

Sylvan Union School District



Middle School Student Code of Conduct

2017-2018



Sylvan Union School District A Letter from the Board of Trustees

Dear Parents/Guardians and Students,

The Board of Trustees of the Sylvan Union School District believes that students, parents, teaching staff, support personnel, and administrators have a responsibility to create an environment in which all students can realize their potential and pursue their studies. In order to accomplish this important task, it is necessary to establish rules and regulations.

This “Code of Conduct” brings together the framework of California law, district policy, and administrative regulations to ensure an appropriate learning climate. In addition, staff has reviewed the local High School Code of Conduct so that practices are in tandem with the high schools our students will attend. The references to E.C. (Education Code), C.C. (California Code), etc., cite specific provisions of these laws. They are included so that students and parents understand the basis for the rules that must be enforced by the Board. The Board takes this obligation very seriously.

This document contains the rights and responsibilities, legal basis, and rationale for which our policies are founded. Please read and discuss this Student Conduct Code with your son or daughter. By working together in enforcing our behavior code and attendance policies we can ensure a safe school that promotes the educational process.

We look forward to a successful school year and thank you for your cooperation and support in ensuring a safe learning environment for all our students.

Sincerely,

Mr. David Collins
Mrs. Cynthia Lindsey
Mrs. Jennifer Miyakawa
Mr. George Rawe
Mrs. Terriann Zeek

Sylvan Union School District
Board of Trustees

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I. RESPONSIBILITIES AND EXPECTATIONS

Rights of students

- A safe school environment where rules are clearly understood and followed.
- An equal educational opportunity.
- Attend school with high standards for learning and conduct.
- Attend a school that ensures mutual respect for children and adults.
- Respectfully use and to conserve school materials and supplies.

Responsibilities of students

- To attend school and classes regularly and on time.
- To be prepared for class with the appropriate materials and work.
- To know and obey school rules and regulations.
- To respect the rights of school personnel, fellow students, and the public in general.
- To demonstrate pride in the appearance of school buildings and grounds.
- To dress and act in a manner conducive to a positive learning environment.
- To communicate with parents regarding after school activities, etc., prior to the school day to eliminate classroom interruptions.

Rights of Parents

- To expect that their children will spend their time at school in a safe, wholesome, stimulating atmosphere engaged in productive activity under the care and direction of a dedicated staff.
- To be informed of District policies and regulations and school rules.
- To review their child's record with a designated staff member by prior arrangement.

Responsibilities of Parents

- To visit school periodically to participate in conferences with teachers, counselors or administrators regarding the academic and behavioral status of their children.
- To provide supportive action by making sure that children have enough sleep, adequate nutrition and appropriate clothing before coming to school.
- To maintain consistent and adequate control over their children and to 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 which may help the school to serve their children.
- To become familiar with District policies and school rules and regulations.
- To communicate with your child regarding appointments prior to the school day to eliminate classroom interruptions. Only emergency messages will be forwarded to your child.

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 interruptions held to an absolute minimum.
- To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

Responsibilities of Teachers

- To consider the personal worth of each individual student as a single, unique, important human being.
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To hold students accountable for their actions at all times.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased manner.
- To keep parents and students informed with timely 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.

Responsibilities of Administrators

- To provide leadership that will establish, encourage, and promote good teaching and effective learning.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
- To request assistance from the District's support services and community agencies and resources in all cases indicating such actions.
- To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.

Rights of the School Board

- To expect school personnel to implement and enforce all district policies.
- To be kept informed of current rules and regulations, and educational issues by the superintendent.

Responsibilities of the School Board

- To support the establishment of a safe and productive learning environment.
- To utilize District personnel to provide leadership in resolving educational issues and concerns.

II. CONDUCT CODE VIOLATIONS AND CONSEQUENCES

A. Definition of Student Misconduct

A student may be disciplined, suspended or expelled for any of the reasons set forth in California Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7 and 48915. **Although this Conduct Code lists various types of inappropriate behavior and the consequences, it does not list them all. Therefore, the District will proceed with disciplinary action permitted by the Education Code for misconduct even if it is not specifically listed in this Student Conduct Code.**

B. Jurisdiction

Students may be disciplined, suspended, or expelled if the conduct is related to school attendance or activity. Jurisdiction for disciplining misconduct, which may occur at any time, includes but is not limited to:

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period on or off the campus, or while going to or coming from lunch off campus.
4. During or while going to or coming from a school sponsored activity.

C. Student Searches

School officials may conduct searches of students and their personal belongings while on school property or at school sponsored events. Personal belongings include, but are not limited to: backpacks, brief cases, bags, vehicles, cell phones, medical supplies and materials, etc. **Searches of students and personal belongings will be conducted when there are reasonable grounds to suspect that the search will provide evidence that the student is violating the law and/or school regulations.** The scope of the search will be related to the objectives of the search, the age and gender of the student, and the nature of the violation. Refer to District Board Policy for more information. School properties under joint control are also subject to being searched by school officials. These places include, but are not limited to lockers and desks. Lockers and desks are school property and may be searched at any time. Searches may be random and without cause of any kind. There is NO expectation to privacy. (Board Policy 5144.1)

D. Disciplinary Actions

Students of the Sylvan Union School District are expected to follow and comply with school and District conduct rules. If a student chooses to break the rules, he/she will be subject to various consequences that may be assigned by any school official designated for such responsibility. Some of the possible consequences are listed and the level of discipline imposed will depend on the frequency and the seriousness of the violation.

1. Parent/Guardian conference may be required to discuss the student's behavior and expectations for the future.
2. Detention may be assigned to the student where he/she goes to a specific supervised area before or after school or during lunch.
3. Referral to school counselor or conflict management (if available) for student to discuss the problem.
4. Athletic or Activity Ineligibility: student is prohibited from attending or participating in school extra-curricular activities.
5. Community service on school grounds during non-school hours. This may include outdoor beautification, campus betterment and teacher or peer assistance program.
6. Behavior/Expulsion Abeyance Contract: student agrees to comply with the conditions stipulated in writing. This contract may be implemented independently or in addition to suspension or other forms of disciplinary action.
7. In-school suspension assignment to a supervised classroom (if available) separated from other students at the discretion of administration as appropriate.
8. At-home suspension assignment prohibits the student from attending school, participating in any school activity or being on school grounds for a period of time up to five consecutive school days.
9. Expulsion from all schools in the District. The student is prohibited from being on school grounds or attending any school activity for a period of time beyond five school days during which time he/she is referred to attend the County Schools Program. Although this action is permitted or required for serious offenses, students would usually be expelled only after other interventions have failed to bring about proper conduct.

