parent/guardian with a copy of the District's sexual harassment policy and grievance (complaint) procedures.
4. Nothing in the District's grievance (complaint) procedures shall affect the right of the complainant to pursue the matter with any state or federal enforcement agency.
5. The District prohibits retaliatory behavior against any complainant or any participant in the complaint process.

## **TITLE IX COORDINATOR FOR STUDENT-TO-STUDENT SEXUAL HARASSMENT**

The Area Superintendent Educational Opportunities/CTE is the Title IX Coordinator for student-to-student sexual harassment and is designated by the District to receive and process complaints under this procedure.

## **TITLE IX COORDINATOR FOR STUDENT SEXUAL HARASSMENT COMPLAINTS INVOLVING EMPLOYEES OF THE DISTRICT**

The Assistant Superintendent of Human Resources Development is the Title IX Coordinator for any student sexual harassment complaints involving employees of the District.

### **RIGHT OF APPEAL AND DUE PROCESS**

#### **SUSPENSION DUE PROCESS**

1. Suspension by the principal/designee, or the Superintendent, shall be preceded by an informal conference which is conducted by the principal or his/her designee between the pupil, and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal. At the conference the pupil shall be informed of the reason for the disciplinary action and an explanation of the evidence against him or her and shall be given the opportunity to present his/her defense. (E.C. 48911, subsection b)
2. A principal/designee, or the Superintendent, may suspend a pupil without affording the pupil an opportunity for a conference only if the principal or his/her designee determines that an emergency situation exists. If a pupil is suspended without a conference prior to a suspension, both the parent and pupil shall be notified of the pupil's right to such a conference and the pupil's right to return to school for such purpose. The conference shall be held within two (2) school days, unless the pupil waives his right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference. (E.C. 48911, subsection c)
3. At the time of suspension, a school employee shall make a reasonable effort to contact the parent or guardian of the pupil in person or by telephone. (E.C. 48911, subsection d)
4. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension. (E.C. 48911, subsection d)
5. The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his/her child's behavior. (E.C. 48911, subsection f)
6. The pupil or pupil's parent or guardian has the right to appeal the suspension to the building principal whose decision will be final. A meeting must be requested within five (5) school days following the first day of suspension.
7. Students remain on suspension through the appeal process. If the suspension is overturned by the principal, all information related to the suspension will be deleted from the pupil's record.

#### **SUSPENSION APPEAL PROCESS**

##### **Timelines**

A suspension appeal to the site principal must be requested within five (5) school days following the first day of suspension. The principal shall hear the appeal within five (5) days after the appeal request has been lodged. In cases where the site principal was involved in the suspension decision, due to the absence of the Assistant Principal, the appeal request would be lodged with the appropriate Area Administrator. The area Administrator shall hear the appeal within five (5) school days after the appeal request has been lodged. The scope of the review is limited to the following four areas:

1. Did the school act without or in excess of its jurisdiction?

- a. Was the suspension based on an enumerated suspendible offense?  
Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in the Student Conduct Code.
  - b. Were the student's acts related to school activity or attendance?  
While on school grounds. While going to or coming from school. During the lunch period whether on or off the campus. During, or while going to, or coming from, a school sponsored activity. (E.C. 48900)
2. Was the student told why he/she was being suspended and provided with an explanation of the evidence that indicates he/she committed the offense?
    - a. Was the student accorded the opportunity to tell his/her side of the story and produce any evidence he/she may have to support it?
  3. Was there prejudicial abuse of discretion in the suspension decision?
  4. Is there other relevant or new material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded?

### Decision

If the site principal overturns the suspension decision, all information related to the suspension will be deleted from the student's record. The decision of the site principal shall be final.

### EXPULSION Due Process

1. Expulsion involves the loss of opportunity for a student to be able to attend any regular school or to be enrolled in any regular program for a specified period of time in the Visalia Unified School District.
2. In a case where expulsion is being processed by the Governing Board, the Superintendent/designee may extend the suspension until such time as the Governing Board has rendered a decision, provided that the Superintendent/designee has determined that the presence of the pupil at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. (E.C. 489111 subsection g)
3. The pupil and the pupil's parent or guardian shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within thirty (30) school days of the date the principal or Superintendent determines that the pupil committed any of the acts enumerated in Section 48900 unless the pupil requests in writing that the hearing be postponed. The pupil shall be entitled to at least one postponement for a period of not more than thirty (30) calendar days of an expulsion hearing. In the event that compliance by the Governing Board with the above time requirements is impracticable, the expulsion hearing may be delayed, for good cause, up to five (5) additional days. Reasons for the extension shall be a part of the record at the time of the hearing. (E.C. 48918, subsection a)
4. Written notice of the hearing shall be forwarded to the pupil at least ten (10) calendar days prior to the date of the hearing. (E.C. 48918, subsection b)
5. 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)
6. 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)
7. The expulsion order and the causes therefore shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school, which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records. (E.C. 48918, subsection k)
8. A decision of the Governing Board whether to expel a pupil shall be made within ten (10) school days following the conclusion of the hearing, unless the pupil requests in writing that the decision be postponed.

If the hearing is held by an administrative panel, or if the District Governing Board does not meet on a weekly basis, 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.

