NAPA VALLEY UNIFIED SCHOOL DISTRICT

Parent Guide to Student Discipline

Introduction

This document is intended to serve as a guide to students, parents, guardians, and the school community so that they better

understand disciplinary responses in NVUSD. It provides information and a framework for actions taken related to student discipline . Firm, fair, and corrective disciplinary efforts are a means to positively impact school culture and climate, while always ensuring school safety is the highest priority.

Relationship Between Student Discipline, Multi-Tiered Systems of Support (MTSS), and Restorative Practices

The student discipline framework is to be utilized in conjunction with NVUSD's Multi-Tiered System of Supports (MTSS) when administrative action is required in response to discipline decisions. The MTSS is designed to support students with ongoing appropriate and positive behaviors by increasing tiers of interventions and levels of integrated academic and behavioral support based on need. As separate tools working on parallel tracks, the MTSS and the student disciplinary actions create a systemic framework for intervention and discipline, to best support students when they are facing challenges, in a consistent and equitable manner across the district.

IN NVUSD, behavioral supports also include the implementation of restorative practices to build community, resolve conflict, and repair harm. Restorative practices in schools are based on restorative justice principles in conjunction with traditional disciplinary practice. Zero tolerance policies alone have proven to be ineffective and, in fact, have increased the push out of students into the "school to prison pipeline." The consistent use of restorative practices decreases suspension rates and lowers the disproportionality of exclusionary student discipline. They aim first to build classroom communities that are supported by clear agreements, authentic communication, and specific tools to bring issues and conflicts forward in a helpful way. They provide specific pathways to repair harm by bringing together those who are affected by misbehavior in a dialogue to address concerns, achieve understanding, and come to an agreement about setting things right. In addition to serving the cause of fairness and justice, restorative approaches make safer schools and contribute to social and emotional learning.

Specifically Restorative Practices are characterized by the use of non-violent communication, classroom circles to build relationships, create shared values and guidelines, and restorative conversations to address behavioral disruption and harm. The goal is to build a caring, equitable community with conditions conducive to learning and healing.

NVUSD Student Discipline

NVUSD is committed to a disciplinary protocol that is consistent and systematic across school sites, is corrective in nature, and is aligned with all requirements of the California Education Code. The following is a framework for appropriate, timely responses to

student discipline. The secondary and elementary disciplinary matrices that follow indicate the types of administrative actions and interventions that apply to behavior incidents and are tightly aligned with the California Education Code. **Site administrators will determine the degree of severity and frequency of an incident and issue the appropriate corresponding consequences**. Although consistency is always a goal, it is important to remember that **each situation involving student conduct should be individualized and the least punitive action should be taken when possible.** That could mean utilizing other means of correction/intervention in lieu of punitive consequences, especially for first offenses.

The Discipline Matrices will be used in conjunction with NVUSD's Multi-tiered Systems of Support (MTSS) in order to support students, teachers, administrators, families, and all members of the NVUSD community to create positive, safe, equitable, and successful learning environments. Punishment, by itself, does not improve student behavior or conduct and will rarely be administered in isolation. Under existing state law AB 1729, students can NEVER be suspended for first-time offenses, unless the student is found to be in violation of California Education Code 48900(a)-(e) and (n) offenses or when the student's presence at a school causes a danger to themselves or others.

Other Means of Correction

Other Means of Correction are potential tools that could be utilized in the school's efforts to respond to and correct student misbehavior. Some examples of Other Means of Correction are:

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

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

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

(4) Referral for a comprehensive psychosocial or psychoeducational assessment.

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

(6) Participation in a restorative justice program.

(7) A positive behavior support approach with tiered interventions that occur during the school day on campus. (8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors.

Removal from the Classroom (Period Time Out)

A teacher may remove a student from the class, without reassignment to another class or program for the remainder of the class period *without sending the pupil to the principal (or other site administrator)*. Removal from a particular class must not occur more

than once every five school days. This does not qualify as a “suspension” under Ed. Code section 48910. (CA Ed. Code 48925(d)).

Teacher’s Suspension from the Classroom
A teacher has a right at any time to suspend a student from his or her classroom for any act enumerated in Ed. Code Section 48900. The teacher must (1) immediately report it to, and send the pupil to, the principal and (2) must, as soon as possible, ask parent(s) to attend a parent-teacher conference regarding the suspension. A teacher may suspend a student from his/her class for up to two school days. (CA Ed. Code 48910).