10. Administrative Placement or an involuntary transfer to another site in the District. A student may be transferred to another site if it is believed that this is an appropriate consequence for the disciplinary action. An Administrative Placement may be necessary for safety, limited access or contact with a victim, or for the purpose of protecting a student witness.
11. Notice to law enforcement is required for some Education Code violations and permissive for others. In permissive cases, notice to law enforcement occurs if the evidence indicates a continuing danger to person or property or a threat of disrupting the instructional process.

III. ADDITIONAL CONSIDERATIONS

A. More Than One Consequence

Depending on the nature of the offense, the site administrator or administrative designee will determine whether the consequences should include more than one form of discipline. Typical consequences include, but are not limited to home suspension, in-school suspension, administrative conference, parent-student-teacher-administrator-counselor conference, intervention group, detention, community service, or counseling. **Disciplinary actions/interventions shall be applied progressively based on the nature and frequency of the violations. Appropriate consequences are applied at the discretion of administration.**

B. Related to Suspension

1. If the nature of the offense makes an alternative placement or an expulsion recommendation appropriate, the student will be suspended for five days for the infraction unless the student will exceed 20 days of suspension.
2. For some infractions, the student may be suspended on the first offense if it is determined that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (EC 48900.5)
3. Gang-related offenses are generally of the nature where the student's presence does pose a danger to persons or property or threatens to disrupt the instructional process. In such cases, the student may be suspended for five days on the first offense as well as recommended for an alternative placement or expulsion.
4. Violation of suspension (student coming on campus or attending school activity while on suspension) may result in a minimum of a warning and a maximum of an additional suspension days as well as a referral to the appropriate law enforcement agency for trespassing.
5. No student will be suspended or expelled without being afforded due process. Parents and students have the right to appeal any disciplinary consequence imposed by school officials. Refer to Board Policy 5144 for more information.

C. During the Suspension

1. Students are expected to be at home or other parent/guardian designated location and under the supervision of parents or other designated adult during school hours. (7 AM to 4:30 PM)
2. Students on home suspension are prohibited from being on campus unless a prior arrangement has been made by appointment with a school administrator to come to the office on official business with parent/guardian.
3. Students on suspension are prohibited from attending any school sponsored activity on or off campus including weekends and holidays. These activities include, but are not limited to, promotion ceremonies, field trips, athletic events, dances, child care, Boys and Girls Club, and other after-school sponsored activities.
4. Consequences and restrictions for suspensions that overlap into weekends and/or vacation periods will apply.
5. Teachers may (but are not required to) provide work for students on suspension. (EC 48913) If a student is recommended for expulsion and on an extended suspension, a teacher may provide work pending the outcome of the case.

D. Payment for Damages

If a student's misconduct results in damage to school or private property or injury to a person, the student's parent/guardian is liable for the cost of all damages. The parent/guardian is also responsible for the amount of the reward paid for information leading to the apprehension of the person causing the damage. (EC 48904, 48905)

E. Confiscated Property

Any confiscated student property (e.g., radios, skateboards, cell phone, toys, tools, etc.) will be returned to the parent/guardian or adult designee, not the student. Items that are illegal to possess will be turned over to the appropriate law enforcement agency.

F. Property Voluntarily Turned in by the Student

If a student finds that he/she has inadvertently brought a dangerous object to school, and he/she immediately turns the object over to a teacher, administrator or other school official, the District may take into consideration the student's corrective action in addition to all the circumstances surrounding the violation.

G. Students with Individual Education Programs (IEP's)

Federal and state laws provide additional requirements for students with IEP's. Questions about District implementation with regard to these laws may be directed to school administration, the school's program specialist, school psychologist, the office of Special Education, or the office of Child Welfare and Attendance.

H. Dress Code Violations and Student Attire

Student attention to appearance and a student attitude toward himself/herself and his/her school are related; good taste and good grooming are a part of learning. Students are to be clean and dress in a manner that will permit participation in educational activities. Students will wear shoes. Students are to wear closed-toe-shoes for the school's physical education program to ensure student safety. Any attire, grooming, or appearance that disrupts, or tends to disrupt, the educational process, or affects the health and safety of individuals shall be prohibited (EC 48900, BP 6204). Attire that displays or promotes alcohol, controlled substances, drug use, drug paraphernalia, marijuana use, gang activity, gang affiliation, gang symbols, weapons, sexual content, inappropriate sexual pictures of sexual likeness, or violence is prohibited by the Sylvan Union School District Board of Trustees. Students wearing items such as halter tops, bare midriffs, see-through outfits, oversize/sagging pants or shorts, short shorts, slit tank tops, shoulder straps less than 2 inches wide, or outfits which expose under garments; all include inappropriate dress and are not allowed at school. Articles of clothing with suggestive, indecent, offensive, or vulgar expressions are not allowed. **The interpretation of the dress code will be at the discretion of the school administration.**

I. Hats and Bandanas

Bandanas and hats are not allowed except in the following circumstances: Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing; including, but not limited to, hats. Each school site may set a policy related to the type of sun-protective clothing, including, but not limited to hats. The SUSD "hat ban" will remain in effect for all District middle schools. However, with a written request from a parent/guardian and prior approval from by the principal/administrative designee, an administrator may allow a student to wear a hat outdoors if it meets the following specification recommended by the American Cancer Society: "The hat must include a 2-3 inch all around brim to protect areas often exposed to the sun, such as the neck, ears, eyes, forehead, nose, and scalp." Baseball caps are NOT allowed for outdoor wear since they do not provide protection to exposed skin areas. Knit caps may be worn at the discretion of each school site. **Disciplinary action may apply at the discretion of the school administration.**

J. Cell Phones and other Electronic Devices

Students may possess or use electronic signaling devices, including but not limited to pagers, beepers and cellular/digital telephones, or school issued devices, provided that such devices do not disrupt the educational program or school activity. Electronic signaling devices shall be turned off during school hours and at any other time directed by a District employee. If disruption occurs, the employees may direct the student to turn off the device and/or confiscate the device until the end of the class period, school day or activity.

