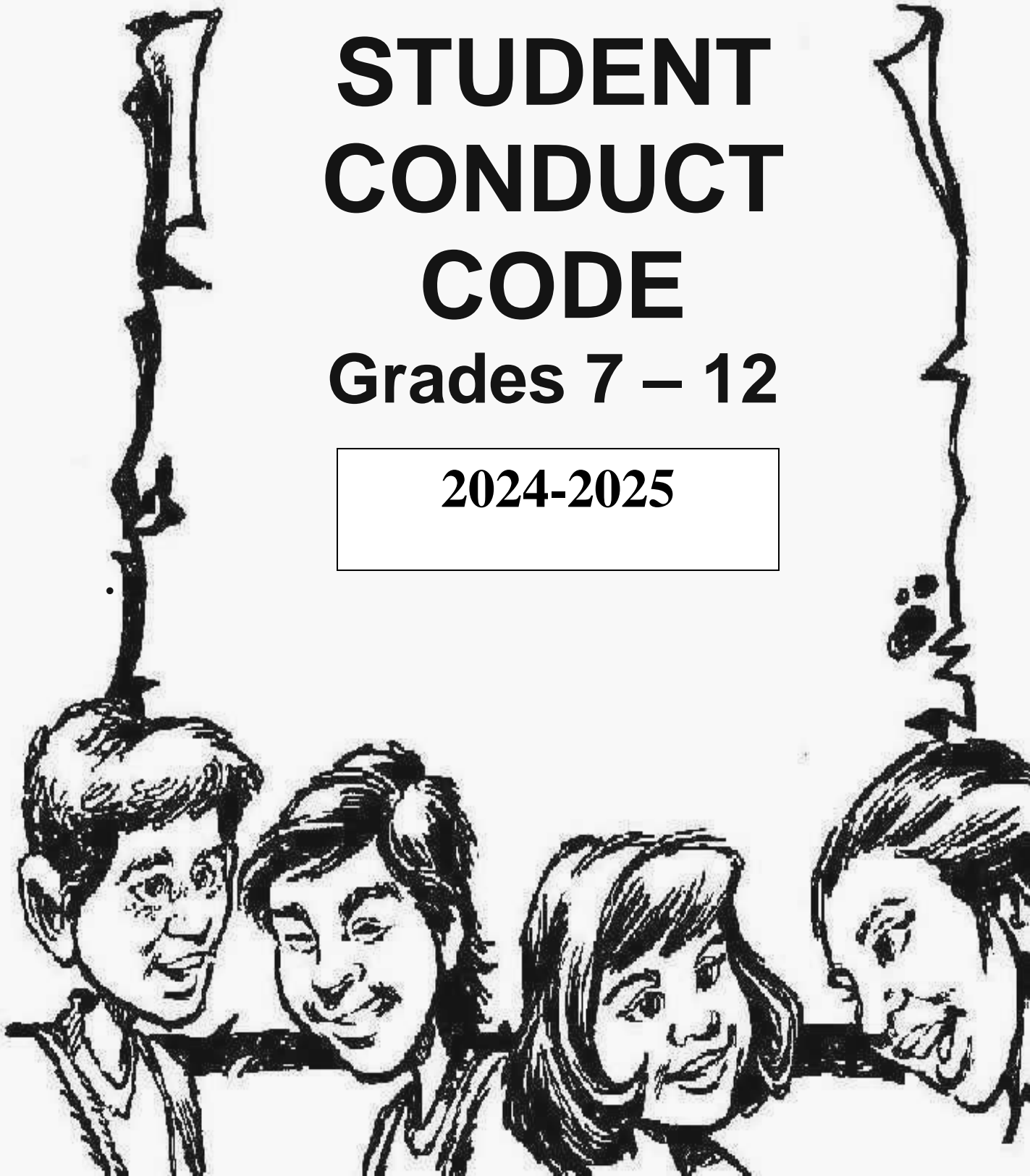


STUDENT CONDUCT CODE

Grades 7 – 12

2024-2025



OAKDALE JOINT UNIFIED SCHOOL DISTRICT

168 South Third Avenue, Oakdale, CA 95361

Tambien disponible en Español

Teach, Learn, Every Day, No Excuses

OJUSD



OAKDALE JOINT UNIFIED SCHOOL DISTRICT

PRINCIPLES OF RIGHTS, RESPONSIBILITIES AND RESPECT

TO ENSURE A SAFE SCHOOL ENVIRONMENT

“In reading the lives of great men, I found that the first victory they won was over themselves...self-discipline with all of them came first.”

---Harry S. Truman

Vision

Teach, Learn, Every Day, No Excuses!

Mission

All OJUSD staff and students strive for improvement and excellence every day.

Core Values

We believe all students and staff should:

- Achieve Excellence in All School Endeavors
- Lead Courageously
- Enact Justice on Behalf of Others
- Accept Responsibility for Their Actions
- Maintain Safe Schools and Positive Learning Environments for All

Student Goals

Every Student will...

- Demonstrate ongoing mastery of core subject areas as measured by proficiency on the California Standards Tests and District Benchmark Assessments.
- Improve his/her academic performance each year.
- Be able to read at grade level by the end of 3rd grade.
- Demonstrate Algebra Readiness by the end of 7th grade.
- Identify a career interest and develop an action plan for pursuing that career by the end of the 8th grade.
- Meet the District’s rigorous and relevant standards for graduation.

STUDENT CONDUCT CODE

GRADES 7 - 12

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Oakdale Joint Unified School District
168 S. Third Avenue
Oakdale, CA 95361

THE OJUSD BOARD OF TRUSTEES AND STUDENT BEHAVIOR

The OJUSD Board of Trustees has the responsibility to ensure 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, schools are built and maintained, and rules and regulations are established to provide an appropriate climate in which students fulfill their right to pursue their studies.

Guidelines and laws are cited here so that all students and parents know the basis for the rules that must be enforced by the Board. This responsibility is an obligation the Board takes seriously. School personnel have been charged by the Board to carry out these rules in a fair and firm manner, and with appropriate actions, in order to safeguard each student's right to the finest education we can provide, to hold distracting forces to a minimum, and to eliminate behavior that disrupts the learning process.

Parents, administrators, teachers, and staff responsible for the welfare of students are expected to work cooperatively to reinforce the behavior code and attendance policy. With all adults working together, all students will observe the value of working in support of a safe school community and beyond.

This publication contains the rights and responsibilities, legal basis, and rationale from which OJUSD policies are developed. It is important that you read and discuss this Student Conduct Code with your child(ren).

The OJUSD Board of Trustees looks forward to a safe school year with
We ask your support and cooperation.

Oakdale Joint Unified School District
Board of Trustees

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Rights of Students

- To attend school in a secure academic and social climate, free of fear and violence.
- To benefit from the educational environment without disruption from other students.
- To be informed of school rules and regulations.
- To attend school in a different and more restrictive placement if due process is specified under California Education Code.

Responsibilities of Students

- To assume accountability for personal behavior.
- To attend school regularly.
- To be at school on time every day.
- To be prepared for class with the appropriate materials and work.
- To know and obey school rules and regulations at school and all school events both at home and away.
- To respect the rights of fellow students, school personnel, and the public in general, to, from, and during school.
- To demonstrate pride in the appearance of school buildings and grounds by using the facilities appropriately.

Rights of Parents

- To expect that their children will spend time at school in a safe environment, engaged in activities, under the care and direction of a dedicated staff.
- To have assurance that school personnel and parents will work cooperatively in the best interest of the child.
- To be informed of District policies, regulations and school rules.
- To review their child's record with a certificated staff member providing assistance.

Responsibilities of Parents

- To assure that his/her children arrive at school on time and prepared to work.
- To visit school periodically to participate in conferences with teachers, counselors or administrators regarding the academic and behavioral status of their children.
- To treat all school staff with respect.
- 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 support 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, or changes, regarding legal address, phone, medical data, and other facts, that may help the school to serve their children.
- To become familiar with District policies and school rules and regulations.

Rights of Teachers

- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative support when enforcing rules designated to provide an optimum learning climate.
- To teach with minimum interruptions.
- To enjoy a level of respect and courteous treatment appropriate to the level of authority and responsibility of an adult and teacher.

Responsibilities of Teachers

- To consider the personal worth of each individual student and treat each person with respect.
- To provide the framework so that each learner has access to the knowledge, skills, attitudes, and values required for successful living.
- To hold students accountable for their actions at all times.
- To accept divergent ideas, opinions, and expressions objectively and work with them in a balanced, unbiased manner.
- To treat all parents with respect and in the spirit of cooperation.
- To keep parents and students informed with timely and 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 measures as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail.
- To make decisions regarding school issues based on what is best for the students.
- To hold students accountable for their conduct and to take prompt and appropriate action.
- To expect that all school employees recognize and fulfill their responsibilities for optimum student learning and a safe, orderly campus.

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.
- To promote attitudes and habits of good citizenship among the students.
- To demonstrate sensitivity toward student/staff/parent/community concerns and respond as necessary and appropriate.

- ❖ **Oakdale Joint Unified School District actively works to maintain a safe educational environment for all students and staff. Any conduct which interferes with the instructional process cannot be tolerated, and any student who causes or takes part in a disturbance will be subject to disciplinary action.**
- ❖ **All students are accountable for their behavior.**
- ❖ **Students are strongly encouraged to seek help from an adult on campus prior to a situation escalating.**
- ❖ **If you, as a student, are being bullied or harassed, tell friends, tell teachers, tell administrators, tell campus supervisors, tell parents. It will not stop until the information is shared. If you see or hear any information that is threatening or potentially dangerous, TELL SOMEONE or submit a report on the “STOPit” app accessible on-line and on the schools website!**

SUSPENSION / EXPULSION GUIDELINES (EC 48900)

One of the major functions of public schools is the preparation of youth for responsible citizenship. The district fosters a learning environment that reinforces the concepts of self-discipline and the acceptance of personal responsibility. It is appropriate to clearly articulate the expected behavior and the consequences when those expectations are not met. (EC 35291.5)

For the safety of the school community students are expected to obey all rules and regulations, respond to adults and other students in a respectful manner, and participate positively in an environment that allows teachers to teach and students to learn. The schools will not tolerate any comments or gestures that denigrate others due to race, color, sex, religion, handicap or disadvantage. This includes derogatory terms or racial slurs that are intended to degrade or disgrace in regard to a persons race, color, religion, national origin, ancestry, disability, sexual orientation, gender, physical appearance, emotional or intellectual condition, etc.. Pupils shall be subject to disciplinary procedures for bullying or harassing other pupils or for using insults, slurs, or fighting words that may disrupt school activities.

Depending on circumstances, some or all of the following may be used by school personnel and parents to foster appropriate pupil behavior:

- Participation in recognized school activities
- Parent / teacher / student conferences
- Assistance through school counselors and/or school nurses
- Administrative / student conferences
- Student Study Team (SST) which considers special circumstances, academic needs, special placements for specific students
- Referrals to community health and welfare agencies
- Behavior contracts
- Detentions
- Community Service

- Suspension from class or school
- Expulsion

Suspension is defined as the “removal of a pupil from ongoing instruction for adjustment purposes”. The law requires immediate suspension for specific acts as outlined in this disciplinary code (EC 48925), (48900). Parents are expected to further define what disciplinary action will take place at home while a student is suspended. It is recommended that such action include home service to the family such as specific chores or jobs, confinement to the home, suspension from all technology such as phone use, television and computers. Appropriate activities include school work and reading while at home for the duration of the suspension.