9. 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 mail, using "proof of service" method to the student or parent or guardian. The notice shall include notification of the right to appeal the expulsion to the county Board of Education. (E.C. 48918, subsection i)
10. Students who have been expelled shall not participate in extra-curricular activities, including the 8th grade promotion trip/senior grad night trips, 8th grade promotion dance, high school prom, and the 8th grade promotion/high school graduation ceremony for the length of the expulsion. Students who are on a suspended expulsion shall not participate in extra-curricular activities for the length of the suspended expulsion.
11. At the time an expulsion of a pupil is ordered for an act other than those described in subdivision (c) of Section 48915, the Governing Board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the District. The Director of Student Services/Designee will determine if the conditions for readmittance in the expulsion order have been met. Recommendation for readmittance will go to the Governing Board for approval. If an expulsion is ordered during summer session or the intersession period of a year-round program the governing board shall set a date, not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended.
12. For a pupil who has been expelled pursuant to subdivision (c) of Section 48915, the Governing Board shall set a date of one (1) year from the date the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the District, except that the Governing Board may set an earlier date for readmission on a case-by-case basis. The Director of Student Services/Designee will determine if the conditions for readmittance in the expulsion order have been met. Recommendation for readmittance will go to the Governing Board for approval. Subdivision (c) of Section 48915 offenses include:
  - Possessing, selling, or otherwise furnishing a firearm.
  - Brandishing a knife at another person.
  - Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  - Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
  - Possession of an explosive as defined in Federal Law, 18 U.S.C. 921(a) 4.
13. Under the law, the pupil/parent/guardian has the right to file an appeal of expulsion to the Tulare County Board of Education within thirty (30) calendar days after the local District's decision to expel the student. **If thirty (30) calendar days have passed since the date of the expulsion, the Tulare County Board of Education does not have jurisdiction to hear the appeal, meaning that if you do not file your appeal timely, you will lose your right to appeal.** E.C. 48919

#### **INVOLUNTARY TRANSFER TO COMMUNITY DAY SCHOOL** (E.C. 48637.1, 48637.2, 48637.3, 48662)

No pupil shall be required to attend a Community Day School program for adjustment purposes until both the pupil and the pupil's parent or guardian have been notified in writing of the intended assignment. The notice to the parent or guardian shall request the parent or guardian to respond within ten (10) days. If the parent/guardian does not respond, school personnel shall make a reasonable effort to contact the parent or guardian by telephone to communicate directly the information contained in the written notice.

The person responsible for assigning pupils to a Community Day School program for adjustment purposes shall make such an assignment only upon the recommendation of a school committee formed for that purpose or through the expulsion process. The committee shall include, but need not be limited to, a representative of the school District who is familiar with the pupil's progress, a representative of the Community Day School program, and the parent or guardian of the pupil at the option of the

parent or guardian. The parent or guardian may designate a representative such as a counselor, social worker, or other community member, to attend the meeting of the committee.

Not less than two (2) times each school year a review must be conducted of the progress of each pupil assigned to the program for adjustment purposes to determine whether the pupil would benefit by returning to regular school or classes. Those participating in the review shall include a representative of the Community Day School program, who is familiar with the student's progress, and the parent or guardian of the pupil concerned at the option of the parent or guardian.

### **INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL** (E.C. 48432.5)

A decision to transfer the pupil involuntarily shall be based on finding that the pupil (a) committed an act enumerated in E.C. 48900, or (b) has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend.

Involuntary transfer to a continuation school shall be imposed only when other means fail to bring about pupil improvement; provided that a pupil may be involuntarily transferred the first time he or she commits an act enumerated in Section 48900 if the principal determines that the pupil's presence causes a danger to persons or property, or threatens to disrupt the instructional process.

A written notice must be provided to the student and the student's parent or guardian informing them of the opportunity to request a meeting with a designee of the District Superintendent.

None of the persons involved in the final decision to make an involuntary transfer of a pupil to a continuation school shall be a member of the staff of the school in which the pupil is enrolled at the time that the decision is made.

At the request of the student's parent or guardian, the involuntary transfer shall be reviewed annually.

### **SUSPENSION FROM CLASS BY TEACHER** (requires a violation of Ed Code 48900)

A teacher may suspend any pupil from the teacher's class for any violation of E.C. 48900, for the day of the suspension and the day following.

The teacher shall send the pupil to the principal/designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision.

As soon as possible, 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.

The pupil shall not be returned to the class during the period of suspension without the concurrence of the teacher and the principal/designee. A pupil suspended from a class shall not be placed in another regular class during the period of suspension.

### **RECESS RESTRICTION** (E.C. 44807.5)

A pupil may be restricted at recess for disciplinary purposes.

### **DETENTION AFTER SCHOOL** (AR 5144 b)

Students may be detained for up to one hour after the close of the maximum school day under the following conditions:

1. A student who is transported by school bus shall be detained only until the time when the bus departs. Code of Regulations, Title 5, Section 307, 353).
2. A student who is not transported by school bus shall be detained only after his/her parent/guardian has been notified of the day and amount of time involved.
3. The student shall remain under the supervision of a certificated employee during the period of detention.

## **CORPORAL PUNISHMENT**

By state law and District policy, school employees are prohibited from the use of corporal punishment at any grade level.

## **PARTICIPATION IN GRADUATION CEREMONY** (BP 5127(a))

In order to encourage high standards of student conduct and behavior, the principal may deny the privilege of participating in graduation ceremonies and/or activities in accordance with the student conduct code.