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 are limited to health-related purposes. (Education Code 48901.5)

Note: The Board of Trustees, the District, its employees and agents shall not be responsible for lost, stolen or damaged devices, including but not limited to financial consequences related to the misuse of cellular phones or other electronic signaling devices.

K. Intimate Physical Contact

Physical contact denoting intimacy beyond what is reasonably displayed in a school setting. A warning, parent contact and/or other alternative consequence as determined by the site administrator will be enforced.

L Suspension from Class

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.

1. 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.
2. 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.
3. 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.
(E.C. 48910)

M. Detention of Students

1. Students may be detained after school for up to 15 minutes without prior notice to the parents.
2. After school detention from 16 to 30 minutes requires a reasonable effort to give prior notice to the parent. Detention longer than 30 minutes requires prior notice to the parent. Prior notice may be in the form of a telephone call.
3. Regardless of the length of detention, prior notice to parents must occur in cases where detention will cause a student to miss the school bus.
4. Students who fail to serve an assigned detention will be assigned an additional detention and/or given alternative consequences.

IV. BUS BEHAVIOR AND PROCEDURES

A. Bus Behavior

1. Riders shall follow the instructions and directions of the bus driver at all times. (CF. 3542 – School Bus Drivers)
2. Students should arrive at the bus stop no more than five (5) minutes before the arrival time of the bus. Students shall wait at their designated stop in a quiet, orderly fashion.
3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. All passengers shall sit facing forward with their arms, feet and legs kept out of the aisle; feet are to be kept off the seats.
5. Riders shall remain seated while the bus is in motion and shall not obstruct the aisle with their arms, feet, legs or other objects. While reaching their destination, riders shall remain seated until the bus comes to a complete stop and only then enter the aisle and go directly to the exit.
6. Students who have missed the bus or have any questions regarding which bus to ride should immediately report to the school office.
7. Riders should be courteous to the driver and to fellow passengers.
8. Because serious safety hazards can result from noise or behavior that distracts the driver, loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing and changing seats are prohibited actions which may lead to suspension of riding privileges.
9. In no event shall aisles, doors, steps, or emergency exits be blocked. (Large musical items can be stored in the underneath luggage compartment).
10. No part of the body, arms or head should be put out of the window. Nothing should be thrown from the bus.
11. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
12. No animals shall be allowed on the bus, except for Seeing Eye dogs used by a visually impaired student or staff member.
13. Riders shall be alert for traffic when leaving the bus.
14. Students who must be escorted across the road shall follow the directions of the driver.
15. Students pick-up and drop-off at designated/assigned stop only.
16. Depending on the severity of the offense, an automatic denial of bus riding privileges, up to twenty (20) days, may be imposed for the following:

- a. Fighting, biting spitting, slapping, hitting or punching;
- b. Obscene language or gestures directed at the bus driver or others;
- c. Vandalism to the bus and/or private property;
- d. Improperly entering/exiting bus, throwing objects out of window or inside bus;
- e. Giving false name or disregarding driver's instruction
- f. Defiance/Disruption

Bus drivers shall not deny transportation except as directed by the principal or designee. 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 BY THE DISTRICT. A bus driver shall not require any pupil to leave the bus in route between home and school *or other destination.*"

B. Bus Citation Procedure

Once a student has been verbally warned by the bus driver and the misconduct continues, he/she will receive a second copy of these rules. They are to be reviewed, signed and returned by the parent to the bus driver before the child may ride on the bus again.

- 1st Incident: Written warning and a copy of the Citation procedures mailed to the parent/guardian
- 2nd Incident: 1st Citation . . . Student will be denied bus riding privileges for three (3) consecutive school days.
- 3rd Incident: 2nd Citation . . . Student will be denied bus riding privileges for five (5) consecutive school days
- 4th Incident: 3rd Citation . . . Student will be denied bus riding privileges for 20 consecutive school days

Future Incidents: Immediate suspension of bus privileges for another 20 school days. No additional warnings or citations will be given. Fighting, spitting, obscene language directed to the bus driver or others, 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.

Sylvan Union School District 2017-2018

V. Guidelines for Suspension and/or Expulsion

Education Code Violation	1 st Violation	2 nd Violation	Additional Violations
48915(c)(1) Possession, selling, or otherwise furnishing a firearm.*	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48915(c)(2) Brandishing a knife.*	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48915(c)(3) Unlawfully selling a controlled substance.*	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48915(c)(4) Committing or attempting to commit sexual assault or battery.*	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48915(c)(5) Possession of an explosive.*	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48915(a)(1) Causing serious physical injury to another person, except in self-defense.*	5 day home suspension, law enforcement notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
48915(a)(2) Possession of any knife, or other dangerous object of no reasonable use to the pupil.*	5 day home suspension, law enforcement notification, unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
48915(a)(3) Unlawful possession of any controlled substance except for the first offense of possession of not more than one ounce of marijuana.* 48915(a)(3) If student is in possession of a medication that is prescribed to themselves or an over-the-counter medication for their own use, alternatives to suspension/expulsion can be applied*	5 day home suspension, law enforcement notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance Confiscation of the medication and a call home having the parent pick up the medication and fill-out appropriate forms with the Health Office.	5 day home suspension, law enforcement notification, and request for expulsion 1-3 day home suspension	N/A 3-5 day home suspension and discretionary request for expulsion.
48915(a)(4) Robbery or extortion.*	5 day home suspension, law enforcement notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
48915(a)(5) Assault or battery upon a school employee.*	5 day home suspension, law enforcement notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
48900(a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person. • Threats • Fight	Alternative to suspension or a 1-3 day home suspension and parent conference 1-5 day home suspension and parent conference or alternative to suspension	3-5 day home suspension and parent conference 3-5 day home suspension, parent conference, or possible involuntary transfer	5 day home suspension, involuntary transfer, or request for expulsion 5 day home suspension and request for expulsion
48900(a)(2) Willfully used force or violence upon another person.*	3-5 day home suspension, parent conference, law enforcement notification, involuntary transfer, or request for expulsion	5 day home suspension, law enforcement notification, and request for expulsion	5 day home suspension, law enforcement notification, and request for expulsion
48900(b) Possession, sale, or furnishing of any knives, firearms, or other dangerous objects.*	1-5 day home suspension, law enforcement or fire marshal notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	5 day home suspension, law enforcement notification, and request for expulsion