Expulsion is the most serious disciplinary action that a school district imposes on a student. This removes the student from school district sites for a specific period of time usually up to a year. The administrator must refer students to the district governing board for expulsion under the mandatory suspension and expulsion guidelines. The final decision for expulsion can only be made through action by the school district governing board. Students who are expelled must attend school by law and will be referred to county programs.

PLEASE NOTE: Possession of any knife, dirk, dagger, or any other dangerous object, including any “look-a-like” weapons, will be subject to Suspension and recommended Expulsion from school.

The number of violations occurring in one school year may determine the number of days of suspension, other possible alternative consequences, and expulsion.

“Ineligibility” Carry-Over: Behavioral offenses that warrant consequences which render a student “Ineligible” will carry over from one year to the next in grades 7 – 8 and 9 – 12, but not from junior high to high school.

(E.C. 48913) The teacher of any class from which a student is suspended may require the suspended student to complete any assignments and tests missed during the suspension. The responsibility of obtaining and doing class work lies with the student. All work must be completed within the teacher’s specified time but no longer than one day for every day suspended.

(E.C. 48900) A student may be suspended or expelled for acts which are enumerated in the “Behavior Expectations and Consequences” section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:

- While on school grounds
- While going to or coming from school, or during the lunch period whether on or off campus.
- During, or while going to or coming from, a school sponsored activity.

Students accumulating twenty (20) days of home suspensions **are subject to expulsion**. 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.

(E.C. 48904) Parental liability for willful misconduct of a minor that results in injury or death to a pupil or school employee 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 the current liability limit allowed

by law at the time of the misconduct. The parent or guardian shall also be liable for the amount of any reward, also not to exceed what is allowed by law.

When suspension is indicated, the site administrator will determine whether the consequence should include, but not limited to: home suspension, in-school suspension, detention and/or community service. Community service may include, but 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 (E. C. 48900.6).

- Law enforcement agencies must be notified by administrators for specific causes.
- If the nature of the offense makes an alternative education placement or expulsion recommendation appropriate, the student will be suspended five days for the infraction.
- The 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).
- Offenses of EC 48900 A-T, .2, .3, .4, & .7 ---Depending on the seriousness of the act, the student may be recommended for an alternative education placement or expulsion on the first or succeeding offenses.

Students and parents have a right to appeal disciplinary action taken against a student. A meeting must be requested with the principal. The legal standard for fact-finding when determining a Conduct Code violation is based upon a "Preponderance of the Evidence." Appeals to the principal will include a review of the evidence to confirm the "Preponderance" standard and "Due Process."

VEHICLES ON AND AROUND SCHOOL GROUNDS: SUBJECT TO SEARCH ON SCHOOL PROPERTY

By entering school property, the person driving any vehicle is deemed to consent to a complete search of the vehicle, all its compartments and contents, by school officials or law enforcement personnel for any reasonable indication or concern of a suspected Conduct Code or legal violation whatsoever. Operation of any vehicle on or around campus must follow all applicable laws including the California State Vehicle Code. Driver and passengers in any vehicle on or around campus must follow the standards of the Conduct Code to mitigate safety issues for all vehicle's passengers and pedestrians. This notice applies to all vehicles of any type and is in force 24 hours a day (California Vehicle Code, section 21113 A).

GANG-RELATED OFFENSES (BP5136, AR5136)

- The governing board desires to keep district schools free from the threats or harmful influence of any groups or gangs, which advocate drug use or disruptive behavior.
- The board prohibits the presence of any articles of clothing, apparel, jewelry, accessory, notebook, or manner of grooming which by virtue of its color, arrangement, trademark or any other attribute known by previous experience to be gang related.
- Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang membership shall be referred to the site administrator. The student's parent shall be contacted to provide alternate clothing and/or the student sent home to change clothes if necessary.
- A student may be suspended for five days on the first offense and recommended for an alternative education placement or expulsion depending on the violation.

SUSPENSION FROM CLASS (E.C. 48910)

- A teacher may suspend any pupil from the teacher's class for any violation of E.C. 48900, for that day 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 parent 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. A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day, this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended EC 48910 (b).
- For specific reasons specified in EC 48900 (i) or (k) the parent or guardian of a pupil may be required to attend all or a portion of a school day in his/her child's classroom. The policy shall take into account reasonable factors that may prevent compliance (EC 48900.1).

STUDENT ACTIVITY PENDING EXPULSION OR DURING SUSPENSION

- Student shall not report to school during the period of suspension or pending expulsion, except in the case of in-school suspension, unless coming to the office on official business by prior arrangement with a school administrator.
- Student shall be under the supervision of a parent/guardian during school hours pending expulsion or when serving suspension days at home. (7:00 a.m. - 4:30 p.m.)
- Student shall not attend any school event or activity at any school campus pending expulsion or during suspension.
- The teacher may require the student to complete any assignments and tests missed during the suspension. For one day of suspension, the determination to allow the student to make up work is at the discretion of the teacher. The responsibility of obtaining and doing class work lies with the student.

California Education Code § 48913.5

(a) Upon the request of a parent, a legal guardian or other person holding the right to make educational decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays the homework that the pupil would otherwise have been assigned.

(b) If a homework assignment that is requested pursuant to subdivision (a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

MANDATORY RECOMMENDATION FOR EXPULSION

These are extremely serious offenses. The principal or superintendent shall immediately suspend and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts listed below.

- A. **POSSESSING, SELLING OR OTHERWISE FURNISHING ANY FIREARM- EC 48915 (c)(1):** 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(c) (1) and 48900 (b))

- B. **BRANDISHING A KNIFE AT ANOTHER PERSON: EC 48915 (c)(2)**
- C. **UNLAWFULLY OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE, AN ALCOHOLIC BEVERAGE, OR AN INTOXICANT OF ANY KIND- EC 48915 (c)(3):** as defined in Section 11053 of the Health and Safety Code, E.C. 48915 (c) (3), E.C. 48900 (c)
- D. **COMMITTING OR ATTEMPTING TO COMMIT A SEXUAL ASSAULT- EC 48915 (c)(4):** as defined in Sections 261, 266c, 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 (c) (4) and E.C. 48900 (n)
- E. **POSSESSION OF AN EXPLOSIVE- EC 48915 (c)(5):** The term “explosive” means “destructive device” as prescribed in Section 921 of Title 18 of the United States Code. E.C. 48915 (c) (5) and 48900(b)

EC 48911 - The governing board shall order a pupil expelled for the above acts and shall refer that pupil to a program of study that:

- 1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.*
- 2) Is not provided at a comprehensive middle, junior, or senior school, or at any elementary school.*
- 3) Is not housed at the school site attended by the pupil at the time of suspension/expulsion.*

RECOMMENDATION FOR EXPULSION

EC 48915: The Principal or Superintendent of Schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the Principal or Superintendent finds the expulsion inappropriate due to the particular circumstance.

CAUSING SERIOUS PHYSICAL INJURY TO ANOTHER PERSON- EC 48915 (A)(1)(A): except in self-defense. (EC48915 (a) (1) (A) and 48900 (a), Penal Code 243

- **Self-defense is defined as the physical inability to walk away from a situation.*

POSSESSION OF ANY KNIFE OR OTHER DANGEROUS OBJECT OF NO REASONABLE USE TO THE PUPIL- EC 48915 (a)(1)(B): and EC 48900 (b)

- **Look-a-likes may be considered objects of a dangerous nature. Any object may be considered dangerous if used in a dangerous or threatening manner or perceived by others to be dangerous.*
- **NOTE:** *Look-a-like (imitation) toy guns are considered objects of a dangerous nature. (EC 48900 (m))*
- **NOTE:** *Possession of an imitation controlled substance (look-a-likes) will result in a recommendation for expulsion. Imitation controlled substances are considered “dangerous objects.” This offense is also in violation of Health and Safety Code 11680*
- **NOTE:** *Possession of tear gas/tear gas weapon/pepper spray is considered a dangerous object. (Penal Code Sec. 12401, 12402) (EC 49330)*

UNLAWFUL POSSESSION OF ANY CONTROLLED SUBSTANCE LISTED IN CHAPTER 2 OF DIVISION 10 OF THE HEALTH AND SAFETY CODE- EC 48915 (a)(1)(C):

- **NOTE:** *Except for the first possession for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.*

ROBBERY OR EXTORTION- EC 48915 (a)(1)(D): and 48900 (e)

ASSAULT OR BATTERY ON SCHOOL PERSONNEL- EC 48915 (a)(1)(E): (Penal Code Sec. 240, 242 and EC. 48900 (a) (1), EC 44014

The governing board may order a pupil expelled for the above acts. A decision to expel shall be based on a finding of one or both of the following:

- A. EC 48900 (b)(1) or (e)(1)- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.***
- B. EC 48900 (b)(2) or (e)(2)- Due to the nature of the act the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.***

GRADES 7-12 DISCIPLINARY CHART/ CONDUCT CODE

- The chart, which follows, is a compilation of the major rule infractions. Repeat offenses affect a more progressively serious disciplinary response than the initial violation. In most instances, continued violation of the same rule or regulation will result in even more severe consequences. If corrective action does not bring about proper conduct, expulsion may be in order.
- Administration reserves the right to determine alternative consequences than those prescribed in this progressive disciplinary chart based on the seriousness of a particular infraction and the previous discipline record of the student who commits the offense.
- Depending on the seriousness of the act, a five (5) day suspension and a recommendation for expulsion may be immediately recommended on the 1st offense.

Any student who commits an act warranting a 5-day suspension, or is suspended twice during the 4th quarter, will be ineligible for Extra Curricular Activities for a nine-week period beginning on the date when the student returns from the suspension. If the infraction warranting the five-day suspension occurs during the 4th quarter, the student will be ineligible for all end of the year activities **including promotion and graduation ceremony**.

- See Section 7 on Eligibility Guidelines.

VIOLATION	1 ST Offense	2 ND Offense	3 RD Offense
<p>EC 48900 (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person. (Includes threatening or participating in a “Mutual Combat”).</p> <p>EC 48900 (a)(2) Willfully used force or violence upon the person of another, except in self-defense (see notes below).</p> <ul style="list-style-type: none"> • <i>Self-defense is defined as the physical inability otherwise to walk away from a situation.</i> • <i>If a student caused serious physical injury (as defined in Penal Code Section 243) to another person, except in self-defense <u>the principal must call appropriate law enforcement and 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 (EC 48915).</u></i> 	Warning to student and/or other alternative consequences including up to 3-day suspension.	3-5-day suspension and possible alternative education program.	5-day suspension and recommendation for alternative education program or expulsion.
<p>EC 48900 (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive or other dangerous object.</p> <ul style="list-style-type: none"> • <i>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 and the principal deems expulsion inappropriate.</i> • <i>See “Recommendation for Expulsion”, section B. Look-a-like (imitation) toy guns are considered objects of a dangerous nature.</i> • Ref: EC 48915 (a2) 	5-day suspension. Recommendation for expulsion. - EC 48915 (a2). May include police notification.		