When a teacher removes a student from the classroom on a teacher suspension from class per Ed Code 48910, the teacher shall ask the student’s parent/guardian *to attend* a parent-teacher conference regarding the suspension. During the conference, the teacher, family, and student will work together to determine underlying issues leading to the challenging behavior and necessary next steps for student success. A counselor or school psychologist may attend the conference, if practicable and an administrator shall attend if either the parent/guardian or teacher so requests.

Suspension
California Education Code 48925(d) defines suspension as the removal of a pupil from ongoing instruction for adjustment purposes.

Due Process - the principal or designee must hold an informal conference with your child, where he/she is informed of the reason for the disciplinary action and the evidence against him/her, and given the opportunity to present his/her version and evidence in his/her defense (CA Ed. Code 48911(b)). The administrator is <u>not</u> required to contact or notify parents/guardians prior to holding this meeting with the student. The administrator may suspend a child without the informal conference if an “emergency situation” exists. The informal conference must be held within two days following the emergency situation unless your child waives his/her right to the conference or is physically unable to attend for any reason. (CA Ed. Code 48911(c)).

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment will not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

Parents are required to respond without delay to a request from school officials to attend a conference regarding his/her child’s

behavior. (CA Ed. Code 48911(c)).

Expulsion Recommendations

Expulsion is the most serious disciplinary action that a school administrator may recommend and which a school district may impose on a student. Expulsion can only occur by action of the school district governing board, but administrators have an important role in recommending expulsion. Due process procedures for student expulsion are prescribed in California *Education Code* (*EC*) Section 48915 which categorizes the types of offenses that require an expulsion recommendation, as well as those that do not require an expulsion recommendation.

A student may be recommended for expulsion for severe and/or frequent violations of CA Ed. Code 48900. In addition, CA Ed. Code Section 48915 details more severe instances of conduct that, if violated, create an increased health or safety hazard for a school such that an expulsion recommendation may be appropriate.

Communication

Parents and guardians are key support components for corrective behavior and the primary concerned stakeholders.

Parent/Guardian notification regarding all discipline infractions will be initiated as soon as is reasonably possible after any disciplinary incidents, regardless of the severity.

Napa Valley Unified School District

Discipline Matrix for SECONDARY Grades (6-12)

California Education Code 48900(s). A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is **related to a school activity or school attendance** occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, *but not limited to*, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to, or coming from, a school-sponsored activity.

California Education Code Infractions	**Low severity/Low frequency (i.e., first offense)**	**Moderate severity/ Moderate frequency**	**High severity/High frequency**
48900(**a**)(**1**) Caused, attempted to cause/threaten physical injury to another person.	● Detention ● Restorative Conversation ● Parent Notification	● 1-3 Day Suspension ● Restorative Conversation ● and/or No Contact Contract ● Parent Conference	● 3-5 Day Suspension and possible recommendation for expulsion ● Safety Plan and possible MTSS Referral
48900(**a**)(**2**) Willfully used force or violence upon another except in self-defense. ● 1-3 day suspension or in-house ● Parent Conference ● Restorative Conversation ● Safety Plan	● Tier II Referral to Counselor/MTSS Team	3-5 day suspension and possible recommendation for expulsion. Police Notification	If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Tier II Referral to Counselor/MTSS Team

48915(a)(1)(A) Caused serious physical injury to another person, except in self-defense.	Police Notification 3-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation ● Tier II Referral
48915(a)(1)(E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.	Police Notification 3-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation ● Tier II Referral
48900(b) Possessed, sold or otherwise furnished firearm, knife, explosive or other dangerous object.	Police Notification 1-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation ● Tier II Referral

48915(a)(1)(B) Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.	Police Notification 3-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation

48900(**c**) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.	1-2 Day suspension Parent Conference Restorative Conversation Recommendation to Alcohol/Drug Intervention Program	Police Notification 1-5 day suspension and possible recommendation for expulsion: If no expulsion recommendation: ● Parent Conference ● Recommendation to Alcohol/Drug Intervention Program ● Restorative Conversation
48915(a)(1)(C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.	Police Notification Recommendation to Alcohol/Drug Intervention Program 3-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Restorative Conversation ● Recommendation to Alcohol/Drug Intervention Program	