<p>furnishing, or otherwise being under the influence of alcohol, controlled substance, or an intoxicant.*</p> <ul style="list-style-type: none"> Under the influence Possession Furnishing Sales 	<p>1-5 day home suspension and parent conference 3-5 day home suspension and parent conference, or alternative to suspension 5 day home suspension and parent conference, or request for expulsion 5 day home suspension, law enforcement notification, and mandatory expulsion</p>	<p>3-5 day home suspension, and/or request for expulsion 3-5 day home suspension or possible request for expulsion 5 day home suspension, request for expulsion N/A</p>	<p>5 day home suspension and request for expulsion 5 day home suspension and request for expulsion 5 day home suspension and request for expulsion N/A</p>
<p>48900(d) Offering, arranging, or negotiating to sell drugs, alcohol or any intoxicant and then substituting a look-alike substance intended to represent drugs, alcohol, or an intoxicant.*</p>	<p>1-5 day home suspension, law enforcement notification, involuntary transfer, request for expulsion, or alternative to suspension</p>	<p>5 day home suspension, law enforcement notification, request for expulsion</p>	<p>N/A</p>
<p>48900(e) Committed or attempted to commit robbery or extortion.*</p>	<p>3-5 day home suspension, law enforcement notification, request for expulsion, unless the principal finds that expulsion is inappropriate, due to the particular circumstance</p>	<p>5 day home suspension, law enforcement notification, and request for expulsion</p>	<p>N/A</p>
<p>48900(f) Caused or attempted to cause damage to school or private property.</p> <ul style="list-style-type: none"> Minimal damage: 0-\$499 Extensive damage: \$500 or more 	<p>Alternative to suspension or 1-5 day home suspension, restitution, and parent conference 3-5 day home suspension, restitution, law enforcement notification, option transfer with District approval, or request for expulsion</p>	<p>3-5 day home suspension, restitution, parent conference 5 day home suspension, restitution, law enforcement notification, request for expulsion</p>	<p>3-5 day home suspension, restitution, involuntary transfer, or request for expulsion N/A</p>
<p>48900(g) Stealing or attempting to steal school or private property.</p>	<p>Alternative to suspension or 1-5 day home suspension, restitution, possible law enforcement contact, parent conference, and a possible recommendation for expulsion</p>	<p>3-5 day home suspension, restitution, possible law enforcement contact, parent conference, and a possible recommendation for expulsion</p>	<p>5 day home suspension, restitution, law enforcement contact, possible request for expulsion</p>
<p>48900(h) Possessed (sold/traded) or used tobacco or nicotine products including electronic cigarettes or materials</p>	<p>Alternative to suspension and parent conference, possible 1 day suspension</p>	<p>1-3 day home suspension, alternatives to suspension, possible law enforcement contact, and parent conference</p>	<p>1-3 day home suspension, and law enforcement contact, and parent conference</p>
<p>48900(i) Committed an obscene act or engaged in habitual profanity</p> <ul style="list-style-type: none"> Obscene act Habitual Profanity 	<p>1-5 day home suspension, possible law enforcement contact, alternatives to suspension, and parent conference, possible expulsion 1-3 day home suspension, possible law enforcement contact, alternatives to suspension, and parent conference</p>	<p>3-5 day home suspension, law enforcement contact, parent conference, and possible recommendation for expulsion 1-3 day home suspension, possible law enforcement contact, alternatives to suspension, and parent conference</p>	<p>5 day home suspension, law enforcement contact, parent conference, and request for expulsion 1-5 day home suspension, law enforcement contact, possible recommendation for expulsion</p>
<p>48900(j) Possessed, offered, arranged, or negotiated to sell any drug paraphernalia</p>	<p>1-5 day home suspension and parent conference based on administrative discretion</p>	<p>1-5 day home suspension, possible law enforcement contact, and parent conference</p>	<p>3-5 day home suspension, law enforcement contact, and possible request for expulsion</p>
<p>***48900(k) Willful Defiance and/or Disruption of School Activities</p> <ul style="list-style-type: none"> Cheating/Plagiarism Forgery Dress code violation Gang affiliation or behavior Gambling Defiance of authority Unauthorized parking Failed to attend Resp. School Electronic device violation Closed campus violation Initiating a false fire alarm Inappropriate computer access Reckless driving Trespassing Verbal altercation Other disruptive or defiant behavior 	<p>Alternative to suspension or 1-5 day home suspension, possible law enforcement contact, transfer with District approval, possible classes with probation</p>	<p>1-5 day home suspension, parent conference, alternative to suspension, possible transfer with District approval, possible law enforcement contact, and possible recommendation for expulsion</p>	<p>2-5 day home suspension, parent conference, alternative to suspension, possible transfer with District approval, possible law enforcement contact, and possible recommendation for expulsion</p>