VIOLATION	1 ST Offense	2 ND Offense	3 RD Offense
<p>EC 48900 (b) Possessed or otherwise furnished a dangerous object not classified in EC 48915 (a2)</p> <ul style="list-style-type: none"> <i>Laser pointers are considered a dangerous object.</i> 	<p>Warning to student and/or alternative consequences including up to 3-day suspension.</p>	<p>1-3 day suspension.</p>	<p>3-5 day suspension and possible alternative education program.</p>
<p>EC 48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance or intoxicant of any kind.</p>	<p>5-day suspension and notification of appropriate law enforcement. NOTE: <i>First time offenders may reduce suspension from 5 days to 3 days if they elect to complete a district approved substance abuse/counseling program.</i> Student will be ineligible for extracurricular activities for (9) weeks regardless of participation in a substance abuse counseling program.</p>	<p>5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency. NOTE: <i>A second offense occurring during the school year will result in a recommendation for expulsion. Substance abuse treatment will be recommended during period of expulsion and may be a factor in reinstatement consideration.</i></p>	
<p>EC 48900 (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage or intoxicant of any kind.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion-EC 48915 (c3). Notification of appropriate law enforcement.</p>		
<p>EC 48900 (e) Committed or attempted to commit robbery or extortion.</p>	<p>5 day suspension. May recommend for alternative education/expulsion-EC 48915 (a4). May include police notification.</p>	<p>5-day suspension. Notification of appropriate law enforcement agency and recommendation for expulsion -EC 48915 (a4).</p>	
<p>EC 48900 (f) Caused or attempted to cause damage to school property or private property.</p> <ul style="list-style-type: none"> Includes but not limited to: cutting, defacing, or otherwise damaging any school district property, or the malicious damaging or destruction of any other person’s real or personal property (Penal Code Sec. 594). 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. (EC 48904) A student may be suspended and/or recommended for expulsion for causing damage to school property. As used in this section, “school property” includes, but is not limited to, electronic files and data bases (EC 48900 (u)) 	<p>Warning to student and/or other alternative consequences including up to 3-day suspension depending on amount of damage.</p>	<p>3-5 day suspension and possible alternative education program.</p>	<p>5-day suspension and recommendation for expulsion.</p>

VIOLATION	1 ST Offense	2 ND Offense	3 RD Offense
<p>EC 48900 (g) Stolen or attempted to steal school property or private property.</p> <ul style="list-style-type: none"> As used in this section, "school property" includes, but is not limited to, electronic files and data bases EC 48900 (u). 	<p>Warning to student and/or other alternative consequences including up to 3-day suspension depending on the value of the item. May include police notification.</p>	<p>3-5 day suspension and possible alternative education program. May include police notification.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion. May include police notification.</p>
<p>EC 48900 (h) Possessed or use of tobacco, or any products containing tobacco or nicotine products.</p> <ul style="list-style-type: none"> Tobacco and nicotine products include, but are not limited to, cigarettes, electronic cigarettes (e-cigarettes/vape pens/chargers, etc.), cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. No school shall permit the smoking or use of tobacco, electronic cigarettes (e-cigarettes/vape pens/chargers, etc.), or any other 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. (EC 48901). Confiscated materials will be returned to parents upon request. Confiscated materials will not be returned to students. 	<p>Warning to student and/or alternative consequences including up to 3-day suspension. May include police notification.</p>	<p>3-5 day suspension. May include police notification.</p>	<p>5 day suspension and possible recommendation for alternative education/expulsion. May include police notification.</p>
<p>EC 48900 (i) Committed an obscene act or engaged in habitual profanity or vulgarity, either verbally or in writing.</p> <ul style="list-style-type: none"> Any act committed against school staff warrants consequences starting at 2nd Offense. A student will be suspended on the first offense for 5 days if such behavior is viewed by the administrator as disruptive to school activities, threatens to disrupt the instructional process, or causes danger to persons or property. (EC 48900.5) 	<p>Warning to student and/or alternative consequences including up to 3-day suspension.</p>	<p>3-day suspension possible alternative education program.</p>	<p>3-5 day suspension and recommendation for alternative education program or expulsion.</p>
<p>EC 48900 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia as defined in Section 11014.5 of the Health and Safety Code.</p>	<p>5-day suspension and notification of appropriate law enforcement agency.</p>	<p>5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.</p>	
<p>EC 48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.</p> <ul style="list-style-type: none"> Includes refusals either in language or in action against school personnel, or refusing to comply with the reasonable requests or orders of school personnel. 	<p>Warning to student and/or alternative consequences.</p>	<p>Warning to student and/or alternative consequences.</p>	<p>Warning to student and/or alternative consequences.</p>

<ul style="list-style-type: none"> Includes disruptions with vehicles including, but not limited to: unsafe driving, exhibition of speed, careless operation, inadequate restraints, or any operation of behavior in or around vehicles that creates a disruption or potentially unsafe condition. 			
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VIOLATION	1ST Offense	2ND Offense	3RD Offense
EC 48900 (l) Knowingly received stolen school property or private property.	Warning to student and/or other alternative consequences including up to 3-day suspension depending on the value of the item. May include police notification.	3-5 day suspension and possible alternative education program. May include police notification.	5 day suspension. Possible recommendation for alternative education or expulsion. May include police notification.
EC 48900(m) Possessed an imitation firearm.	5 day suspension. May include police notification. Possible expulsion recommendation.	5 day suspension. Recommendation for alternative education/expulsion. May include police notification.	
EC 48900 (n) Committed or attempted to commit a sexual assault, or committed a sexual battery.	5 day suspension. Recommendation for expulsion.- EC 48915 (c4). May include police notification.		
EC 48900 (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.	5-day suspension and notification of appropriate law enforcement agency.	5-day suspension, and recommendation for expulsion. May notify appropriate law enforcement agency.	
48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug “Soma.”	5-day suspension and notification of appropriate law enforcement agency.	5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.	
48900 (q) Engaged in, or attempted to engage in, hazing. –(EC32050-52, EC33032.5, EC48900.4, & Penal Code 415)	Warning to student and/or other alternative consequences including up to 3-day suspension.	3-5 day suspension and possible alternative education program	5-day suspension and recommendation for expulsion.
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48900 (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, directed specifically toward pupil or school personnel, as defined in EC 32261 (f) and (g). An “electronic act” means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.	3-5 day suspension, possible referral to alternative education site. Parent contact	5 day suspension, possible recommendation to alternative education site.	5 day suspension, possible referral to alternative education site or possible recommendation for expulsion
48900.4 Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an	3-5 day suspension. May notify appropriate law enforcement agency. Possible recommendation for expulsion on threats or harassment directed at school personnel. harassment directed at school personnel.	5-day suspension and notification of appropriate law enforcement agency and recommendation for expulsion.	

<p>intimidating or hostile educational environment in Grades 4-12.</p> <ul style="list-style-type: none"> This includes derogatory terms or racial slurs that degrade or disgrace in regard to a person’s race, color, religion, national origin, ancestry, disability, sexual orientation, gender, physical appearance, emotional or intellectual condition, etc. <p>Gang related violation: display or affiliation written, non-written, verbal, non-verbal, and/or in attire/dress. EC 48900 (.2), (.4).</p>	<p><u>Gang related attire:</u> Clothing correction, parent conference/ education.</p> <p><u>Gang related activity:</u> Warning up to 3 day suspension.</p> <p><u>Gang related violence:</u> 3 to 5 day suspension Possible recommendation for expulsion.</p>		
<p>EC 48900 (t) Aiding or abetting the infliction or attempted infliction of physical injury to another person as defined in Penal Code Section 31.</p>	<p>Warning to student and/or other alternative consequences including up to 3-day suspension.</p>	<p>3-5 day suspension and possible alternative education program.</p>	<p>5-day suspension and recommendation for expulsion.</p>
<p>EC 48900.2 Sexual Harassment (grades 4-12)</p> <ul style="list-style-type: none"> Must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. 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. (Please see section 9 on Sexual Harassment). 	<p>5 day suspension. Notification of police.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion. May include police notification.</p>	
<p>EC 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, (in grades 4-12), as defined in Ed Code 233 subdivision (e).</p>	<p>5 day suspension. May include notification of appropriate law enforcement agency.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion. May include notification of appropriate law enforcement agency.</p>	
<p>EC 48900.7 Making Terroristic Threats including bomb threats or attempted bomb threats against school officials or school property, or both.</p> <ul style="list-style-type: none"> This includes bomb threats or attempted bomb threats against school officials or school property. 	<p>5 day suspension. May include notification of appropriate law enforcement agency.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion. May include notification of appropriate law enforcement agency.</p>	
<p>Setting or attempting to set a fire. -EC 48900 (f), Penal Code 447, 455, 148.4</p> <ul style="list-style-type: none"> Fire-setting of any nature may lead to recommendation for an alternative education or expulsion on the first offense. Fire setting is never considered to be a prank. The burning of trashcans can lead to immediate and serious consequences. 	<p>5 day suspension. Notification of appropriate law enforcement agency. Possible recommendation for expulsion.</p>	<p>5 day suspension. Recommendation for alternative education/expulsion. Notification of appropriate law enforcement agency.</p>	
<p>Violating the Use of Technology, Network, and Electronic Information Policy. - EC 48900 (f), (u)</p> <ul style="list-style-type: none"> A student may be suspended and/or recommended for expulsion for causing damage to school property. The definition of school property now includes electronic files and databases EC 48900 (u). This includes any unauthorized recording (audio, video, or other form of recorded). 	<p>Warning to student and/or alternate consequences up to and including loss of network and computer use and a 1 - 3-day suspension.</p>	<p>1-3 day suspension and loss of network and computer use.</p> <p>Ed Code 51512 violation: Possible Notification of Law Enforcement for potential filing of a misdemeanor charge.</p>	<p>3-5 day suspension and recommendation for alternative education program or expulsion.</p> <p>Ed Code 51512 violation: Possible Notification of Law Enforcement for</p>