When a student is denied participation in the graduation ceremony the school must notify the parent or guardian and they shall be provided a written notice indicating grounds for denial and means of appeal.

Students wishing to return to their home school from Charter Independent Study during their senior year so that they can participate in the commencement ceremony must adhere to the following:

Must have been in attendance in their regular home high school a minimum of one grading period during their 11th grade year (AR 5117 .1a item 6).

Must be on target to graduate with their class including having passed the CAHSEE. Otherwise student may be referred to Sequoia Continuation High School in order to enhance their opportunity of obtaining a high school diploma.

Must be enrolled a minimum of the final semester of their senior year as a full-time student and enrolled in two core classes (civics, economics, English).

Failure to adhere to any of these requirements will result in the student becoming ineligible to participate in the commencement ceremony. The student's diploma, if awarded, will be mailed to the student.

## **APPEAL OF GRADUATION CEREMONY DENIAL**

A student or student's parent or guardian has the right to appeal a denial to participate in the graduation ceremony.

A meeting must be requested by the student or student's parents or guardians within five (5) school days from the date the parent or guardian were notified.

An administrative panel made up of two or more school staff will review each appeal and make a recommendation to the area administrator. Area administrator's decision will be final.

## **ATTENDANCE EXPECTATIONS AND CONSEQUENCES**

*Education is an opportunity and a right. If students do not exercise their right to attend school, they have limited their opportunity for the basic education necessary 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.*

## **ABSENCE REPORTING**

*The PARENT or GUARDIAN of a pupil is required to provide an explanation for a pupil's absence. This explanation is required no later than the day following the absence. (CCR Title 5, Sec. 306)*

## **ABSENCES — ASSIGNMENT MAKE-UP ALLOWED**

### 1. **EXCUSED ABSENCES** (CCR Title 5, Sec. 420)

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

- a. Illness.
- b. Quarantine directed by county or city health officer.
- c. Medical, dental, and optometrical appointments:
  - i. Students are encouraged to make medical appointments after school hours whenever possible.
  - ii. Students will be released for and receive excused absences for appointments only on the written approval of parents or guardians.
  - iii. The only exception shall be for those students whose parents or guardians have provided 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.

Note: Students shall be permitted to make up missed school assignments. Students shall be allowed two (2) school days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with student. Upon satisfactory completion, within the time frame, the student will be given the full credit earned.

2. **ABSENCES EXCUSED FOR PERSONAL REASONS (PRIOR APPROVAL REQUIRED)** (E.C. 48205)

- a. A pupil's absence shall be allowed provided the absence is for one of the following justifiable personal reasons:
  - i. An appearance in court.
  - ii. An employment conference.
  - iii. A pupil/family hardship situation, as authorized by the principal.
  - iv. An observance of a holiday or ceremony of the pupil's religion.
  - v. Attendance at religious retreats not to exceed four (4) hours per semester.
  - vi. Attending a funeral service of a person who is not an immediate family member.
- b. PRIOR to an absence described in this regulation, a signed parental request must be received and approved by the principal or administrative designee.
- c. Only in the case of extreme emergency will the principal approve an absence after the absence occurs.

Note: A pupil whose absence is excused according to the above conditions shall be allowed make-up privileges. Students shall make arrangements with the teacher to make up missed work prior to the absence. Students shall be allowed two (2) school days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with student. Upon satisfactory completion, within the time frame, the student will be given the full credit earned.

3. **ABSENCES EXCUSED/RELEASE TIME FOR RELIGIOUS EDUCATION (PRIOR NOTIFICATION REQUIRED)** (E.C. 46014)

The District will allow release time for students to participate in religious exercises or to receive moral and religious instruction. A student's absence will be considered excused, with full rights to make up tests and homework, if the following conditions are complied with:

- a. The student has the written consent of his/her parent or guardian indicating the time the student is to be released from school. The written consent must be submitted to the school two (2) days prior to release from school.
- b. Verification of attendance at the designated exercise is provided to the school on the first day after the absence.
- c. The student attends school on the day of the absence for at least the minimum day as defined by the Education Code: Kindergarten = 180 minutes; Grades 1-3 = 230 minutes; Grades 4-12 = 240 minutes
- d. No pupil shall be excused from school for such purpose on more than four (4) days per school year.

Note: Students shall make arrangements with the teacher to make up missed work prior to the absence. Students shall be allowed two (2) school days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with student. Upon satisfactory completion, within the time frame, the student will be given the full credit earned.

4. **ABSENCES FOR ENTERTAINMENT INDUSTRY** (EC 4922.25 (a) 1-2 (b-e))

A pupil working in the Entertainment or Allied Industry or participating with a not-for-profit performing arts organization in a performance for a public school pupil audience shall be excused from school for a maximum of up to five absences per school year. Students absent under this section shall be permitted to complete all assignments and tests

missed during the absence that can be reasonable provided and, upon satisfactory completion, shall be given full credit earned.