48900(l) Knowingly received stolen school or private property.	1-5 day home suspension, restitution, and parent conference, optional police contact, or alternative to suspension	3-5 day home suspension and parent conference, optional police contact, possible exp. rec.	5 day home suspension, parent conference, police contact, restitution, or involuntary transfer
48900(m) Possession of an imitation firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm. * Obvious play guns used during school events can be handled separately by the Principal or Principals Designee	5 day home suspension, parent conference, police contact, SAVE program, optional recommendation for expulsion or expulsion abeyance contract Alternatives (including but not limited to): parent conference, police contact, SAVE program expulsion abeyance contract, counseling to suspension or expulsion as the Principal or Principal's Designee sees fit.	5 day home suspension, parent conference, police contact, community service, request for expulsion 3-5 day home suspension, parent conference, police contact, SAVE program, optional recommendation for expulsion or expulsion abeyance contract	N/A 5 day home suspension, parent conference, police contact, request for expulsion
48900(n) Committed or attempted to commit sexual assault or battery.*	5 day home suspension, law enforcement notification, and mandatory expulsion	N/A	N/A
48900(o) Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.	1-5 day home suspension, alternative to suspension, possible police contact, possible expulsion abeyance contract, possible request for expulsion	3-5 day home suspension, expulsion police contact, abeyance contract or request for expulsion, possible transfer.	5 day home suspension with a recommendation for expulsion, police contact
48900(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.*	5 day home suspension, law enforcement notification, and request for expulsion	N/A	N/A
48900(q) Engaged or attempted to engage in an act of hazing initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause bodily danger, physical harm, or personal degradation, or disgrace resulting in physical or mental harm, to any student or other person attending any school.	1-5 day home suspension or alternative to suspension, parent conference, possible police contact, expulsion abeyance contract or possible request for expulsion	3-5 day home suspension, transfer with District approval, expulsion abeyance contract, parent conference, possible police contact, or request for expulsion	5 day home suspension and request for expulsion
48900(r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.*	1-5 day home suspension, parent conference, or alternative to suspension, possible expulsion abeyance contract, possible police contact, and possible request for expulsion	3-5 day home suspension, police contact, transfer with District approval, expulsion abeyance contract, or request for expulsion	5 day home suspension and request for expulsion
48900(t) Aided or abetted in the infliction or attempted infliction of physical injury to another person.*	3-5 day home suspension, parent conference, possible request for expulsion	3-5 day home suspension, involuntary transfer, or request for expulsion	5 day home suspension and request for expulsion
48900.2 Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature	Alternative to suspension or 1-5 day home suspension and parent conference	3-5 day home suspension and parent conference, possible police contact, involuntary transfer, expulsion abeyance contract, or recommendation for expulsion	5 day home suspension, police contact, and request for expulsion
48900.3 Causing, threatening, or attempting to cause, or participating in an act of hate violence as defined as willfully interfering with or threatening another person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation; speech that threatens violence, when the perpetrator has the apparent ability to carry out threat, may be considered an act of hate violence	3-5 day home suspension, parent conference, transfer with District approval, expulsion abeyance contract, possible police contact, and possible request for expulsion	5 day home suspension, transfer with District approval, expulsion abeyance contract, or request for expulsion and notification of law enforcement	5 day home suspension, request for expulsion and notification of law enforcement
48900.4 Intentionally engaged in harassment, threats and/or intimidation which are directed against school district personnel or pupils, that is sufficiently severe or pervasive, and invading the rights of either school personnel or pupils by creating substantial disorder, and creates an intimidating/hostile educational environment.	1-5 day home suspension, parent conference, transfer with District approval, expulsion abeyance contract, possible police contact, and possible request for expulsion	5 day home suspension, parent conference, transfer with District approval, expulsion abeyance contract, possible police contact, and possible request for expulsion	5 day home suspension, police contact, and request for expulsion
48900.7 Making terrorist threats against students, school officials and/or property.	3-5 day home suspension, law enforcement notification, transfer with District approval, exp. abeyance, or possible request for exp.	5 day home suspension, law enforcement notification, and request expulsion	N/A

School District Responsibilities

A student shall not be disciplined, suspended, or recommended for expulsion unless the superintendent, a designee or the principal of the school in which the student is enrolled determines the student has violated one or more parts of the California Education Code. A student may be disciplined, suspended or expelled for acts enumerated in the California Education Code that are related to school activity or school attendance occurring at any district school or within any other school district, including, but not limited to, any of the following: while on school grounds; while going to or coming from school; during the lunch period whether on or off campus; during, while going to or coming from a school-sponsored activity.

- The superintendent of the school district or his designee may use his/her discretion to provide alternatives to suspension/expulsion, which is inclusive of, but not limited to, counseling, anger management programs, academic performance plans, community service, or other rehabilitation services, all of which will have periodic reviews and assessments by the district attached to the chosen intervention(s). Readmission to a district school, if deemed appropriate, shall only occur if the student has met the terms and conditions outlined in the rehabilitation plan determined by the district and exhibits without question that he/she no longer poses a threat to campus safety; multiple reevaluations may be needed to determine placement in such cases. California Education Code Section 48900(v) and California State Bill 1088.
- It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities California Education Code Section 48900(w).
- Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process California Education Code Section 48900(.5).
- The District and schools have the option of using alternative methods of discipline in lieu of suspension and/or expulsion at the discretion of the superintendent/designee. Alternatives must address specific behaviors and the cause of the behaviors. All alternatives to suspension/expulsion must be documented.

Student Responsibilities

All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools California Education Code Section 48908.

Definitions

- **Suspension:** is the removal of a student from the classroom for disciplinary reasons for a defined period of time. A principal or designee may suspend a student for up to five days. A suspension may be extended under certain conditions. There are two kinds of suspension, on-campus suspension and home suspension. Students placed on home suspension are not permitted on or near the school campus, nor are they allowed to participate in any school activities during suspension.
- **Expulsion:** as ordered by the Board of Education, is the removal of a student from all schools in the Sylan Union School District for violating the California Education Code. The expulsion is for a defined period of time not to exceed one calendar year.
- **Brandishing:** is to wave a weapon menacingly or display thus creating fear in another.
- **Assault:** is an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another.
- **Battery:** is any willful and unlawful use of force or violence upon the person of another.
- **Serious bodily injury:** means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; transportation to the hospital for treatment, and serious disfigurement.
- **Injury:** means any physical impairment that requires professional medical treatment.
- **Self-defense:** to establish defense, the person must be free from fault or provocation, must have no means of escape or retreat, and therefore must be in impending peril.
- **Extortion:** the use, or the express or implicit threat of the use, of violence or other criminal means to cause harm to a person, his/her reputation, or property as a means to obtain property from someone else with or without his consent. USC 18. This may also include taking advantage of an individual with a developmental delay for the purpose of any of the actions above.
- **Profanity:** vulgar or obscene language or behavior.