information) in violation of Education Code 51512.			potential filing of a misdemeanor charge.
<p>School Bus Violations: Inappropriate behavior of the school bus. -EC 48900 (k) & (BP 5131.1)</p> <ul style="list-style-type: none"> Riding a school bus is a privilege extended to students by the school district. Abuse of this privilege shall result in the following: Students who display inappropriate behavior as defined in the Student Conduct Code will be subject to consequences as determined by the specific behavior and may go to Step 3 on the first offense. 	1 st and 2 nd Offense= Warning to student and/ or other alternative consequences.	3 rd Offense= Suspended off of the Bus for 3 days and/ or other alternative consequences. 4 th Offense= Suspended from Bus 5 days and/or alternative consequences.	5 th or subsequent offences = Removed from the Bus for the remainder of the year.
VIOLATION	1ST Offense	2ND Offense	3RD Offense
<p>Dress code violation. Any attire which disrupts, or tends to disrupt the educational process, or affect the health or safety of individuals, shall be prohibited. (EC 48900 (k) (EC 35161, 35183, 35291.5, 35294.1; C.A.C. Title 5, Section 302) Board Policy 5132, 5136 and Administrative Regulation 5132, 5136</p> <ul style="list-style-type: none"> In addition to this Conduct Code, schools may have additional guidelines and rules. See dress code guidelines in Section 4, Important Information. Any attire/paraphernalia/symbol that signifies gang affiliation will not be allowed on campus. Any attire/paraphernalia/symbol that displays a logo or other message promoting alcohol or controlled substances, promoting violence, illegal activity, or advocating racial, ethnic, sexual, religious group prejudice may not be worn on campus. 	Warning to student. Notification to parent. Student may be sent home to dress properly or asked to change to more proper attire at school if necessary.	Student sent home to dress properly or alternative consequences.	Student sent home to dress properly or alternative consequence.
<p>Possession and use of prohibited items. Possession or use of any personal belongings that are not used for educational purposes and items a school administrator identifies as disruptive. EC 48900(k)</p> <ul style="list-style-type: none"> 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. Inappropriate use will not be tolerated. School authorities will confiscate unauthorized object. Confiscated items will be returned to parents upon request. The school cannot guarantee the safety of, nor is not responsible for any items brought to school that are of no educational benefit. STUDENTS SHOULD LEAVE PERSONAL BELONGINGS AT HOME! See Cell Phone Policy and Skateboard Policy under section called "Other Information" No pupil shall be prohibited from possessing or using an electronic signaling 	Item confiscated, returned to student at the end of the school day.	Item confiscated, returned to the parent at the end of the school day or 1 day In House.	Item confiscated, returned to parents at end of school year, and/or In House for grades.

device that is determined by a licensed physician or surgeon to be essential for the health or a pupil and use of which is limited to purposes related to the health of the pupil (EC 48901.5).			
Forging, falsifying altering school/home correspondence, re-admit slips, or passes. EC 48900 (k)	Warning to student and/or other alternative consequences.	In House or alternative consequences.	In House or alternative consequence. Possible recommendation for an alternative education program.

VIOLATION	1ST Offense	2ND Offense	3RD Offense
Cheating, lying, plagiarizing, or committing other acts of academic dishonesty. EC 48900(k)	Warning to student. No credit (“F”) on assignment/ test. Possible alternative consequences.	In House or alternative consequences. No credit (“F”) on assignment/ test.	In House or alternative consequences. No credit (“F”) on assignment/ test.
Failure to or falsely identifying oneself to staff. EC 48900(k)	In House or alternative consequences.	In House or alternative consequences.	In House or alternative consequences.
Being “Off Limits” – In or about the parking lots or areas considered out of bounds without proper authorization. EC 48900 (k)	Warning to student and/or other alternative consequences.	In House or alternative consequences.	In House or alternative consequences Possible recommendation for alternative education program.
Gambling and wagering. EC 48900(k)	Warning to student and/or alternative consequences.	In House or alternative consequences.	In House or alternative consequences. Possible recommendation for alternative education program.
Hands-off violation. Roughhousing, horseplay, or any physical activity that is potentially dangerous or injurious. EC 48900 (k)	Warning to student and/or other alternative consequences.	In House or alternative consequences.	In House or alternative consequences. Possible recommendation for alternative education program.
<u>Loitering on or about any school campus</u> without apparent lawful purpose. EC 48900 (k) (Penal Code 627 and 653G)	Warning to student and/or alternative consequences. In House or alternative consequences Law enforcement may be notified	In House or alternative consequences Law enforcement may be notified	Recommendation for alternative education program In House or alternative consequences
Eating, chewing or drinking in class or undesignated areas. This includes all food, gum, and candy. EC 48900(k)	Warning to student and/or alternative consequences.	Alternative consequences In House.	In House or alternative consequences.

OTHER DISCIPLINE includes any one or combination of the following discipline actions:

- Warning, parent conference, parent letter, detention (lunch or after school), counseling, behavior plan, community service, In-School Suspension, In-House Detention, or other activity the site administration may determine appropriate.

ACRONYMS

AR	Administrative Regulation
BP	Board Policy
CAC	California Attendance Code
EC	(California) Education Code
OJUSD	Oakdale Joint Unified School District
PC	Penal Code
SARB	School Attendance Review Board
SART	School Attendance Review Team
WIC	Welfare and Institutions Code

BULLYING

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel under the jurisdiction of the school day or at school sponsored activities.

- **Bullying** includes any severe or pervasive and ongoing act or conduct (physical or verbal), including communications made in writing or by means of an electronic act, as defined, including, but not limited to, sexual harassment, hate violence, or harassment, threats, or intimidation, that has the effect or can reasonably be predicted to have the effect of placing a reasonable pupil, as defined, in fear of harm to that pupil's or those pupils' person or property, causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health, causing a reasonable pupil to experience substantial interference with his or her academic performance, or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- **Cyberbullying** includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation. Students are required to accept and sign off assenting to the terms of the District's Technology and Internet Use Agreement where students provide assurances that they will not engage in Cyberbullying.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so (Education Code 234.1).

Complaints and Investigation

- Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level Due Process procedures or the Uniform Complaint procedures.
- When a student is reported to be engaging in bullying off campus, the site administrator shall investigate and document the activity, then determine jurisdiction when identifying specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

- When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.
- If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the site administration also may file a complaint with the Internet site or service to have the material removed.

Discipline

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

Other Forms of Discrimination, Harrassment, Bullying, and Intimidation:

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, immigration status, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics. The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint (BP 5145.3).

This shall apply to all acts related to school activity or to school attendance occurring within a district school. Education Code [234.1](#).

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying in violation of the law, Board policy, or administrative regulation shall be subject to appropriate consequences or discipline, which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4.

BUS BEHAVIOR AND PROCEDURES

BUS BEHAVIOR

- The bus driver is in complete charge of the bus and may assign seats, as the driver feels necessary.
- All passengers shall remain seated at all times and until the bus comes to a complete stop. Students shall board and leave the bus in an orderly manner.
- Students must share seats on the bus. No student may refuse to share a seat with another student.
- No objects shall be thrown in or out of the bus.
- Heads, arms and legs and hair shall be kept inside the bus and out of the aisle at all times.
- Obscene gestures and obscene or loud talking, yelling, or screaming is not allowed.
- No fighting, roughhousing, pushing, shoving and/or tripping.
- Courtesy is a key word for bus riders. Each student shall conduct himself/herself in a mannerly fashion. Students shall remain quiet at railroad crossings.
- There is to be no eating, drinking or gum chewing on the bus.
- Students are not to bring glass containers or other glass objects on the bus.

- No pets of any type are permitted on the bus.
- Students should arrive at the bus stops no more than 5 minutes before the arrival time of the bus. Students shall wait at the spot designated by the driver in a quiet, mannerly fashion. Students should not be playing on the adjacent yards or in the street. When the bus approaches, students must wait until it stops and the driver opens the door.
- The driver will stop to load and unload passengers at designated bus stops only. Students should board the bus at their regularly assigned bus stop and ride the bus they are assigned to unless otherwise instructed by bus driver.
- All students will follow the Student Conduct Code while on the bus. Students found in violation will be referred to a site administrator, which may result in both a bus suspension as well as a school suspension.

Section 14103.5 CAC governing pupil transportation states "Pupils transported in a school bus shall be under the authority of and responsible directly to the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. CONTINUED DISORDERLY CONDUCT OR PERSISTENT REFUSAL TO SUBMIT TO THE AUTHORITY OF THE DRIVER SHALL BE SUFFICIENT REASON FOR A PUPIL TO BE DENIED TRANSPORTATION. A bus driver shall not require any pupil to leave the bus en route between home and school or other destination.

BUS CITATION PROCEDURE

Once a student has been verbally warned by the bus driver and the misconduct continues, the parent will be sent a notice from the transportation department informing them of the misconduct. After the second warning, the school site administrator will contact the student and parent for disciplinary measures upon receiving a copy of the citation from the transportation department.

- *Fighting, spitting, obscene language directed to the bus driver; vandalism, or other severe circumstances will be an automatic denial of bus riding privileges for up to the remainder of the school year, depending on the severity of the circumstances.*

CELL PHONE AND OTHER ELECTRONIC SIGNALING DEVICES POLICY

Students may possess electronic signaling devices, including but not limited to pagers, beepers and cellular/digital telephones, and other types of electronic, communication, recording devices. Such devices **shall not be used during class time or as otherwise directed**. Electronic signaling devices **shall be turned off during class time** and at any other time directed by a school employee, unless there is prior authorization from the teacher and Principal for valid instructional or other school-related purpose. If disruption occurs, the employee may direct the student to turn off the device and confiscate the device until the end of the school day or activity. On subsequent violations, the cell phone/ electronic device will not be returned until a parent conference is held and appropriate disciplinary action is taken.

Education Code 51512:

The Legislature finds that the use by any person, including a pupil, of any electronic listening or recording device in any classroom of the elementary and secondary schools without the prior consent of the teacher and the principal of the school given to promote an educational purpose disrupts and impairs the teaching process and discipline in the elementary and secondary schools, and such use is prohibited. Any person, other than a pupil, who willfully violates this section shall be guilty of a misdemeanor.

Any pupil violating this section shall be subject to appropriate disciplinary action.

Use of devices on school grounds: Students may use cell phones on 9 - 12 campuses before school or after school, during lunch, brunch and passing times as long as they do not create a disturbance or distraction.

- 7th and 8th grade students may not turn on or use cell phones until the end of the school day unless an emergency situation, as defined by district staff, exists.

Use of devices on buses: Cell phone usage by students while riding to and from school on the bus, or on the bus during school-sponsored activities is at the discretion of the bus driver. Distracting behavior that creates an unsafe environment will not be tolerated.

Disciplinary action: It is the students' responsibility to ensure that cell phones are turned off and out of sight during unauthorized times. Students who violate the above restrictions shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action including confiscation and return of the phone to the student's parents or guardians.

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. (Education Code 48901.5) **Parents must present this request in writing attached to the doctor's note.**

UNAUTHORIZED RECORDING

Students shall not record, either via audio recording or video recording, any instructional activities at school without the prior consent of the teacher of the class and the principal of the school as such recording violates Education Code section 51512. Any student violating this section shall be subject to appropriate disciplinary action, which may include suspension and the potential filing misdemeanor charges allowed under the law (*Enacted by Stats. 1976, Ch. 1010.*).

CLOSED CAMPUS 7-12

For the purpose of providing reasonable supervision, students are required to remain on campus at the 7th and 8th grades from the time they arrive at school until they are dismissed to go home on those days when school is in session. (BP5113) (EC10609)

- A parent / guardian may check out a student through the office during the school day for a medical reason or for an emergency. It is strongly recommended that medical appointments be made after the school day or during vacation time.
- NOON TIME: A parent / guardian may pick up a child for lunch periodically as a special situation. The student must be checked out through the office and checked in through the office.

A student may be required to leave campus for legal reasons.