48900(**d**) Unlawfully offered, arranged, or negotiated to sell a controlled substance, alcohol or intoxicant and then provided a replica substance.	1-2 Day suspension Parent Conference Restorative Conversation Recommendation to Alcohol/Drug Intervention Program	1-5 day suspension and possible recommendation for expulsion: If no expulsion recommendation: ● Police Notification ● Parent Conference ● Restorative Conversation ● Recommendation to Alcohol/Drug Intervention Program
48900(**e**) Attempted or committed robbery or extortion.	1-3 day suspension Police Notification	3-5 day suspension and possible recommendation for expulsion If no expulsion recommendation:

	Parent Conference Restorative Conversation	● Police Notification ● Parent Conference ● Restorative Conversation ● Safety Plan
48915(a)(1)(D) Committed robbery or extortion.	Police Notification 3-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Restorative Conversation ● Safety Plan	

48900(**f**) Caused or attempted to cause damage to private or school property.	Detention Parent Conference Restorative Conversation Restitution is appropriate	1-2 Day suspension Parent Conference Police notification Restorative Conversation Restitution is appropriate	1-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Police notification ● Restorative Conversation ● Restitution ● Safety Plan
48900(**g**) Stole or attempted to steal school or private property.	Detention Parent Conference Restorative Conversation	1-2 Day suspension Parent Conference Police notification Restorative Conversation	1-5 day suspension and possible recommendation for expulsion. If no expulsion recommendation: ● Parent Conference ● Police notification ● Restorative Conversation ● Restitution ● Safety Plan
48900(**h**) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature	Detention Parent Notification	Detention Alternative (See Protocol) In-House Suspension	1-5 day suspension Parent Notification

cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.	Recommendation to Alcohol/Drug Intervention Program Restorative Conversation	Parent Notification Restorative Conversation Recommendation to Alcohol/Drug Intervention Program	Safety Plan Restorative Conversation
48900(**i**) Committed an obscene act or engaged in habitual profanity/vulgarity.	Detention Restorative Conversation	Detention/s Restorative Conversation Parent Conference	1-2 day suspension Parent Conference Safety Plan Restorative Conversation
48900(**j**) Unlawfully possessed, offered, arranged or negotiated to sell drug paraphernalia as defined in Section 11014.5 of the Health and Safety Code.	Detention Parent Conference Restorative Conversation	Up to 1 day suspension Parent Conference Recommendation to Alcohol/Drug Intervention Program Restorative Conversation	1-2 day suspension Parent Conference Police Notification Recommendation to Alcohol/Drug Intervention Program Safety plan Restorative Conversation

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. ***K-12 students can not be suspended from school for this violation.***	Potential loss of privileges Restorative Conversation	Detention and/or potential loss of privileges Reparation/Apology Parent Notification Restorative Conversation	Detention Restorative Conversation/Apology Parent Conference Safety plan
48900 (k) Violated Mobile Communication Devices Policy 5131.8. Student had their mobile communication device and/or earbuds out during instructional time. K-12 students can not be suspended from school for this violation	Warning Parent Notification	Referral to administrator; Phone kept till end of the day Parent Contacted and Conference held	Phone kept in office for parent to pick up Ongoing violations may result in phone checked in/checked out daily from office and/or detentions.

Teachers may suspend from class/period.			
48900(**l**) Knowingly received stolen school or private property.	Detention Restorative Conversation	1-2 day suspension Restorative Conversation Parent Conference Police Notification	2-3 day suspension Restorative Conversation Parent Conference Police Notification Safety Plan

48900(**m**) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.	Detention Parent Conference Restorative Conversation	1-2 Day suspension Parent Conference Police notification Restorative Conversation MTSS Referral Process	1-5 Day Suspension and possible recommendation for expulsion Threat Assessment, as Needed If no expulsion recommendation: ● Parent Conference ● Police Notification ● MTSS Referral Process ● Restorative Conversation
48900(**n**) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Expulsion is Mandatory)	Police Notification Parent Conference 5 day suspension MANDATORY recommendation for expulsion		

48900(**o**) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.	0-2 day suspension or Detention Police notification Restorative Conversation Parent conference Safety Plan	3-5 day suspension/possible recommendation for expulsion: Police Notification If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation

48900(**p**) Unlawfully offered, arranged to sell, or sold the prescription drug SOMA.	1-2 Day suspension Parent Conference Restorative Conversation Recommendation to Alcohol/Drug Intervention Program		1-5 day suspension and possible recommendation for expulsion: Police Notification If no expulsion recommendation: ● Parent Conference ● Recommendation to Alcohol/Drug Intervention Program ● Restorative Conversation
48900(**q**) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.	1-5 day suspension Safety Plan Restorative Conversation	Police Notification 2-5 day suspension/possible recommendation for expulsion: If no expulsion recommendation: ● Parent Conference ● Safety Plan ● Restorative Conversation	
48900(**r**) Engaged in an act of bullying as defined in Ed. Code 48900(r).	Restorative Conversation	Police Notification 0-5 Days suspension and possible recommendation for expulsion:	