5. **ABSENCES FOR LICE**

District policy provides for students absent because of lice infestation to be excused from school for a maximum of three consecutive days. On the fourth consecutive day of absence, a student will be marked unexcused and may be subject to monitoring by the School Attendance Review Board (SARB). (E.C. 48320-48324, 48292-48293)

6. **UNEXCUSED ABSENCES FOR PERSONAL REASONS MADE UP IN SATURDAY SCHOOL** (NO PRIOR APPROVAL) (E.C. 37223, 48205)

Students who are absent for personal reasons and who did NOT receive prior approval from the school administrator may be assigned to Saturday School to make up class work missed because of the unexcused absence.

7. **SUSPENSION (HOME AND IN-SCHOOL) /ASSIGNMENT MAKE - UP** (E.C. 48913)

A suspended student may be allowed to complete comparable assignments. The responsibility of obtaining and doing class work lies with the student. (Parents may contact 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 and to have made-up work calculated in the course grade.

**TRUANCY, EXCESSIVE ABSENTEEISM, TARDIES (E.C. 37223)**

**TRUANCY (E.C. 48260-48263, 48900 k, 49164)**

Students may not be absent from school without verified approval of parent/guardian or school. The following represents the procedures, which will be followed when a student is absent from school without a valid excuse or is tardy without the school's approval in excess of thirty (30) minutes.

**First Incident**

The student and parents will be informed of the mandatory attendance laws and the District's pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so may be treated as "defiance of authority." Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step.

Alternative consequence may be assigned such as detention, in-school suspension, Saturday School, community service.

**Second Incident**

The student and parents will be informed of the mandatory attendance laws and the District's pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so may be treated as "defiance of authority." Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step.

Alternative consequences will be assigned such as detention, in-school suspension, Saturday School, community service.

**Third Incident**

The student and parents will be informed of the mandatory attendance laws and the District's pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so may be treated as "defiance of authority." Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step. The student is declared a legal truant (absent from school without a valid excuse for three (3) days or tardy in excess of thirty (30) minutes on each of three (3) or more days). (E.C. 48260) The school may recommend that the parent/guardian attend school one (1) day with the student. Alternative consequences will be assigned such as detention, in-school suspension, Saturday School, community service.

**Fourth Incident**

Student will be referred to a school administrator/designee. The student is once again reported as a legal truant (E.C. 48260). The school administrator shall call and hold a parent conference. Parents and student are again informed that failure to follow the school's directive to attend classes will be "defiance of authority" and will be grounds for referral to the School Attendance Review Board and/or involuntary transfer to an alternative education program.

- Student is ineligible to participate in extra-curricular activities for six (6) weeks.
- A work permit will not be issued/or work permit will be revoked for a maximum of six (6) weeks. (E.C. 49164)
- The pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to section 13202.7 of the vehicle code. (E.C. 48260.5)

### **Fifth Incident**

Student will be referred to a school administrator. The student is now a legal habitual truant (E.C. 48262). The parents and student will be informed that the next incidence of refusal to attend classes upon the direction of school authorities may result in a recommendation of the student to an alternative education program and possible referral of parent and student to the School Attendance Review Board (SARB).

- Alternative consequences will be assigned such as detention, in-school suspension, Saturday School, community service.
- Student is ineligible to participate in extra-curricular activities for an additional six (6) weeks.
- A work permit will not be issued/or work permit will be revoked for a maximum of six (6) weeks. (E.C. 49164)

### **Sixth Incident**

A letter shall be sent certified or by using “proof of service” method to the parents/guardians informing them that their student has had additional incidents of truancy since being declared a legal habitual truant (E.C. 48262) and has been in “persistent defiance of authority.” Parent and student may be referred to the School Attendance Review Board (SARB).

- Student may be referred to an alternative education program, such as continuation high school if the student is sixteen (16) years of age or older, or to community day school if the student is under sixteen (16) years of age.
- Student is ineligible to participate in extra-curricular activities the remainder of the school year at the regular campus, including high school commencement ceremony/ 8th grade promotion ceremony.
- A work permit will not be issued/or work permit will be revoked by the issuing authority at the regular campus. (E.C. 49164)
- Alternative consequences will be assigned such as detention, in-school suspension, Saturday School, community service.

### **EXCESSIVE ABSENTEEISM**

Once a pupil accumulates fifteen (15) absences (excused or unexcused) during one (1) school year:

1. A school administrator may place the student on Attendance Supervision which imposes a requirement that additional absences must be verified by a licensed medical practitioner. (CCR Title 5 sec. 421 b)
2. A student may not be placed on Attendance Supervision unless the parent/guardian has been notified previously in conference or by letter of the District's excessive absence policy after that student has been absent ten (10) days or more.
3. Once a student has been placed on Attendance Supervision, a school administrator/ certificated designee shall call and hold a parent conference. Parent/guardian will again be informed of the District's excessive absence policy. If the parent/guardian cannot be contacted, the administrator/designee will hold a conference with the student and a certified letter shall be sent informing the parent/guardian that the student is placed on Attendance Supervision and the pertinent provisions of the excessive absence policy.
4. A student absent from school five (5) or more times without the required verification from a doctor are subject to being referred to the School Attendance Review Board. In addition, students may:
  - be ineligible to participate in extra-curricular activities the remainder of the school year at the regular campus.
  - not be issued a work permit or the work permit will be suspended or revoked by the issuing authority at the regular campus. (E.C. 49164)

**NOTE:** Six (6) period absences equal one (1) full-day absence and will be counted toward the fifteen (15) days.

## **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. Each school site will establish a tardy policy to ensure students being in class on time.