Open Campus Grades 9-12

Grades 9-12 will have an open campus where students may go off school grounds only during the established Lunch period. All other times, the high school campus is considered a closed campus and to be off school grounds with exception to the lunch period is considered out of bounds and subject to disciplinary action.

COMMUNITY SERVICE- EC 48900.6

As a part of, or instead of, disciplinary action, the administration may require a pupil to perform community service on school grounds or, with written permission from the parent or guardian of the pupil, off school grounds, during the pupil's non-school hours. "Community Service" may include, but not limited to, work

performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs.

CORPORAL PUNISHMENT

State law and District policy prohibit school employees from the use of corporal punishment at any grade level.

DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY

Any student who owes for outstanding school debts will be ineligible to participate in extra-curricular activities in 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.

DETENTION OF STUDENTS AFTER SCHOOL

- Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day.
- Students may be detained after school for up to 15 minutes without prior notice to the parents.
- After school detention from 16 to 60 minutes requires prior notice to the parent. Prior notice may include a telephone call.
- Regardless of the length of detention, prior notice to the parents must occur in cases where detention will cause a student to miss the school bus.

DRESS CODE GUIDELINES (BP5132, AR5132)

Students shall dress appropriately for daily attendance at school and all school related activities. 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 (EC 35183, 35183.5, Board Policy 5132, 5136 and Administrative Regulations 5132, 5136).

The following rules will be adhered to, however additional rules unique to a school site may be implemented as long as they do not conflict with the Student Conduct Code (refer to the school site handbook). (EC 35291.5)

- All students are to attend school and school related activities in a manner which is clean and not hazardous to the health and safety of themselves and of others and does not detract from the educational process.
- Articles of clothing, permanent and temporary tattoos and body markings, and possessions which are known by previous experience to be gang related, display gang symbols, be obscene, be profane, have sexually suggestive expressions or activities, display tobacco, alcohol, or drugs, displays guns/weapons or suggests violence or sex; or materially interferes with school work; creates disorder or disrupts the educational process are not allowed. Possessions which are determined to be harassing, threatening, or intimidating to others will not be allowed (For further details on gang-related apparel see BP 5132, AR 5136 and BP 5136).

Any clothing or apparel that is harassing, threatening, or intimidating to others or advocates violence against a particular person or group of persons will not be allowed. Camouflage clothing is allowed when following the above guidelines and limited. NO full camouflage will be allowed.

- Any apparel, hairstyle, cosmetic or jewelry, even if not specifically mentioned, which creates a safety concern, draws undue attention to the wearer or tends to detract from the educational process, is prohibited.
- Garments shall be sufficient to appropriately conceal undergarments at all times. Beachwear, halter-tops, strapless tops, see-through clothing or clothes that expose the midriff or body in a sexually suggestive manner are not appropriate or acceptable. Straps for tops must be at least one inch wide. Straps must be fastened at all times.

- Dresses, skirts, mini-skirts and like garments are acceptable so long as they extend to a minimum of mid-thigh.
- Walking shorts, defined as shorts, (minimum 3” inseam), hemmed, and not form fitting are acceptable. All bike shorts, (spandex, Spanx, etc.), torn shorts, or shorts with holes are unacceptable. Appropriate shorts may be worn for physical education activities and athletic practices/contests. Principals have discretion to suspend the wearing of shorts because of frequent student violations.
- Shoes must be worn by all students. Flip flops are acceptable in grades 7 through 12. No hard steel-toed military type boots or metal-toed footwear will be allowed.
- Excessively baggy pants are not allowed. Pants must fit and be worn at the natural waist so as not to expose undergarments or skin. Manufactured “fashion” frays or tears are only acceptable if located on the pant leg (below the 3” inseam) and minor in size and number. The bottom of the pant leg may not be excessively frayed or excessively drag on the ground.
- Headwear (hats, caps and beanies) may be worn appropriately with the condition that such headwear does not create disruption, advocate drugs or alcohol, promote or spur violence, criminal activity, or any other display that is deemed inappropriate by the school. Caps must be worn with the bill forward and are not to be altered in any fashion. **Principals have discretion regarding appropriateness and condition of acceptable and unacceptable headwear.**
- Sports uniforms may not be altered.
- Only clear or natural colored contact lenses may be worn.
- Hair which causes undue attention is not acceptable; i.e., unusual designs, symbols, messages, Mohawks, or unusual razor cuts. Complete razor shaving of the head is allowed.
- If piercings create a distraction or safety issue, the site administrator will direct for removal or handle the necessary discipline as a disruption of school activities.

EXEMPTION TO DRESS CODE GUIDELINES

- Religious beliefs, when verified, may be grounds for an exemption to a specific portion of the Dress and Grooming policy. A petition for an exemption from enforcement of a specified portion of the Dress Code policy must be submitted to the principal for approval.
- District sports team uniforms may be worn as appropriate. Coaches and teachers may make modifications to accommodate the special needs of certain sports and/or classes with the approval of the site administrator.
- No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student’s control (EC 49066).

Inappropriate clothes may include, but are not limited to:

- Micro minis, short shorts
- Garments where the torso is exposed (tube tops, halters, half shirts, spaghetti straps less than one inch, strapless)
- Gang related
- Bare feet
- Open-toed shoes for PE
- Oversized/sagging pants, shorts, shirts, including tank tops
- No spiked studs or chains
- No open net/see-through shirts

GANG-RELATED CLOTHING OR ACCESSORIES

Due to potential for disruptions in classes, on buses, during transitional periods, or at school related functions, the following gang-related clothing or accessories guidelines shall be enforced by all students K-12 in the Oakdale Jt. Unified School District. These guidelines are authorized pursuant to Ed Code 35291.5, BP 5132, 5136 and AR 5132, 5136.

A gang is defined as a “group of recurrently associating individuals with a common name or a common identifying sign, color, or symbol, which creates an atmosphere of fear and intimidation within the school and community (SB 187).”

Clothing or accessories identifying a student as a gang member are **strictly prohibited**, including but not limited to the following:

- RED/RED or BLUE/BLUE outfits
- Only one article of red or blue may be worn at a time
- Multi-layered colors and clothing
- Transitory gang colors or other indicators determined by administration
- Stylized writing of names, RED or BLUE colored belts, belts which hang a sign, belt buckles identifying gang names, numbers, letters or colors, spiked apparel, RED or BLUE colored shoelaces, hair accessories, handkerchiefs/bandanas, wallets, purses, backpacks, and jewelry
- Clothing that depicts any advertising or glorification of gangs, guns, violence, drugs, cultural/racial superiority, put-downs or any anti-group slogans.
- Articles of clothing which are known to be gang related, display gang symbols, numbers or messages.

Tattoos, (temporary or permanent) which display gang symbols, profanity, products or slogans which promote tobacco, alcohol, drugs, displays guns/weapons or suggests violence or sex; or material that interferes with schoolwork; create disorder or disrupt the educational process are NOT allowed.

Gang related incidents, photos, drawings and graffiti will be reported to the Oakdale Police Department. The school administration shall have final authority in case of dispute.

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, or (c) is deficient in credits.

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 E. C. 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/guardian informing them of the opportunity to request a meeting with the Principal

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 student is enrolled at the time that the decision is made.

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

PROHIBITED ITEMS

Possession or use of prohibited belonging(s) of no educational value should not be brought to school. The school will not investigate either lost or stolen items that are of personal belonging. Prohibited items may include, but are not limited to the following: toys, music players (radios, tape players, etc.), iPods, cameras, and video/electronic games, weapons of any kind, pepper sprays, or any item the staff member deems distracting, unsafe, or of high value.

In addition, personal supplies, instruments, and materials that a student provides for him/herself are also the responsibility of the student. The school will not investigate or be responsible for these items being lost or stolen.

ADMINISTRATION OF MEDICATION

Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician. Forms for administering medication may be obtained from the school secretary. (Ed. Code, 49423, 49423.1, 49423.5, 49480) It is a California state law and a district policy and will be enforced. The medication supplied must be in the original container and labeled with the student's name, physician's name, the name and strength of the medication, the dose, and the way in which it is to be given (E.C. 49480, 49423.1). Students may not carry any medication on their person, purses, and backpacks unless for medical necessity and under written authorization of the health care provider; this would include EpiPen's, inhalers and insulin. If preferred, parents or guardians may want to dispense the medication to their own child at the school site. The Medication Policy is designed in your student's best interest to protect him or her, other students, and the school staff. Students who do not adhere to this policy will be subject to disciplinary action.

BICYCLE/ SKATEBOARD/ SCOOTER POLICY

In grades 7-12, students may utilize bicycles, skateboards/scooters as a mode of transportation to and from school only. Upon arrival to school, bikes, skateboards, and the like must be secured and not accessible during any part of the school day including lunch when campus is open. Bikes, Skateboards, scooters, or of the like may also be confiscated from a student and prohibited for future privilege if appropriate safety headgear is not worn or incident occurs that compromises safety or appropriate use. Parents will be required to come to the school to recover the confiscated bike/skateboard/scooter. Use on campus will be subject to disciplinary action.

ATTENDANCE EXPECTATIONS

4

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.

ABSENCES

ABSENCE

After 5 days of absence (for any reason) a letter is sent home to the parent reminding them the student has missed the equivalent of a week of school. Additional letters may be sent upon accumulation of subsequent absences. These letters will become a part of the student's record and may prompt the eventual notification of law enforcement for students who are excessively absent from school.

SPECIFIC TYPES OF ABSENCES

EXCUSED ABSENCES (C.A.C. Title 5, sec. 420) (EC 48205), A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

- Students shall be allowed two (2) school days (commencing the day the student returns to school) for each day of absence, to make up the work. Responsibility for requesting missed work lies with the student/parent.

A pupil shall be excused from school when the absence is:

- (1) Due to the pupil's illness (including mental or behavioral health).
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - Students are encouraged to make medical appointments after school hours whenever possible.
 - Students will be released for and receive excused absences for appointments only on the written approval of parents or guardians.
 - If a student must miss school for a medical appointment, the name of the doctor and/or clinic must be listed on the verifying note.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than three days if the service is conducted in California and not more than five days if the service is conducted outside California.
 - "Immediate family," means the same as set forth in Education Code 45194 which includes mother, father, brother, sister, grandparent, or any relative living in the immediate household.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

- (7) For justifiable personal reasons when the pupil's absence is requested in writing, and in advance, by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board, including, but not limited to:
- a) An appearance in court.
 - b) A student/family hardship situation requiring the student to be absent from school, as authorized by the principal.
 - c) An observance of a holiday or ceremony of the student's religion.
 - d) Attendance at religious retreats not to exceed four (4) hours per semester.
 - e) Attending a funeral service of a person who is not an immediate family member.
 - f) Attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.
- Only in the case of extreme emergency will the principal approve an absence after the absence occurs.
 - A student whose absence is authorized according to the above conditions (a-f) shall be allowed make-up privileges. The student/parent shall make arrangements with the teachers at least 3 days in advance to make up missed work.
- (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position.
- (10) For the purpose of attending the pupil's naturalization ceremony to become a U.S. citizen.
- (11) For the purpose of participating in a cultural ceremony or event. Authorization at the discretion of a school administrator, as described in subdivision (c) of ED section 48260.