- **Robbery:** theft under the threat of force or actual act of force.
- **Truancy:** not being in your assigned area at the appropriate place or time.
- **Excessive Absenteeism:** missing 10 or more school days in a single school year (excused and/or unexcused).
- **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.
- **Bullying:** Any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in 48900.2, 48900.3, and 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following: 1) Placing a reasonable pupil(s) in fear of harm to the pupil's (or pupils') person or property, 2) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health, 3) Causing a reasonable pupil to experience substantial interference with his or her academic performance, 4) 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
- **Bullying by Electronic Act:** Transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following: message, text, sound, image, post on social network Internet web site including but not limited to: posting or creating a burn page, credible impersonation of another actual pupil for the purpose of having one or more of the effects listed under the bullying section above; credible impersonation means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated. Also, creating a false profile for the purpose of having one or more of the effects listed above under the bullying tab.
- **Electronic Act:** Creation and transmission originated on or off the school site by means of an electronic device, including but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, pager, of a communication, including but not limited any of the following: 1) a message, text, sound, or image. 2) a post on a social network Internet Web site, including but not limited to: a) posting to or creating a burn page, "burn page" means an Internet Web site created for the purpose of harassing, bullying, and/or intimidation of students that may include the credible impersonation or a false profile of a student with or without his or her consent.
- **Other means of correction, Education Code 48900.5:** Other means of correction include but are not limited to, the following: 1) A conference between school personnel, parents, and the student, 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) Student Study Teams (SST), guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his/her parent (BSP), 4) Referral for a comprehensive assessment, 5) Enrollment in a program for teaching pro-social behavior or anger management, 6) Participation in restorative justice, 7) A positive behavior support approach with tiered interventions that occur during the school day and on campus, 8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including but not limited to, those operated in collaboration with local parent and community groups, 9) Any of these alternatives described in Section 48900.6.
- **Education Code 212.5. Sexual harassment:** means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:
 - (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
 - (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
 - (c) 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 work or educational environment.
 - (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Alternatives to suspension can include but are not limited to:

- Writing a letter of apology to the victim/school/parent/guardian/self
- Social probation
- SST
- Campus beautification with custodian
- Assisting with the sports program
- Detention
- Student mentor
- Conflict mediation
- Abeyance Contract
- Lunch/Recess Detention
- Work detail
- Being escorted to and from class
- Leadership role on campus
- Find a mentor on campus or offer support
- Longer preferred activity time
- Attendance Contract
- Counseling
- Student conference
- 504/Special Education Evaluation/SST
- Helping the lunch staff
- Visit from law enforcement
- Class/schedule change
- Community Service
- Parent conference
- Letter to parent/guardian regarding recent incident
- Cyber bullying training workshop
- Read, talk, write: Covey, 7 Habits
- Green slips “caught you”
- Boys Town: social skills support
- Review school placement
- Help in the office
- Threat Assessment
- Risk Assessment with parent notification
- Behavior support plan
- Counseling conference with school
- Saturday school/Responsibility School
- Join a club
- Involuntary transfer with District approval
- Research paper on issue
- Principal’s Club
- T.A. for a period of time
- County placement/Virtual Academy
- Cooling down placement
- Campus-based restorative justice or mediation
- Modified schedule
- Solution team
- Student activity choice
- Board Meeting recognition
- Administrative Placement

The designated consequences for each violation are guidelines followed by all schools. Except in mandatory expulsion cases under 48915(c), schools may use discretion to provide alternatives to suspension or expulsion. Under 48915(b), unless a student is being recommended for expulsion for a 48915(c) violation, the school must prove that other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or, due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of self or others (48915(b)).

***Law Enforcement must be notified for Education Code violations noted.**

48915(c)(1), 48915(c)(2), 48915(c)(3), 48915(c)(4), 48915(c)(5)
48915(a)(1), 48915(a)(2), 48915(a)(3), 48915(a)(4), 48915(a)(5)
48900(a)(2), 48900(b), 48900(c), 48900(d), 48900(e), 48900(n)

Ed Code 32282.1: As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent resources are available, to include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campus if the school district uses these people.

Penal Code 11174.3: CPS, Law Enforcement, and School Officials have the right to conduct student interviews at school without a parent or guardian present. Parent or guardian will be notified by law enforcement if law enforcement meets with a student on campus. School officials will document such meetings for the record.

Education Code 48900(k) As it applies to AB 420:

48900(k) – changes

(1) 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.

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.

VI. CLASSROOM CITIZENSHIP EXPECTATIONS AND CONSEQUENCES

A. 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.

B. The Citizenship Mark

Students will receive a citizenship mark each trimester 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.

C. 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 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 truanacies.

Unsatisfactory citizenship criteria:

- Has had four or more tardies in that class.
- Has had one or more incidents of truancy (a class cut). The "U" shall be issued for each class missed as a result of this truancy.
- 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 such as gum chewing, eating sunflower seeds or other food, grooming, etc.
- Has been caught cheating twice in class.

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). Behavior that does not fall under the parameters of Outstanding or Unsatisfactory will be evaluated by the teacher to determine if the child receives a "Satisfactory" or "Needs Improvement" mark. The following will be considered: disciplinary referrals (severity and frequency), daily behavior, and tardies.

Written expectations will be provided to students at the beginning of the year or when new students transfer into the class.

VII. EXTRA-CURRICULAR ACTIVITY ELIGIBILITY

A. Extra-Curricular: Academic

1. 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 preceding the trimester of participation in the activities.
2. Eligibility status for extracurricular activities in a given trimester is based upon the most recent previous trimester grades. Eligibility status for students is reassessed at the end of the first, second, and third trimesters for participation in extracurricular activities during the following trimester. Students who receive a trimester report card that fails to maintain academic eligibility as defined on page 24 will be immediately removed from any extracurricular activities in which they are currently participating.

3. Students who successfully improve their grades at the half-way point of a trimester may appeal their ineligible status to the Assistant Principal. The determination as to eligibility at that point is at the discretion of the Assistant Principal. His or her decision is considered binding and not subject to further appeal.
4. 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.
5. The grading periods shall be considered consecutive. The third trimester grade of the previous year shall be the basis for determining the first trimester eligibility for the following year.
6. Any student who receives two (2) or more unsatisfactory citizenship grades during a trimester shall be ineligible for participation in extracurricular activities, unless at the end of six weeks progress reports indicate satisfactory citizenship has been achieved, or the appeals process has been utilized (see page 25).