## **TARDY IN EXCESS OF 10 MINUTES**

If a student is tardy in excess of ten (10) minutes but no more than thirty (30) minutes, the teacher has the option of not allowing assignment make-up because of lack of class participation. If the student is tardy in excess of thirty (30) minutes three (3) times, he/she is truant according to E.C. 48260.

## **SCHOOL ATTENDANCE REVIEW BOARD (SARB) (E.C. 48320-48324, 48292-48293)**

The Education Code provides for the establishment of School Attendance Review Board to meet the special needs of pupils with school attendance problems or school behavior problems.

The **School Attendance Review Board (SARB)** may include a parent and representatives of: (1) the school, (2) the county probation department, (3) county welfare department, and (4) a representative of the County Superintendent of Schools.

SARB 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 Director, Student Services/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 by the courts as follows:

1. Upon conviction, by a fine of not more than one hundred dollars (\$100).
2. Upon a second conviction, by a fine of not more than two hundred fifty dollars (\$250).
3. Upon a third or subsequent conviction, by a fine of not more than five hundred dollars (\$500).
4. In lieu of imposing the fines prescribed in paragraphs (1) and (2), the court may order such person to be placed in a parent education and counseling program.

## **New California Attendance Laws**

Education Code, Section 48263.6: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with EC sections 48260, 48260.5, 48261, 48262, 48263, and 48291.

This new definition is directly linked to Penal Code 270.1 that allows school districts to hold the parents of “Chronic Truants” accountable in the local courts.

Effective January 1, 2011, California created a new standard for attendance that now defines students who miss more than ten percent of a school year, without a valid excuse as “Chronic Truants”. This new definition is directly linked to Penal Code 270.1 that allows school districts to hold the parents of “Chronic Truants” accountable in the local courts. Penal Code 270.1 states that parents of children who are classified as “Chronic Truants” and are ages six (6) and older, in grades one (1) through eight (8) may be guilty of a misdemeanor punishable by a fine not exceeding two thousand dollars (\$2000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

## **SATURDAY SCHOOL (E.C. 37223)**

The Governing Board of any elementary, high school, or unified school district may maintain classes on Saturday. The Visalia Unified School District's Board of Education approves such classes when appropriate and practicable.

The classes may include MAKE-UP CLASSES FOR UNEXCUSED ABSENCES occurring during the week.

Attendance at classes conducted on Saturday shall be at the election of the pupil or, in the case of a minor pupil, the parent or guardian of the pupil. However, the Governing Board may require truants, as defined by Section 48620, to attend make-up classes conducted on one (1) day of the weekend.

### **CONFIDENTIAL MEDICAL SERVICES (E. C. 46010.1)**

Students in grades K-12 shall not be absent from school without their parents/guardians knowledge or consent except in cases of medical emergency. Parents will immediately be notified of any such medical emergency. Student in grades 7-12 who represent an appointment of a confidential medical nature may also leave campus, but parents/guardians will immediately be notified of the absence (Education Code 46010.1).

### **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 preparing students for adult citizenship as well as preparing them for jobs and higher education. For this reason it is as important for the school to teach and evaluate citizenship as it is to teach and evaluate academic work.

#### **THE CITIZENSHIP MARK**

Students in grades 9-12 will receive a citizenship mark from each of their classroom teachers. The mark will be based solely on the citizenship displayed in each teacher's classroom.

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.

**Teacher 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 that offense (**teacher must notify the parents**).

Students in grades 9-12 may receive a mark of "outstanding", "satisfactory", "needs improvement" or "unsatisfactory" based on the "Citizenship Guidelines." 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)

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.

#### **CONSEQUENCES OF UNSATISFACTORY CITIZENSHIP**

Students in grades 9-12 who receive two (2) or more "unsatisfactory" citizenship marks in a grading session may not participate in extra-curriculum activities, until the next regular grading period. Students in grades 7-8 who receive four (4) or more unsatisfactory "rubric scores" of 1, may not participate in extra-curricular activities until the next regular grading period. A student may petition the principal to be placed on behavioral probation three (3) weeks after grades are released to students if the student has improved citizenship marks. Once the student is placed on behavioral probation, the student will be eligible to take part in extra-curricular activities if the student maintains a "C" grade (9-12) or a summary score of 2.0 in all classes (7-8) and satisfactory citizenship in each of the student's classes. The reporting six-week periods shall be considered consecutive and uninterrupted. Therefore, the citizenship marks of the last grading period of the previous year shall be the basis for deterring first session eligibility for the following year. The effective date to determine eligibility shall be the day report cards are released to students.

**NOTE:** If a student in grades 9-12 receives two “unsatisfactory” citizenship marks or a student in grades 7-8 receives four “unsatisfactory” citizenship scores during the fifth grading session, he/she may not participate in the high school commencement ceremony/ 8th grade promotion ceremony. Consequences for citizenship does not carry over from middle school to high school.

## **CITIZENSHIP GUIDELINES FOR STUDENTS AND PARENTS**

The following positive **character traits** shall be used in determining a student’s citizenship mark in his/her class.

### **A student of positive character is:**

**TRUSTWORTHY;** is sincere, tells the truth, shows commitment and self-discipline and doesn’t ask a friend to do something wrong.

**RESPONSIBLE;** is reliable and accepts responsibility for his/her actions, is diligent, exercises self-restraint and is disciplined.