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 makeup 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 three (3) 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).
 - d. No student shall be excused from school for such purpose on more than four (4) days per school year.
- A student whose absence is authorized according to the above conditions shall be allowed make-up privileges. The student shall make arrangements with the teachers to make up missed work at least 3 days in advance. Students shall be allowed the period of absence plus one additional period for each period of absence to make up the work. The teacher may extend the time for make-up. Responsibility for requesting missed work lies with the student.

UNEXCUSED ABSENCES: Absences listed below and/or due to circumstances not included in the “Excused Absences” section above.

Please Note: The determination to allow the student to make up work when an unexcused absence has occurred is at the discretion of the student’s teacher. The teacher, however, **may require** the student to complete any assignments and tests missed during the absence.

- A. **UNEXCUSED ABSENCES:** Absences, which cannot be verified by the parent/ guardian, will be considered truant (see below).
 - a. It is the responsibility of the parent/guardian to provide explanation of a student’s absence either by telephone the day of the absence or by dated note upon the student’s return to school. A parent/guardian signature is required on the note.
- B. **ABSENCES FOR PERSONAL REASONS – NO PRIOR APPROVAL – UNEXCUSED** (EC 48205, 37223):
 - a. Students who are absent for personal reasons and did **NOT** receive prior approval from the school administrator/designee may be assigned a consequence such as detention or in-school suspension or other alternative consequences to make up assignments or tests missed during the unexcused absence.
- C. **SUSPENSION ASSIGNMENT MAKE-UP** (E.C. 48913):
 - a. A suspended student may be allowed to complete comparable assignments, however, the determination to allow the student to make up work during a one day home suspension is at the discretion of the student’s teacher. The teacher, however, may require the student to complete any assignments and tests missed during the suspension (See Ed. Code §48913.5).

METHOD OF VERIFICATION

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, or email from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee or School Resource Officer, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. When a student is considered Chronically Absent (10% absence rate at any point of the school year) or has had 10 absences in the school year for illness verified by methods listed in #1-3

above, any further absences for illness shall be verified by a physician or a district nurse/health clerk at the student's school site.

Absences that are not verified within 48 hours of the students return to school with officially be designated as “**Truant**” (See definition and disposition of Truancy designations below).

TRUANCY (EC 48260-48263, 48900 k)

Students who are absent from school without approval of the school and without verification from the parent/guardian shall be considered truant/unexcused and shall NOT be allowed to make up assignments or tests which were assigned during the truancy/unexcused absence. The following represents the procedures, which will be followed when a student is absent from school without such a valid excuse or is tardy without the school's approval in excess of 30 minutes.

NOTE: If a student has an absence verified at the attendance office at a later time, he/she may not be allowed make-up privileges unless he/she presents the teacher a verified readmit slip within ONE day after the student returns to school. Students who leave the campus or the classroom without proper school authorization will be considered truant. The following represents the procedures when a student is absent from school without a valid excuse or is tardy without the school's approval in excess of 30 minutes.

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 shall be treated as “defiance of authority.” Alternate consequences shall be assigned such as detention, community service or in-school suspension. The student is classified as a legal “Truant” (absent from school without a valid excuse for 3 days or tardy in excess of 30 minutes on each of 3 or more days). (EC 48260) **The school may require that the parent/guardian attend school one day with the student.**

SUBSEQUENT INCIDENTS OF TRUANCY

Student may be referred to a school administrator. The school administrator may 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 sites School Attendance Review Team (SART). Alternative consequences will be assigned such as detention or in school suspension. The student is now a legal habitual truant and shall be within the legal jurisdiction of the juvenile court, which may adjudge the pupil to be a ward of the court. (EC 48262) (WIC 601) In addition, the following will apply for high school students:

- Student will be informed that a work permit will not be issued or will be revoked for a maximum of nine 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).
- Student may be involuntarily transferred to an Alternative Education Program such as East Stanislaus Continuation High School.
- A student may be deemed “Ineligible” to participate in extra-curricular activities at the direction of the district's SART panel.

Continued incidence of refusal to attend classes (truancy) may result in a referral of parent and student to the district School Attendance Review Board (SARB). If SARB directives are issued, the school will submit violations of any directives to the County Sheriff's Department for prosecution through the county superior court.

EXCESSIVE ABSENTEEISM

Once a student is considered “Chronically Absent” (10% absence rate at any point of the school year) or accumulates fifteen (15) absences (excused or unexcused) during the school year:

1. A school administrator may place the student on Attendance Supervision, which imposes a requirement that a licensed medical practitioner must verify additional absences. (C.A.C. 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/certified designee shall call and hold a telephone parent conference. The parent/guardian will again be informed of the District’s excessive absence policy. If the parent/guardian cannot be contacted, a certified letter will be sent informing the parent/guardian that the student is placed on Attendance Supervision and the pertinent provisions of the excessive absence policy.
4. Students absent from school five (5) or more times without the required parent verifications from a doctor are subject to being referred to the site School Attendance Review Team (SART) or the district School Attendance Review Board (SARB) (EC 48320-48324).
5. The following will apply:
 - a. Student will 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).
 - b. Student may be referred to an alternative education program, such as continuation high School if the student is 16 years of age or older.
 - c. A student may be deemed “Ineligible” to participate in extra-curricular activities at the direction of the district’s SARB panel.

NOTE: Six periods of absence equal one full day of absence and will be counted toward the fifteen days.

SCHOOL ATTENDANCE REVIEW TEAM (SART) BOARD (SARB) (EC 48320-48324, 48292-48293)

The Education Code provides for the establishment of School Attendance Review Boards (SART or SARB) to meet the special needs of pupils with school attendance problems or school behavior problems.

SARB may include a parent and representatives of 1) District Employees, 2) The District’s SRO, 3) Welfare Department, 4) School Counselors, and 5) Community Representatives.

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 site 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:

- Direct that the minor be referred to the county welfare department under Section 300 of the Welfare and Institutions Code.
- Direct that the minor be referred to the county probation department under Section 601 of the Welfare and Institutions Code.
- File a complaint against the parent, guardian, or other person in charge of such minor with the District Attorney.

The parent or guardian of any pupil who fails to comply with the directives of SARB, unless excused or exempted from them, is guilty of an infraction and shall be punished as follows:

- Upon conviction, by a fine of \$400 PER COUNT.
- Upon a second or subsequent conviction, by a fine of \$400 PER COUNT.

TARDIES

One of the responsibilities of each student is to be in the classroom in his/her seat or workstation when the bell rings. Being tardy is irresponsible behavior in that it is disruptive to the learning process. The initial consequences for tardies not excused by the school will be determined at each school site. Administrator/designee may assign the student a consequence, which may include detention, community service, in-school suspension or other alternative consequence.

1st- 2nd- and 3rd TARDIES FOR EACH CLASS

- Teacher to make parent contact either verbally or written.
- Additional consequences to be determined by the site.

—4th and SUBSEQUENT TARDIES

- Each teacher shall refer a student to an administrator or designee for a student's fourth and any successive tardy in one semester.
- Administrator/designee will assign the student a consequence which may include, but not limited to work detail/ community service, detention, and/or in-school suspension. Failure to comply will be considered defiance of authority.

—EXCESSIVE TARDIES

Continued incidence of tardiness may result in a referral of parent and student to the site School Attendance Review Team (SART) or the district School Attendance Review Board (SARB). If SARB directives are issued, the school will submit violations of any directives to the County Sheriff's Department for prosecution through the county superior court.

NOTE: Student out of class without authorization 5 minutes after class is to begin will be subject to a consequence which may include work detail/ community service, detention, and/or in-school suspension.

NOTE: TARDY IN EXCESS OF 10 MINUTES: If a student is tardy in excess of 10 minutes but no more than 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 30 minutes, he/she is truant and must obtain a re-admit slip from the attendance office indicating "truancy" (E. C. 48260).

INDEPENDENT STUDY- SHORT TERM (EC 51745) (BP and AR 6158 and 6158.1)

In the unusual circumstance that a student has a special need to be away from school for more than 5 school days but not more than 10 school days, an Independent Study contract may be requested through the school site principal/designee. The request must be made at least 5 school days prior to the student being away from campus. The principal will approve or disapprove in writing by signing the Independent Study request. The principal shall approve independent study for an individual student in good standing academically, behaviorally, and with satisfactory attendance, and only upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than he/she would in the regular classroom. It is the student's responsibility to make arrangements with teachers to get assignments equal to the assignments in the regular classroom for all subjects prior to leaving. It is the teacher's responsibility to provide the requirements for the student prior to the student leaving. Teachers will need 4 school days in order to prepare lessons and appropriate work for the student. Short term Independent Study is only allowed on a case-by-case basis as the District strongly feels the interaction and discussion within the

classroom environment is an integral part of the learning experience. All work must be returned with the contract when the student returns to school at the end of the Independent Study contract. Students who do not complete or abide to all stipulations in the agreement may have future Short-Term Independent Study requests denied. Short Term Independent Study requests will not be granted for periods that include the first two weeks or the last two weeks of any Trimester or Semester.

HOME AND HOSPITAL INSTRUCTION (E.C. 48206.3 AND BP 6175)

- Students **temporarily disabled** by injury or illness may receive individual instruction at home or in a hospital or residential health facility within the District. Such instruction may be given from one to five hours a week.
- Home or hospital instruction will be provided only when a student is expected to be out of school for two (2) weeks or longer.
- The home/hospital teacher will consult with the student's current classroom teacher or teachers so as to provide a continuity of instruction that enables the student to keep up with the regular school program.
- When seeking instruction for a student at home or in a hospital located within the District, the parent or guardian shall present this request at the in-home school, together with a physician's written description of the disabling condition. The physician shall have determined that the student is unable to attend school and will not expose the home teacher to any contagious disease that can be transmitted by casual contact.
- Principal/designee will provide to the regular education teacher a request for work, an estimated time the student will be absent, and due dates for when the work is to be provided to the principal/designee, who will forward the work to the Home/Hospital teacher. Where possible the Home/Hospital teacher and regular education teacher would work together, but the principal/designee is in charge of assuring that the work is provided and agreements fulfilled.
- For students eligible to receive special education services, the movement to Home/Hospital instruction requires that the principal/designee check the latest Individualized Education Plan (IEP) to verify that the IEP identified services are being provided. If it is not possible to provide such services while the student is on Home/Hospital, an IEP team will be convened to address services and placement.
- If the student is to be assigned to Home/Hospital for a short period of time, the regular education teacher may correct assignments and assign all grades, but unless other provisions are agreed to, the Home/Hospital teacher will assign grades for the time the student is assigned to Home/Hospital instruction. This grade will be averaged in with the grade for the regular classroom upon the student's return by the teacher of record.

Materials, teachers' manuals, etc. will be available for use by the Home/Hospital teacher from the individual school site.

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 in addition to teaching and evaluating academic work.