		If no expulsion recommendation: ● Conflict Mediation and Restitution (if indicated) ● Safety Plan ● Restorative Conversation	
48900(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion.	Parent notification Restorative Conversation Detention	Parent conference Restorative Conversation 0-3 day suspension	Parent conference Police Notification 3-5 day suspension Safety Plan and/or MTSS Referral Restorative Conversation
48900.2 Committed sexual harassment as defined in Section 212.5. (Does not apply to Grades K-3.)	Parent notification Restorative Conversation (if appropriate) Detention Title IX Workshop	Parent notification Restorative Conversation (if appropriate) 1-3 day suspension Safety Plan	Parent Notification Police Notification and possible recommendation for expulsion 3-5 day suspension If no expulsion recommendation: ● Safety Plan ● Restorative Conversation (if appropriate)

48900.3 Cause, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233. (Does not apply to Grades K-3.)	Parent Conference Police Notification 1-5 day suspension Safety Plan	Parent Conference Police Notification 2-5 day suspension Possible recommendation for expulsion If no recommendation for expulsion: ● Safety Plan

		● Restorative Conversation (if appropriate)	
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 classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Does not apply to Grades K-3.)	Parent notification Restorative Conversation Detention Threat Assessment	Parent conference 1-3 day Suspension Safety Plan Threat Assessment Restorative Conversation (if appropriate)	Parent conference Police Notification Threat Assessment 3-5 day suspension Possible recommendation for expulsion If no recommendation for expulsion: ● Safety Plan ● Restorative Conversation (if appropriate)

48900.7	Made terrorist threats against school officials or

school property, or both.

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

Police Notification

Parent Conference

5 day suspension and possible recommendation

for expulsion Threat Assessment

If no recommendation for expulsion:
- Restorative Conversation (if appropriate)

***MANDATORY* EXPULSION RECOMMENDATIONS** **Applies only when any of the following acts are committed at school or at a school activity off school grounds**	
48915(c)(1) Possessed, sold or furnished a firearm. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(2) Brandishing a knife at another person. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:

48915(c)(4) Committing or attempting to commit a sexual assault or battery as defined in subdivision (n) of Section 48900. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(5) Possessed explosive. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:

Napa Valley Unified School District

Discipline Matrix for ELEMENTARY Grades (K-5)

California Education Code 48900(s). A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is **related to a school activity or school attendance** occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, *but not limited to*, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

California Education Code Infractions	Low severity/Low frequency (i.e., first offense)	Moderate severity/ Moderate frequency	High severity/High frequency
48900(**a**)(**1**) Caused, attempted to cause/threaten physical injury to another person.	Parent Notification Restorative Conversation Potential loss of privileges	Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 1-day suspension* Restorative Conversation	Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 2-5 day Suspension* Behavior Contract
		(if appropriate)	Restorative Conversation (if appropriate)
48900(**a**)(**2**) Willfully used force or violence upon another except in self-defense.	Parent conference Restorative Conversation Loss of privileges and/or Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract		Parent conference Suspension - Out of School OR Suspension - In School ● Up to 5 day suspension* Possible Recommendation for Expulsion If no expulsion recommendation: ● Restorative Conversation (if appropriate)

48900(b) Possessed, sold or otherwise furnished firearm, knife, explosive or other dangerous object.	Parent Conference Police Notification Suspension - Out of School OR Suspension - In School ● 1-5 day suspension Possible Recommendation for Expulsion If no recommendation for expulsion: ● Restorative Conversation (if appropriate) ● Behavior Contract	
48900(**c**) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, an	Parent Conference Restorative Conversation Suspension - Out of School OR Suspension - In School ● Up to 2-day suspension	Parent Conference Police Notification Suspension - Out of School OR Suspension - In School ● Up to 5-day suspension
alcoholic beverage, or an intoxicant of any kind.	Behavior contract Recommendation to Alcohol/Drug Intervention Program	Possible Recommendation for Expulsion If no expulsion recommendation: ● Recommendation to Alcohol/Drug Intervention Program ● Restorative Conversation (if appropriate)