B. Extra-Curricular: Attendance

Excessive Absenteeism

1. Students who are absent fifteen (15) days in one school year may be placed on Attendance Supervision which imposes the requirement that future absences be verified by a licensed medical practitioner.
2. If a student on Attendance Supervision accumulates five (5) unexcused absences (absences without medical verification), the student will be placed on the ineligibility list. Any subsequent unexcused absences will result in being placed back on the ineligibility list.

Daily Participation

1. Students may not participate in extra-curricular activities for any day that they did not attend over 50% of the school day including the last period.
2. Students may not participate in school organized sports any day they have been excused from P.E. for medical reasons.

C. Extra-Curricular: Substance Abuse

1. A student who is suspended for:
 - a. possession, use, or being under the influence of alcoholic beverage, controlled substance, intoxicant, or in-lieu substance (look-alike); OR
 - b. possession of drug paraphernalia is not eligible to participate in extra-curricular activities according to the following guidelines:

1st Offense: Student is ineligible for 13 weeks from the date of the incident unless the student completes a district approved intervention program. Completion of a treatment program will reduce the period of ineligibility to 6 school weeks.

2nd Offense: Student is ineligible for one calendar year from the date of the second incident. During the period of ineligibility, student must satisfactorily complete a substance abuse program and provide written verification of completion to the site administrator or will remain ineligible to participate in any activities.

3rd Offense: Student is permanently ineligible to participate in all extra-curricular activities including end-of-year activities and the graduation ceremony.

2. A student who sells, furnishes, or unlawfully offers, arranges, or negotiates to sell an alcoholic beverage, controlled substance, drug paraphernalia, or an in-lieu substance (look-a-like purported to be a controlled substance) is ineligible to participate in extracurricular activities according to the following guidelines:

1st Offense: Student is ineligible for one calendar year from the date of the incident. During the period of ineligibility, student must satisfactorily complete a substance abuse program and provide written verification of completion to the site administrator or will remain ineligible to participate in any activities.

2nd Offense: Student is permanently ineligible to participate in all extra-curricular activities including end-of-year activities and the graduation ceremony.

D. Extra-Curricular: Behavior

Discipline ineligibility will be assigned a 13 week ineligibility period when a student is suspended for five (5) days and/or suspended twice within a trimester commencing from the time of the infraction. If an additional suspension occurs during the thirteen-week period, the period of ineligibility is to be extended for an additional six weeks effective the date of the subsequent suspension. Eighth grade students with two or more suspensions, or one five-

day suspension during the third trimester, will result in loss of all extra curricular activities including the eighth grade trip and participation in graduation ceremony.

E. Extra-Curricular: Loss of Privileges

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

1. After school recreation / athletics
2. Student government
3. Clubs
4. Special field trips not a part of regular classroom work
5. School dances (Including 8th grade graduation dance)
6. Eighth grade graduation trip
7. Extra curricular performances of music, dance, drama, and speech

Note: The loss of these privileges shall not apply to class activities.

Summary of Middle School Ineligibility

Ineligibility Criteria for Extra Curricular Activities (6-8 grade students)

ACADEMIC	Length of Ineligibility
<ul style="list-style-type: none"> Less than a 2.0 GPA 2 or more Fs on Trimester report card 2 U's in citizenship on Trimester report card Note: May petition for removal based on process outlined in the Code of Conduct	The following trimester.
ATTENDANCE	Length of Ineligibility
Eligibility for school activities related to attendance will be based upon an unexcused absence rate of 10% of days enrolled or greater at each trimester and midpoint of each trimester. If attendance improves, the student may petition to be removed from the Ineligibility List at the trimester and/or by Administrator discretion. His or her decision is considered binding and not subject to further appeal.	Until attendance improves above a 10% unexcused attendance rate.
FINES/FEES OWED	Until Paid
CONTROLLED SUBSTANCE:	Length of Ineligibility
Possession, use or under the influence of a controlled substance. <ul style="list-style-type: none"> 1st offense 2nd offense 3rd offense 	<ul style="list-style-type: none"> ➤ 13 weeks ➤ 13 weeks & graduation ceremony ➤ Remainder of school year or a full year & graduation ceremony
Sell, furnish, or unlawfully offer, arrange, or negotiate to sell a controlled substance (alcohol, tobacco, drugs) <ul style="list-style-type: none"> 1st offense 2nd offense 	<ul style="list-style-type: none"> ➤ Remainder of school year & Graduation ceremony if infraction occurs in 8th grade year. ➤ Full calendar year

3rd Trimester Ineligibility Guidelines for 8th Graders

<ul style="list-style-type: none"> Less than 1.5 Cumulative GPA 2 points per subject 1 or more incidences of truancy 2 or more "U" Unsatisfactory citizenship marks Debts owed to the school 	All of the LISTED offenses will result in a loss of associated graduation activities including, but not limited to <i>the graduation dance, trip, carnival, etc.</i>
<ul style="list-style-type: none"> Less than 1.5 Cumulative GPA 2 points per subject An offense involving a controlled substance (see Ineligibility section above) 10 or more unexcused absences 2 or more suspensions One 5-day suspension 	All of the LISTED offenses will result in a loss of ALL promotion activities listed above (But not limited to) AND the Promotion ceremony.

* Loss of privilege applies to activities that occur within the calendar year of ineligibility.

Incidences of Truancy = unexcused tardy of 30 minutes in one or more periods in one day or absent without a valid excuse (unexcused) and ver by a parent/guardian.

NOTE TO ALL STUDENTS: The district reserves the right to exclude a student from the promotion ceremony or other activities for a flagran infraction of the Student Conduct Code irrespective of the student's citizenship status.

XIII. RIGHT OF APPEAL AND DUE PROCESS

A. Suspension

1. Suspension by the principal/designee, or the superintendent/designee, shall be preceded by an informal conference which is conducted by the principal or his/her designee with the pupil, and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal. At the conference the pupil shall be informed of the reason for the disciplinary action and 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/designee, 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.

The first appeal is to the building principal. A meeting must be requested within five school days following the first day of suspension. If the suspension is upheld by the principal, the pupil or pupil's parent or guardian may appeal the principal's decision to the Director of Student Services, CWA by completing the Suspension Appeal paperwork. Students remain on suspension through the appeal process. The parent/guardian and student will be notified in writing of the decision of the appeal. If the suspension is overturned at any level, all information related to the suspension will be deleted from the student's record.