THE CITIZENSHIP MARK

Students will receive a citizenship mark each quarter from each of their classroom teachers. The mark will be based solely on the citizenship displayed in each teacher's classroom. Students will receive a mark of "outstanding", "satisfactory", "needs improvement", or "unsatisfactory" based on the "Citizenship Guidelines."

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

CITIZENSHIP GUIDELINES FOR STUDENTS AND PARENTS**OUTSTANDING CITIZENSHIP CRITERIA**

- Has received no disciplinary referrals.
- Has no parent contacts involving inappropriate classroom behavior.
- Has never been sent from the classroom for disciplinary reasons.
- Has been able to demonstrate an ability to work independently.
- Has come to class with homework and needed materials regularly.
- Has shown a willingness to participate in class discussions and activities.
- Has exercised reasonable care of school property.
- Has shown respect for others.
- Has exercised good conduct; doesn't disrupt class.
- Have had no more than one tardy and no truancies.

UNSATISFACTORY CITIZENSHIP CRITERIA

- Has had four or more unexcused tardies or three or more unexcused absences in a class.
- Has been suspended from class or school as a result of classroom behavior.
- Has had four or more documented incidents of inappropriate behavior in class.
- Has been caught cheating on more than one occasion.

Behavior that is not considered outstanding or unsatisfactory may be marked as satisfactory. Students who do not meet the criteria for a "U" but have less than satisfactory citizenship may be given an "N" (Needs Improvement).

If a student's citizenship mark is unsatisfactory at the time progress reports are issued, the fact WILL be noted on the progress report. If a student's citizenship mark becomes unsatisfactory after progress reports are issued, teachers will make every effort to notify the student and parent. However, a teacher may still issue such a mark without a progress report or direct contact with the parent.

These "Citizenship Mark Guidelines" are considered written notice and are provided to students at the beginning of the year or when new students enroll through this Student Conduct Code.

Citizenship marks given by the teacher are final. There will be no appeal or administrative change of citizenship marks without concurrence of the teacher and the principal.

- ❖ The District encourages extra-curricular activities.
- ❖ “Extra-Curricular Activities” are activities and events that are not part of the regular school curriculum, are not graded, do not offer credit, and do not take place during classroom time.
- ❖ The primary purpose of extra-curricular activities is to provide a variety of experiences appropriate to students.

ACADEMIC

- 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 in each grading period and show maintenance of minimal progress towards meeting the junior high or high school graduation requirements prescribed by the governing board in each grading period preceding the quarter of participation in the extra-curricular activities.
- 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 quarter eligibility for the following year.
- Any student who receives two (2) or more unsatisfactory citizenship grades during any grading period (quarterly report) shall be ineligible for participation in extracurricular activities, unless at the end of the next grading period reports indicate satisfactory citizenship has been achieved.

GRADES 7-8

The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.

- A "grading period" does not include any grading period in which the pupil was not in attendance for all or a majority of the grading period because of absences excused by the school for such reasons as illness, injury, or approved travel.
- Three weeks after grades are released to students, any junior high student has three (3) school days to petition the principal/designee to be placed on academic probation and regain privileges. A student must maintain a “C” grade and satisfactory citizenship in each class to remain on probation. A student may only petition for reinstatement once during the school year.

GRADES 9-12

- **The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.**
- 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 quarter eligibility for the following year.**
- Five weeks after grades are released to students, any high school student has three (3) school days to petition the principal/designee to be placed on academic probation and regain privileges. A student must maintain a “C” grade and satisfactory citizenship in each class to remain on probation. A student may only petition for reinstatement once during the school year.

7-12 SUMMER SCHOOL GRADES AND CONDUCT – 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 (semester in grades 9-12).
- Conduct Code violations during summer school warranting a 5 day suspension will render the student ineligible for 9 weeks beginning on the first day of the next regular school year.
- Students deemed ineligible due to 4th quarter citizenship grades (2 “unsatisfactory” marks or more) or behaviorally ineligible (5 day suspension) will not render themselves eligible for extracurricular activities in the following Fall quarter by attending summer school.

ATTENDANCE

TRUANCY AND EXCESSIVE ABSENTEEISM

- The district School Attendance Review Board (SARB) may determine a student “Ineligible” as a directive from the SARB panel.

DAILY PARTICIPATION

- Students may not participate in extra-curricular activities for any day that they did not attend over 50% of the school day including last period.
- Students may not participate in school-organized sports any day they have been excused from P.E. for medical reasons.
- Continued enrollment in a regular comprehensive school program for the previous semester (not including summer school) is required to be eligible for extracurricular activities. Students returning to OJHS or OHS from an Alternative Education program, including, Independent Study or Continuation School, will be ineligible for 9 weeks commencing on the date re-enrolled back into the regular comprehensive school.

BEHAVIOR

Students who are suspended from school for five (5) consecutive days are to be declared “Ineligible” and may not participate in extracurricular activities for nine school weeks commencing from the last day of the imposed suspension.

If an additional suspension occurs during the nine-week period, the period of ineligibility is to be extended for nine school weeks effective the date of the subsequent suspension.

Eighth grade students and High School Seniors with a five-day suspension, or being suspended twice, during the fourth quarter will be deemed “Ineligible” and will result in loss of all extra-curricular activities including the eighth-grade trip, Disneyland trip and participation in either the promotion or graduation ceremony.

CLASSROOM CITIZENSHIP

(Consequences for citizenship marks do not carry from junior high to high school)

Students who receive two or more “unsatisfactory” citizenship marks from teachers on any quarterly grade report may not participate in extra-curricular activities in the subsequent regular reporting period (the following quarter, this does not include summer school. In other words, Summer School attendance will not count towards the 9-week (quarter) ineligibility period). If a student received two or more “unsatisfactory” citizenship marks, the student may petition the principal to be placed on behavioral probation five 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 and satisfactory citizenship in each of the student’s classes. The reporting periods shall be considered consecutive and uninterrupted. **Therefore, the fourth quarter citizenship marks of the previous year shall be the basis for determining first quarter eligibility for the following year (with exception to students being promoted from 8th to 9th grade). The effective date to determine eligibility shall be the day report cards are officially posted.**

DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY

Students who owe for outstanding Oakdale Joint 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 of the parent/guardian regarding the debt will be made in writing.

The effective date to determine eligibility shall be three days after the issuance of the notification letter.

Loss of privileges includes participation of the graduation ceremony (grades 7- 12) if the parent/guardian is notified of the debt at least three days prior to the ceremony.

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

However, any student 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.

LOSS OF PRIVILEGES/EXTRA-CURRICULAR ACTIVITIES

7

STUDENT INELIGIBILITY

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 be deemed “Ineligible” and will not be allowed to participate in extra-curricular activities, which include but not limited to the following:

- **After school recreation (7-8), athletics (7-12)**
- **Athletics**
- **Student government (7-12)**

- Student Clubs (9-12)
- Spirit leaders / Cheerleaders (7-12)
- Special field trips not a part of regular classroom work (7-12)
- School dances (7-12)
- School assemblies (7-8)
- Extra-curricular public performances of music, dance, drama, and speech etc. where a student’s participation is not part of the curriculum, not graded, does not offer class credit, and does not take place during classroom time.

NOTE: Loss of these privileges shall not apply to “co-curricular” class activities (activities required by the class as a part of the curriculum, the student’s grade, a part of the class credit, which may take place during or outside of regular classroom time.).

- **Eighth Grade Promotion Ceremony and High School Graduation Ceremony**
- Any other activity or event that is supplemental to the requirements in a student’s course of study that is not required as a part of the student’s class grade.

SUMMARY OF ELIGIBILITY CRITERIA

INELIGIBILITY CRITERIA	LOSS OF PRIVILEGES
A. ACADEMIC	
<ol style="list-style-type: none"> 1. Less than 2.0 GPA or more than one F in each grading period. 2. Eighth Grade students who do not maintain a cumulative 2.0 academic grade point average throughout the eighth-grade year will be excluded from Graduation Ceremony and all activities related to Graduation. (BP 6146.5) 	<p>All privileges listed in section 7 with the following exceptions:</p> <ul style="list-style-type: none"> – Any junior high school student with a GPA below 2.0 with <u>no</u> F’s and with <u>no</u> unsatisfactory citizenship marks may be reviewed by the principal/designee for special permission to participate in extracurricular activities. – Five weeks after grades are released for students in High School, OR- Three weeks after grades are released for the Junior High School: <ul style="list-style-type: none"> – A student has three (3) school days to petition the principal/designee to be placed on academic probation and regain privileges. A student must maintain a “C” grade <u>and</u> satisfactory citizenship in <u>each</u> class to remain on probation. – A student may only petition for reinstatement once during the school year.
B. ATTENDANCE	
1 Directive established through the SART/SARB Panel.	All privileges listed on section 7 for nine weeks commencing on the date as directed by the SART/SARB Panel.
2. Transfers from Alternative Education programs	All privileges listed on section 7 for nine weeks commencing on the date re-enrolled back into the regular comprehensive school from an alternative education program, including Independent Study or Continuation School.
C. BEHAVIOR	
1 Five-day suspension	All privileges listed in section 7 for nine weeks commencing after the last day of the imposed suspension. If the infraction warranting the five day suspension occurs during the 4th quarter, the student will be

	<p>ineligible for all end of the year activities including promotion and graduation ceremony.</p> <ul style="list-style-type: none"> – Controlled substance possession, furnishing or use: First time offenders may reduce suspension from 5 days to 3 days if they elect to complete a district approved substance abuse/counseling program. Student choosing to participate in a substance abuse counseling program will be ineligible for extra-curricular activities for nine (9) weeks regardless of the reduced suspension.
2. Two or more suspensions during the 4 th quarter	All privileges listed in Section 7 for nine consecutive regular school weeks.
3. Three suspensions throughout the eighth grade year	Exclusion from participating in the graduation exercises and all activities related to graduation.
D. CLASSROOM CITIZENSHIP	
Two or more “Unsatisfactory” (U) Citizenship marks on any quarterly or semester report card.	<p>All privileges listed in section 7, (This includes eighth grade and senior trips; eighth grade graduation dance/high school prom; and the eighth grade/senior graduation ceremonies, if the student receives two "U" citizenship marks on their 3rd quarter grade report).</p> <p>Five weeks after grades are released to students, a student has three (3) school days to petition the principal/designee to be placed on behavioral probation and regain privileges. A student must maintain a “C” grade <u>and</u> satisfactory citizenship in <u>each</u> class to remain on probation.</p>
E. DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY	
Any debt owed to the school site or school district.	All privileges listed in section 7. Student will remain ineligible for all privileges listed in section 7 until the debt is paid or until the student completes a program of voluntary work as provided by Education Code 48904 in lieu of payment.

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 regardless of the student's citizenship status. **All privileges listed in section 7 for nine weeks commencing after the last day of the imposed suspension. If the infraction warranting the five day suspension occurs during the 4th quarter, the student will be ineligible for all end of the year activities including promotion and graduation ceremony.**

NOTE: Ineligibility status for students due to attendance, behavior, and citizenship:

The portion of the nine-week ineligibility period not yet served due to a regular school year ending, will resume at the beginning of the following fall semester (1st quarter) of the commencing school year, with exception to students who are promoted from grade 8 to grade 9. Summer School attendance will not be recognized as time served for this ineligibility period.