**RESPECTFUL;** is courteous, polite and accepts others who are different.

**FAIR;** treats all people fairly, listens to others and makes decisions (which affect others) only after appropriate considerations.

**CARING;** shows care about others through kindness, caring, sharing, helping and compassion.

**A GOOD CITIZEN;** obeys school rules, respects authority, stays informed, is charitable and helps the school and community by volunteering service.

Teachers are required, based on the “Citizenship Guidelines”, to establish written classroom rules regarding students’ expected 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.

If a student’s citizenship mark is unsatisfactory at the time progress reports are issued, the fact WILL be noted on the progress report. However, if a student’s citizenship becomes unsatisfactory after that point, teachers may issue such a mark without a progress report but they are required to make parent contact.

## **APPEAL OF CITIZENSHIP MARK**

Students and parents/guardians have the right to appeal citizenship marks which they feel are in error or unjustified.

The classroom teacher should be the first contact for clarification as to the reason the unsatisfactory citizenship mark was given. If there is no resolution, a meeting must be requested, within two (2) weeks after the citizenship marks are released to students, with the principal/certificated designee prior to any further appeal. The site administration has 5 school days in which to make a decision. A student who has lost privileges remains in this status pending resolution of the appeal.

## **EXTRA-CURRICULAR ACTIVITIES ELIGIBILITY**

**Extra-curricular activities are a privilege and are encouraged by the District. The primary purpose of extra-curricular activities is to provide a variety of experiences appropriate to students.**

## **EXTRA-CURRICULAR ACTIVITIES OFFERED THROUGH VISALIA UNIFIED SCHOOL DISTRICT**

It is the goal of the District to work with parents to assist students in becoming self-directed and responsible for their own behavior. When students do not meet the clearly defined and communicated expectations outlined in this Student Conduct Code, the student will not be allowed to participate in extra-curricular activities which are limited to:

1. After school recreation/athletics (7-8)
2. School assemblies (7-8)\*\*
3. Student clubs (9-12)
4. Athletics (9-12)
5. Student government (7-12)
6. Cheer Leaders/Spirit Leaders (7-12)

7. Special field trips not a part of regular classroom work (7-12)\* (This includes 8th grade promotion trip).
8. School dances (7-12) (This includes 8th grade promotion dance)
9. Extra-curricular public performances of music, dance, drama, and speech (the loss of these privileges shall not apply to class activities to publicize and/or promote school activities to feeder schools which are conducted during the school day).

**NOTES** \*1. The principal/designee may make exceptions regarding academic and attendance expectations only for special field trip not a part of regular classroom work (7-12).

\*\*2. The principal/designee may make exceptions regarding attendance of school assemblies, if the nature of the program is focused on citizenship, drug/alcohol intervention, motivation, etc.

3. The following are co-curricular classes/activities (E.C. 35160.5):  
Choir, Band, FFA, and Drama.

## **EXTRA-CURRICULAR ACTIVITY ELIGIBILITY**

### 1. **ACADEMIC**

#### **GRADING PERIOD - HIGH SCHOOLS**

The comprehensive high schools will, every six (6) weeks, notify all parents of each student's academic status by mail. Report cards are issued through the mail for the 2012-2013 school year on the following dates: October 6, November 10, January 28, March 16, May 4 and June 17. Parents should expect to receive a progress card/report card mailed home on these dates. The January report card and the June report card will describe a student's final grade in a class and will be recorded on a student's transcript as the permanent grade. All of the other reporting dates are designed to give every parent in school a view of their individual student's progress in a class. Upon receipt of the progress card/report card parents are welcome to contact their school counselor to review their student's academic status.

In order for a pupil to participate in extra-curricular activities, the pupil shall achieve a grade point average of 2.0 with no more than one "F" and show maintenance of minimal progress towards meeting the high school graduation requirements prescribed by the Governing Board in each grading period preceding the period of participation in the extra-curricular activities.

For all students in grades 7-12 the six-week progress card/report card will be utilized to determine a student's eligibility status for participation in extracurricular activities. At the end of the first six weeks, those students who do not meet the academic requirements, as well as with CIF (athletic) standards, will be identified. The students will have the next six weeks as a probationary period allowing them to bring up their grades for continued participation. If a student is unsuccessful in improving his/her grades to the required standard, the student will not be eligible to participate until he/she meets the academic standards at the next grade reporting period.

#### **Grades 7-8**

The eligibility grading periods shall be the six grading periods. A student must maintain a 2.0 average of all summary class rubric scores. Students whose scores fall in the "below basic" level in English/language arts or mathematics classes are required to participate in a classroom or school intervention program as a condition of continued participation in the activity.

The grading periods shall be considered consecutive and uninterrupted. Therefore, the sixth grading period of the previous year shall be the basis for determining the first quarter eligibility for the following year.

If the eighth grade student, at the conclusion of the 6th grading period, fails to achieve a 2.0 cumulative rubric average, that student would only participate in extra curricular activities while under probationary status for the first six weeks of the ninth grade. At the end of the first six-week grading period, 9th graders may become eligible if they meet C.I.F. participation provisions.

#### **Grades 9-12**

Initial high school eligibility will be based upon the 8th grade, sixth session grades. The eligibility periods shall be the six-week progress card/report card grading periods.