48900(**d**) Unlawfully offered, arranged, or negotiated to sell a controlled substance, alcohol or intoxicant and then provided a replica substance.	Parent Conference Restorative Conversation Suspension - Out of School OR Suspension - In School ● Up to 2-day suspension Behavior contract		Parent Conference Police Notification Suspension - Out of School OR Suspension - In School ● Up tp 5-day suspension Possible Recommendation for Expulsion If no expulsion recommendation: ● Restorative Conversation (if appropriate) ● Behavior contract
48900(**e**) Attempted or committed robbery or extortion.	Parent Notification Restorative Conversation Potential loss of privileges	Parent Conference Restorative Conversation (if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 1-day suspension* Behavior contract	Parent Conference Restorative Conversation (if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 2-day suspension* Behavior Contract Follow-up
48900(**f**) Caused or attempted to cause damage to private or school property.	Parent Notification Restorative Conversation	Parent Conference Restorative Conversation	Parent Conference Restorative Conversation (if appropriate)

	Potential loss of privileges Restitution (if appropriate)	(if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 1-2 day suspension Behavior contract Restitution (if appropriate)	Suspension - Out of School OR Suspension - In School ● Up to 2-3 day suspension Behavior Contract Follow-up Restitution (if appropriate)
48900(**g**) Stole or attempted to steal school or private property.	Parent Notification Restorative Conversation Potential loss of privileges Restitution (if appropriate)	Parent Conference Restorative Conversation (if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension* Behavior Contract Restitution (if appropriate)	Parent Conference Restorative Conversation (if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 3 day suspension* Behavior Contract Follow-up Restitution (if appropriate)
48900(**h**) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. NVUSD Tobacco/	Parent Conference Potential loss of privileges Restorative Conversation Recommendation to Alcohol/Drug Intervention Program	Parent Conference Behavior contract Recommendation to Alcohol/Drug Intervention Program	Parent Conference Restorative Conversation (if appropriate) Police Notification ● Up to 1-day suspension Behavior Contract Follow-up Recommendation to Alcohol/Drug Intervention Program

E-Cigarrete/ Vaping Protocol			
48900(**i**) Committed an obscene act or engaged in habitual profanity/vulgarity.	Parent notification Restorative Conversation	Parent Conference Potential loss of privileges	Parent Conference Police Notification

	Apology Potential loss of privileges	Behavior contract Restorative Conversation (if appropriate)	● Up to 2 day suspension* Behavior Contract Follow-up Restorative Conversation (if appropriate)
48900(**j**) Unlawfully possessed, offered, arranged or negotiated to sell drug paraphernalia as defined in Section 11014.5 of the Health and Safety Code.	Parent Conference Behavior contract Recommendation to Alcohol/Drug Intervention Program	Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 1 day suspension* Behavior contract follow up Restorative Conversation (if appropriate) Recommendation to Alcohol/Drug Intervention Program Police Notification	Parent Conference Police Notification Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension* Restorative Conversation (if appropriate) Recommendation to Alcohol/Drug Intervention Program

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. ***K-12 students can not be suspended from school for this violation.*** ***Teachers may suspend from class/period.***	Parent notification Potential loss of privileges Restorative Conversation	Parent conference Potential loss of privileges Behavior contract Restorative Conversation (if appropriate)	
48900 (k) Violated Mobile Communication Devices Policy 5131.8. Student had their mobile communication device and/or earbuds out during instructional time. K-12 students can not be suspended from school for this violation	Warning Parent Notification	Referral to administrator; Phone kept till end of the day Parent Contacted and Conference held	Phone kept in office for parent to pick up Ongoing violations may result in phone checked in/checked out daily from office and/or detentions.
48900(**l**) Knowingly received stolen school or private property.	Parent Notification Restorative Conversation	Parent Conference Apology	Parent Conference Apology

	Apology Potential loss of privileges	Restorative Conversation (if appropriate) Potential loss of privileges	Restorative Conversation (if appropriate) Suspension - Out of School OR Suspension - In School ● Up to 1-day suspension* Behavior contract
(**m**) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.	Detention Parent Conference Restorative Conversation	1-2 Day suspension Parent Conference Police notification Restorative Conversation MTSS Referral Process Safety Plan	1-5 Day Suspension and possible recommendation for expulsion: Parent Conference Police Notification Threat Assessment, as Needed If no expulsion recommendation: MTSS Referral Process Restorative Conversation
48900(**n**) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Expulsion is Mandatory)	Parent Conference 5 day suspension - Out of School **Mandatory recommendation for expulsion:** Police Notification		