RIGHT OF APPEAL AND DUE PROCESS**SUSPENSION**

- 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 with the pupil, and, whenever practical, 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 the evidence against him or her and shall be given the opportunity to present his/her defense (E.C. 48911, sub-section 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, sub-section 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, sub-section d).
- 4) Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension (E.C. 48911, sub-section 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, sub-section f).
- 6) The pupil or pupil's parent or guardian has the right to appeal the suspension to the building principal. A meeting must be requested within five (5) school days following the first day of suspension. The legal standard for fact-finding when determining a Conduct Code violation is based upon a "Preponderance of the Evidence." Appeals to the principal will include a review of the evidence to confirm the preponderance standard and Due Process.
- 7) If the building principal upholds the suspension, the pupil or pupil's parent or guardian may request a Due Process appeal to the District's Assistant Superintendent of Pupil Services. A meeting with the Assistant Superintendent of Pupil Services must be requested within five (5) school days of the principal's decision. The appeal will only consider whether Due Process has occurred. This decision will be final.
- 8) Students remain on suspension through the appeal process. If the suspension is revoked, all information related to the suspension will be deleted from the pupil's record.

EXPULSION

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 Oakdale Joint Unified School District alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process (E.C. 48911, sub-section g).

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 impractical, 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, sub-section a).

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, sub-section b) unless waived by mutual consent of parent and school.

If the governing board so directs, an Administrative Hearing 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, sub-sections c and d). The school board may choose to provide the expulsion hearing in lieu of the Administrative Hearing Panel.

Within three (3) school days following the hearing, the Administrative Panel shall determine whether to recommend expulsion of the pupil to the governing board if the school board chooses to use the Administrative Hearing Panel (E.C. 48918, sub-section e).

The expulsion order and the causes therefore shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records (E.C. 48918, sub-section i).

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 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.

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 Trustees (E.C. 48918, sub-section i).

Students who have been expelled shall not participate in extra-curricular activities, including the 8th grade/senior trips, 8th grade graduation dance, high school prom, and the graduation ceremony (8th and 12th grades) for the length of the expulsion. Students who are on a suspended expulsion shall not participate in extra-curricular activities for the length of time defined on pages 49-52 of the Student Conduct Code.

READMISSION FROM EXPULSION

The adult student, or minor student and his/ her parent, must apply for re-enrollment with the Assistant Superintendent of Pupil Services no less than 4 school weeks prior to the semester in which the student is requesting to be readmitted into the district. The Assistant Superintendent of Pupil Services will meet with the student and/ or parent to verify all terms of the rehabilitation plan has been adhered to and completed. Upon this verification, the student's case will be submitted to the Superintendent for consideration of readmission. The student and/or parent will be informed in writing of the decision.

STUDENT SEXUAL HARASSMENT *(Prohibited by Law and by Oakdale Joint Unified School's Board Policy 5145.7)*

The OJUSD Board of Trustees will not tolerate sexual harassment and will make efforts to maintain schools free from sexual harassment. It is the Board of Trustees's intent to maintain an academic and work environment, which protects the dignity and promotes the mutual respect of all pupils and employees.

BOARD POLICY 5145.7, STUDENT SEXUAL HARASSMENT

- 1) Prohibits sexual harassment 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 sexual harassment 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 sexual harassment.
- 4) Each sexual 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, including harassment because of sexual orientation.

WHAT IS SEXUAL HARASSMENT

“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.

EXAMPLES OF SEXUAL HARASSMENT

Sexual 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. Such conduct may constitute sexual harassment, regardless of an individual's actual or perceived sexual orientation.

Forms of sexual harassment include, but are not limited to the following:

- 1) **Verbal Harassment** – Derogatory comments, jokes, or slurs; graphic verbal abuse of a sexual nature; comments about an individual's body/dress, sexual preferences or sexual conduct; sexually 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

sexually suggestive objects or pictures. Observing unnecessary or offensive touching in the educational environment.

- 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 as a result of a negative response to sexual advances or the making of an informal or formal complaint alleging sexual harassment.

CONSEQUENCES FOR SEXUAL HARASSMENT

Any student who engages in sexual harassment is subject to disciplinary action according to Board Policy 5145.7, Student Conduct Code, K-6 and Student Conduct Code, 7 – 12 and in accordance with the Education Code (Employees are subject to disciplinary action according to BP4119.11 and AR 4119.11, AR 4031 and in accordance with the Education Code).

GRIEVANCE (COMPLAINT) PROCEDURES (AR 5145.7)

- 1) Any student who feels that he/she is being sexually harassed should immediately contact a school site or district administrator.
- 2) Staff members who receive complaints of sexual 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 sexual 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 INFORMATION:

Oakdale Joint Unified School District and the Title IX Coordinator are up to date regarding trainings associated with Title IX regulation updates issued by the U.S. Department of Education on April 19, 2024. The District will continue to update board policies and administrative regulations pending updates in additional federal legislation. On June 23, 1972, the President signed Title IX of the Education Amendments of 1972, Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681-1688, into law. Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity, regardless of their sex, sexual orientation, gender identity, part- or full-time status, disability, race, or national origin—in all aspects of a recipient's educational programs and activities.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance.

Pursuant to Education Code § 221.61, all educational institutions in California subject to Title IX must ensure their websites include the specific Title IX information as set forth.

Notice of Nondiscrimination and Contact Information:

- Tracey Jakubowski, Assistant Superintendent, Pupil Services
- Tel: (209) 848-4884; Email: tjakubowski @ojusd.org

Rights of Students Pursuant to Title IX

No person in the United States of America shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal Financial Assistance.

The following is a summary of the rights of students pursuant to Title IX as set forth in Education Code section 221.8:

1. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
2. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
4. You have the right to apply for athletic scholarships.
5. You have the right to receive equitable treatment and benefits in the provision of all of the following:
 - a. Equipment and supplies
 - b. Scheduling of games and practices
 - c. Transportation and daily allowances
 - d. Access to tutoring
 - e. Coaching
 - f. Locker rooms
 - g. Practice and competitive facilities
 - h. Medical and training facilities services
 - i. Publicity
6. You have the right to have access to a Title IX Coordinator to answer questions regarding gender equity laws.
7. You have the right to contact the State Department of Education and the California Interscholastic Federation (CIF) to access information on gender equity laws.
8. You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights (OCR) or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
9. You have the right to pursue civil remedies if you have been discriminated against.
10. You have the right to be protected against retaliation if you file a discrimination complaint. For more information regarding student rights pursuant to Title IX, please visit:

- The California Office of Equal Opportunity at www.cde.ca.gov/re/di/eo/genequitytitleix.asp
- The United States Department of Education Office for Civil Rights at www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html

Responsibilities of Oakdale Joint Unified School District under Title IX

The responsibilities of the Oakdale Joint Unified School District and other education programs or activity receiving Federal Financial Assistance shall provide all students the right to participate in all education programs or activities free of discrimination based on their sex, sexual orientation, gender identity, part- or full-time status, disability, race, or national origin.

As part of the obligations under Title IX, all recipients of Federal financial assistance must designate at least one (1) employee to coordinate their efforts to comply with and carry out their responsibilities under Title IX and must notify all students and employees of that employee's contact information. This employee is referred to as the "Title IX Coordinator."

For more information regarding the responsibility of educational institutions under Title IX, please visit:

- The California Office of Equal Opportunity at: www.cde.ca.gov/re/di/eo/genequitytitleix.asp

- The United States Department of Education Office for Civil Rights at: www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html

How to File a Complaint Pursuant to Title IX

Individuals who have been subject to discrimination prohibited under Title IX may file a complaint with the District as well as the Office for Civil Rights (OCR). If a crime is involved, such as sexual assault or rape, individuals may also file a report with the local police department. Individuals may pursue one or all of these avenues at the same time. Below is a summary of each process.

- **District Complaint** - Individuals may file a complaint pursuant to the Uniform Complaint Procedure (UCP) as set forth in District Administrative Regulation No. 1312.3, which can be found at http://www.oakdale.k12.ca.us/Board_Policy. Please contact the Title IX Coordinator, as identified above, if you have any questions.
- **Time Requirement** - In order to file a complaint with the District, individuals must file the complaint as discussed above within six months of the discrimination occurring or awareness of the discrimination (5 CCR 4630(b) and District AR 1312.3(4c)). If you have any questions about this time limit, or if you believe your complaint may be outside this time requirement but want to explore other options, please contact the Title IX Coordinator.
- **OCR Complaint** - For more information regarding filing a complaint with OCR, please see: www2.ed.gov/about/offices/list/ocr/complaintintro.html

OCR requires that the complaint be filed within 180 calendar days after the discrimination. Please contact OCR, or visit the websites above, if you have questions or concerns about this time requirement.

- **Police Report** - If you are a victim of a crime, call 911. To file a police report, please contact local law enforcement at: Oakdale Police Department 245 North 2nd Ave, Oakdale, CA 95361 Tel: (209) 847-2231- <http://www.oakdalegov.com/police>
- **Investigation Procedure** - Upon receipt of any complaint related to a potential Title IX violation, the District will ensure every allegation is investigated promptly, adequately and impartially. The District will also take steps to protect all complainants from retaliation and ensure all parties are treated fairly throughout the District's investigation process. As part of its Title IX obligations, the District will also take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, as appropriate.

AR 1312.3 describes the District's investigation procedure, which can be found at: https://www.oakdale.k12.ca.us/Board_Policy

For information regarding OCR's investigation process, please see <http://www2.ed.gov/about/offices/list/ocr/complaints-how.html>

Contact Information for the Office for Civil Rights (OCR): OCR enforces Title IX to ensure that institutions that receive federal financial assistance comply with the law.

- OCR provides an online complaint filing system at <https://ocrcas.ed.gov/>
- OCR can also be contacted through the California regional office at:

Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102
Tel: (415) 486-5555
Email: ocr.sanfrancisco@ed.gov

PARENT/STUDENT CONDUCT CODE LETTER SIGN-OFF FORM

PLEASE CONFIRM VIA THE **ON-LINE DATA CONFIRMATION** THROUGH YOUR AERIES PARENT PORTAL ACCOUNT OR TEAR OUT, SIGN AND RETURN THIS FORM.

Dear Parents/Guardians,

Please take the time to read the information contained in this booklet, and discuss it with your child(ren) so that we can insure all students the right to attend campuses that are safe, secure, and peaceful.

The information contained in this booklet is based on the laws and regulations with which all schools must abide. If you have questions about any of the information in the booklet, please phone your school administrator:

Oakdale Junior High School (209) 847-2294

Oakdale High School (209) 847-3007

Alternative Education (209)847-1735

I have read the Student Conduct Code and have discussed it with my child(ren).

Please confirm receipt and acknowledgment of this Conduct Code through the District's On-Line Data Confirmation process through your Parent Portal Account,

~OR~

Sign and return this last page tear-out form, (one per child), and return it to the school's office within the first week of school.

Parent / Guardian Signature(s)

Date

Student's Signature

Date

PLEASE PRINT:

Student's Last Name

First

Middle Initial

School / Grade