The grading periods shall be considered consecutive and uninterrupted. Therefore, the second semester grade of the previous year shall be the basis for determining the first six weeks eligibility for the following year.

### **7-12 Summer School Grades—Effect on Eligibility**

Summer school grades shall be included to determine eligibility. In calculating eligibility, a summer school grade will replace the grade of a “like” course taken previously.

Grades/units earned in summer school classes which do not replace grades earned previously in “like” courses will be averaged with grades from the previous grading period.

Summer school grades shall not impair a student’s academic eligibility achieved in the previous grading period.

NOTE: This academic requirement also applies to eighth grade students entering the ninth grade.

## **2. ATTENDANCE**

### **Truancy**

A student may not participate in extra-curricular activities for six (6) weeks if the student reaches step 4 of the truancy policy.

If the student reaches step 5, the student is ineligible to participate in extra-curricular activities for six (6) additional weeks from the date the student reached step 5 of the truancy policy.

*If a student reaches step 6 of the truancy policy, the student is ineligible to participate in extra-curricular activities (including high school commencement ceremony/8th grade promotion ceremony) for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.*

### **Excessive Absenteeism**

Students who are absent fifteen (15) days in one school year may be placed on Attendance Supervision which imposes the requirement that future absences be verified by a licensed medical practitioner.

*If a student on Attendance Supervision accumulates five (5) unexcused absences (absences without medical verification), the student will be ineligible to participate in extra-curricular activities the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.*

### **Attendance on Event Day**

Students shall be in attendance all periods of the day of the event/practice (or in attendance the day prior on a weekend event/practice) unless excused by the Principal/designee of his/her school in advance or be ineligible for the first event following administrative contact.

### **Senior (12th grade) Attendance Policy**

Seniors must maintain a daily attendance rate of 94% throughout the senior year in order to be eligible to participate in the commencement ceremony at the end of the school year.

## **3. BEHAVIOR**

Students in grades 9-12, who are suspended for infractions of the Student Conduct Code will also be suspended from extra curricular activities according to the following proportions:

- 1 day home or in school suspension = 2 weeks suspension from extracurricular activity
- 2 day home or in school suspension = 4 weeks suspension from extracurricular activity
- 3 day home or in school suspension = 6 weeks suspension from extracurricular activity
- 4 day home or in school suspension = 8 weeks suspension from extracurricular activity
- 5 day home or in school suspension = 10 weeks suspension from extracurricular activity

Students in grades 7-8, who are suspended for infractions of the Student Conduct Code will also be suspended from participation in extra curricular activities according to the following proportions:

- 1 day school suspension = 1 week suspension from extra curricular activity
- 2 day school suspension = 2 weeks suspension from extra curricular activity
- 3 day school suspension = 3 weeks suspension from extra curricular activity
- 4 day school suspension = 4 weeks suspension from extra curricular activity
- 5 day school suspension = 5 weeks suspension from extra curricular activity

All 7-12 students who receive an additional suspension, while still serving “activity suspension time”, will have their period of activity ineligibility extended in direct proportion to the number of suspension days but will not extend beyond the current school year except for substance abuse infractions.

Notices:

1. All 7-12 students who are suspended, during the final ten weeks of school for five days (home or in school suspensions) or who receive enough suspension days which earn them “activity suspension time” through the end of the school year, may be denied the privilege of participating in the high school graduation or the 8th grade promotion ceremony.

2. All 7-12 students who have been expelled or placed on a suspended expulsion shall not participate in extra curricular activities for the length of the expulsion/suspended expulsion.

4. **8TH GRADE STUDENTS CITIZENSHIP MARKS**

Students who are on the unsatisfactory list for four (4) of six (6) grading sessions will be denied participation in all end of year activities (including promotion ceremony) irrespective of sixth session marks.

**NOTICE: To all 7-12 students**

*The district reserves the right to exclude a student from the graduation ceremony or other activities for a flagrant infraction of the student conduct code irrespective of the student’s citizenship status.*

5. **DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY**

Students who owe for outstanding Visalia Unified School District debts (K-12) will not be allowed to participate in extra-curricular activities until the debt is paid or until the student completes a program of voluntary work as provided by the Education Code 48904 in lieu of payment.

Notification to the parent/guardian regarding the debt will be made in writing. The effective date to determine eligibility shall be three (3) days after the issuance of the notification letter.

Loss of privileges includes participation in the promotion or graduation ceremony (grades 8 & 12) if the parent/guardian is notified of the debt at least three (3) days prior to the ceremony.

Note: Attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from middle school to high school.

Also, any student at the K-6 level who owes for outstanding school debts will remain ineligible to participate in extra-curricular activities, grades 7-12, until the debt is paid or until the student completes a program of voluntary work as provided in Education Code 48904 in lieu of payment.

**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 access to technological resources throughout the District’s schools and classes.

To inhibit access to harmful material when using technological resources, and preclude other misuses of the system, the Superintendent or designee shall establish administrative regulations governing use of the District's technological resources. He/she shall ensure that users have no expectation of privacy and understand that District staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by these regulations, shall be subject to disciplinary action, revocation of the right to use technological resources, and legal action as appropriate.