48900(**o**) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that	Parent Conference Restorative Conversation Suspension - Out of School OR Suspension - In School		Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 3 day suspension*

pupil from being a witness or retaliating against that pupil for being a witness, or both.	Potential loss of privileges Behavior contract		Behavior Contract Follow-up Restorative Conversation (if appropriate)
48900(**p**) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug SOMA.	Parent Conference Restorative Conversation Behavior contract Recommendation to Alcohol/Drug Intervention Program	Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 1 day suspension* Police Notification Behavior contract follow up Restorative Conversation (if appropriate) Recommendation to Alcohol/Drug Intervention Program	Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension* Police Notification Restorative Conversation (if appropriate) Recommendation to Alcohol/Drug Intervention Program

48900(**q**) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.	Parent notification Restorative Conversation Potential loss of privileges Conflict Mediation	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 5- day suspension Behavior Contract follow up Police Notification Restorative Conversation (if appropriate)
48900(**r**) Engaged in an act of bullying as defined in Ed. Code 48900(r).	Parent notification Restorative Conversation	Parent conference	Parent conference Behavior contract follow up

	Possible loss of priviliges Conflict Mediation	Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Up to 5-day suspension Police Notification Restorative Conversation (if appropriate)

48900(**t**) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion.	Parent notification Possible loss of school priviliges Conflict Mediation Restorative Conversation	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 5-day suspension Police Notification Behavior Contract follow up Restorative Conversation (if appropriate)
48900.2 Committed sexual harassment as defined in Section 212.5. (Does not apply to Grades K-3.)	Parent notification Detention Conflict Mediation (if appropriate) Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 5- day suspension Behavior contract follow up Restorative Conversation (if appropriate)
48900.3 Cause, attempted to cause, threatened to cause, or participated	Parent notification	Parent conference Notify NVUSD Student Services	Parent conference

in an act of hate violence, as defined in subdivision (e) of Section 233. (Does not apply to Grades K-3.)	Restorative Conversation (if appropriate)	Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Suspension - Out of School OR Suspension - In School ● Up to 5 day suspension Police Notification Behavior contract follow up Restorative Conversation (if appropriate)
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 classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Does not apply to Grades K-3.)	Parent notification Conflict Mediation Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 2 day suspension Behavior contract Restorative Conversation (if appropriate)	Parent conference Suspension - Out of School OR Suspension - In School ● Up to 5 day suspension Possible recommendation for expulsion If no recommendation for expulsion: ● Restorative Conversation (if appropriate) ● Behavior contract follow up

48900.7 Made terrorist threats against school officials or school property, or both. For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific	Police Notification Parent Conference Suspension - Out of School OR Suspension - In School ● Up to 5-day suspension Possible recommendation for Expulsion If no recommendation for expulsion: ● Restorative Conversation (if appropriate)

intent that the statement is to be taken as athreat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.	

MANDATORY EXPULSION RECOMMENDATIONS
Applies only when any of the following acts are committed at school or at a school activity off school grounds

48915(c)(1) Possessed, sold or furnished a firearm. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(2) Brandishing a knife at another person. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:
48915(c)(4) Committing or attempting to commit a sexual assault or battery as defined in subdivision (n) of Section 48900. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:

48915(c)(5) Possessed explosive. (Expulsion is Mandatory)	**Police Notification** **5 day suspension and mandatory recommendation for expulsion**:

DISCRETIONARY RECOMMENDATION FOR EXPULSION

The principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under

the circumstances or that an alternative means of correction would address the conduct.	
48915(a)(1)(A) Caused serious physical injury to another person, except in self-defense.	**Police Notification** Suspension - Out of School OR Suspension - In School **3-5 day suspension and possible recommendation for expulsion**
48915(a)(1)(B) Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.	**Police Notification** Suspension - Out of School OR Suspension - In School **3-5 day suspension and possible recommendation for expulsion**
48915(a)(1)(C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.	**Police Notification** Suspension - Out of School OR Suspension - In School Recommendation to Alcohol/Drug Intervention Program **3-5 day suspension and possible recommendation for expulsion.**
48915(a)(1)(D) Committed robbery or extortion.	**Police Notification** Suspension - Out of School OR Suspension - In School **3-5 day suspension and possible recommendation for expulsion**

48915(a)(1)(E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.	**Police Notification** Suspension - Out of School OR Suspension - In School **3-5 day suspension and possible recommendation for expulsion**