Reference: **Education Code**  
48980 Internet Access and Parent Notices  
51006 Computer education and resources  
51007 Programs to strengthen technological skills  
51870.5 Internet policy  
60011 Instructional materials definition  
60013 Supplementary instructional materials  
60017.1 Technology-based materials  
60044 Prohibited instructional materials

**Penal Code**  
313.(a) Definition of harmful material  
502 Unauthorized access to computer systems and computer data  
632 Eavesdropping on or recording confidential communications

**United States Code, Title 20**  
6801-7005 Technology for Education Act of 1994

### **STUDENT USE OF TECHNOLOGY (AR 6163.4(a))**

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources are properly supervised and receive training in their proper use as well as copies of related District regulations. Prior to use of some technological resources, students and their parents/guardians will be required to sign a "User Agreement."

### **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. A public meeting place.
2. Communications medium (voice/real-time audio & video, electronic mail).
3. Virtual field trips (visits to far away places).
4. Market place.
5. Entertainment.
6. Information resource (library, art gallery, product support).

As technology 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. Visit to a site that contains adult/pornographic information.
2. Visit to a site where offensive video, audio, images, or text is presented.
3. 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. Electronic filtering of known adult-oriented sites.
2. Supervising student activities.
3. Using planned lessons.
4. Monitoring of e-mail/chat sessions.
5. Policies for regular review of practices for improvement.

## **INTERNET USE - STUDENT OBLIGATIONS AND RESPONSIBILITIES**

Students and their parents/guardians must sign an Internet Use - Student User Agreement in order to have access to the Internet. This access may not be used for any purpose which conflicts with the goals or the policies of the School District or for illegal or unethical purposes.

Students are authorized to use the Internet in accordance with user obligations and responsibilities specified below:

1. Users shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number.
2. The system shall be used only for purposes related to education. Commercial, political and/or personal use of the District's system is strictly prohibited. The District reserves the right to monitor any on-line communications for improper use.
3. Users shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or District policy.
4. Users shall not transmit or receive material that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national origin, sex, age, disability, religion or political beliefs.
5. Copyrighted material may not be placed on the system without the author's permission. Users may download copyrighted material for their own use only.
6. Vandalism is forbidden. Vandalism includes uploading, downloading or creating computer viruses and/or any malicious attempt to harm or destroy District equipment or materials or the data of any other user.
7. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
8. Users are expected to keep messages brief and use appropriate language.
9. Users shall report any security problem or misuse of the network to the teacher or principal.
10. Users will abide by system usage, security, and web publishing guidelines as set forth by District authorities.

### **STUDENT USE OF TECHNOLOGY** (AR 6163.4(b))

#### **PENALTY FOR INAPPROPRIATE USE**

Students who fail to abide by these obligations and responsibilities, shall be subject to disciplinary action, revocation of the right to use technological resources, and legal action as appropriate.

#### **RULES OF INTERNET ETIQUETTE - "NETIQUETTE"**

1. Be Polite. Never send, or encourage others to send, abusive messages.
2. Use Appropriate Language. Remember that you are a representative of not only yourself, but also your school on a publicly accessible system. You may be alone with your computer, but what you say and do can be viewed globally! Never swear, use vulgarities, or any other inappropriate language. Illegal activities of any kind are strictly forbidden.
3. Privacy. Remember that revealing your own phone number and address can result in unwanted intrusions of your privacy and should be viewed in the same light as a public listing in a telephone directory. Users shall have no expectation of privacy and understand that the District has the right to monitor and examine all system activities to ensure proper use of the system.

4. Electronic Mail. Electronic mail (E-Mail) is not guaranteed to be private. Messages relating to or in support of illegal or unethical activities must be reported to the District.
5. Recommended Practices. Use accurate and descriptive titles for your articles and subject lines for your e-mail. Tell people what it is about before they read it.
  - Get the most appropriate audience for your message, not the widest. Avoid posting and bulk mailing of large messages.
  - Remember that if you post to multiple groups, specify all groups in a single message.
  - Be brief. Fewer people will bother to read a long message.
  - Minimize spelling errors and make sure your message is easy to understand and read.
  - Forgive the spelling and grammatical errors of others.
  - Remember that humor and satire is very often misinterpreted.
  - Post only to groups you know.
  - Cite references for any facts you present.
  - Keep signatures brief.
  - Remember that all network users are human beings. Don't "attack" correspondents; persuade them with facts.

### ***THE SIX PILLARS OF CHARACTER***

Character is a combination of traits that defines each person. Your character determines who you are as an individual. The character traits you develop and possess will direct your actions, choices and the path you will take in life. Along with your family, schools have a responsibility to help you cultivate sound and wise character traits. Staff of Visalia Unified School District believe the following pillars of character are essential elements of the moral and ethical behavior expected of every student:

**TRUSTWORTHINESS:** A person of character is trustworthy, lives with integrity, is honest, reliable and loyal.

**RESPECT:** A person of character values all persons, lives by the Golden Rule, respects the dignity, privacy and freedom of others, is courteous and polite to all and is tolerant and accepting of differences.

**RESPONSIBILITY:** A person of character meets the demands of duty, is accountable, pursues excellence.

**FAIRNESS:** A person of character is fair and just, is impartial, listens and is open to differing viewpoints.

**CARING:** A person of charter is caring, compassionate, kind, loving, considerate, and charitable.

**CITIZENSHIP:** A person of character is a good citizen, does his or her share, helps the community, plays by the rules, and respects authority and the law.