B. Appeal of Citizenship Mark

1. Students and parents have the right to appeal citizenship marks which they feel are in error or unjustified.
2. The first appeal should be to the classroom teacher who gave the mark. If the questions are not resolved, A MEETING MUST BE REQUESTED, WITHIN TWO WEEKS AFTER THE CITIZENSHIP MARKS ARE RELEASED TO STUDENTS, WITH THE PRINCIPAL/CERTIFICATED DESIGNEE AND TEACHER PRIOR TO ANY FURTHER APPEAL.
3. A student who has lost privileges remains in this status pending resolution of the appeal.

Sylvan Union School District

Suspension Appeal Process Guidelines

Suspension Issued

- Student is allowed to give a statement regarding the incident and violations identified by the Administrator.
- The Administrator issues a suspension for one to five school days and notifies the parent/guardian directly and in writing (suspension notice).
- Incident information is documented in the District's electronic Student Information System.
- If requested by the parent/guardian, the Administrator will provide the parent/guardian with the suspension appeal process information.
- If applicable, the Assistant Principal or interim Principal advises the Principal if the parent/guardian wishes to appeal the suspension.
- Student is placed on suspension.

Suspension Appealed to Principal

- Parent/guardian contacts the Principal to appeal the suspension.
- Principal reviews the incident with the Administration.
- Student serves the suspension as the appeal is processed in a timely manner.

Principal's Decision

- After reviewing facts of the incident and affirming that student's due process rights were or were not violated, the Principal can either: 1) uphold the suspension, 2) modify the suspension, or 3) rescind the suspension, and either meet with, email, or phone the parent/guardian to advise of the appeal disposition.
- If the parent/guardian requests to appeal the suspension to the District, the Principal provides the appeal document to the parent/guardian.
- Student serves suspension and appeal is processed in a timely manner.

Suspension Appealed to Director of Student Services

- Parent/guardian completes the District's suspension appeal form and submits it to the Student Services Office.
- Student Services Director contacts the parent/guardian and reviews the due process scope of the suspension appeal.
- Student Services Director contacts school administration to review the incident and the suspension appeal.
- Student Services Director does not reinvestigate the incident, but will review all documents and due process.
- Student serves suspension as appeal is processed in a timely manner.

Appeal Decision

- After reviewing the suspension appeal, Student Services Director contacts parent/guardian to advise on the disposition of the suspension appeal.
- Student Services Director can either: 1) uphold the suspension, 2) modify the suspension, or 3) rescind the suspension.
- If the decision is to modify or rescind the suspension, Student Services Director will advise the Principal to amend the student's record in the District's Student Information System.
- Student is allowed to make up any homework or tests if the suspension is modified or rescinded.
- Student Services Director's decision is final and cannot be appealed.

Sylvan Union School District
Student Services Office
Suspension Appeal

Student: _____ DOB: _____

Grade: _____ Date: _____ School: _____

Special Education: _____ 504: _____ email address: _____

Parent/Guardian Name: _____

Number that you can be reached (cell/home/work): _____

I. Suspension Appeal Process:

1. If the parent/guardian wishes to appeal the suspension, the first level of appeal is the site Principal.
 2. If the parent/guardian is not satisfied with the decision of the site Principal, the parent or guardian may appeal to the Superintendent or Superintendent's Designee.
 3. Parent/guardian must complete this form for appeal consideration from the District.
 4. During the appeal process, the student will continue to serve the suspension.
 5. A decision on suspension appeal will be based on the application of due process regarding the following criteria:
 - *Grounds for suspension were identified: {EC 48900(a)-(r) and (t), 48900.2, 48900.3, 48900.4, 48900.7, 48915(a) 1-5 and (c) 1-5}.
 - *Student was suspended for no more than one to five consecutive days.
 - *Student was informed of the reason of the suspension, evidence was reviewed, and student was given an opportunity to tell his/her version of incidents, unless there is a clear and present danger with the student.
 - *Principal or designee has documentation of reasonable attempt to notify parent/guardian of suspension either in person, by mail, by telephone, or by email.
 - *Student has not been suspended more than 20 days this school year.
 - *The number of days of suspension is commensurate with the behavior.
-

II. Suspension Information (to be completed by the parent/guardian)

Please attach a reason for the appeal and include any information you think may be helpful. You may also attach additional documents as needed.

III. Signature of Parent/Guardian and Student

Parent/Guardian Signature

Date: _____

Student Signature (if applicable)

IX. 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 a Sylvan Union 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)

SYVLAN UNION SCHOOL DISTRICT NOTIFICATION OF STUDENT'S RIGHTS REGARDING EXPULSION

If your child has been recommended for expulsion, he or she has the following rights:

1. The student is entitled to a hearing to determine whether he or she should be expelled. The hearing must be held within thirty (30) school days after a school administrator determines the student has committed an expellable offense. The student, parent/guardian or representative may request, in writing, that the hearing be postponed. That request should be sent to the following: Dr. Heidi Reyes, Director of Student Services: Sylvan Union School District, 605 Sylvan Ave., Modesto, CA 95350. The student is entitled to at least one (1) postponement of the expulsion hearing for a period of not more than thirty (30) calendar days.
2. If the student wants an additional postponement, the student or parent/guardian must make another request, in writing, to the Director of Student Services. The additional postponement may be granted at the discretion of the governing board.
3. The Director of Student Services may extend the time period for holding the expulsion hearing for an additional five (5) school days if she or he determines it is impracticable to hold the hearing within thirty (30) school days and the reasons for the extension of time are stated on the record during the hearing.
4. Written notice of the hearing shall be forwarded to the student at least ten (10) calendar days prior to the date of the hearing by certified mail. The notice must include:
 - A. The date and place of the hearing.
 - B. A statement of specific facts and charges upon which the proposed expulsion is based.
 - C. A copy of the disciplinary rules of the District that relate to the alleged violation(s).
 - D. A notice of the student's and parent/guardian's obligation to notify another school district if the student is expelled and seeks admission in another school district.
 - E. Notice that the student and the student's parent/guardian(s) may be represented by legal counsel or by a non-attorney advisor, inspect and obtain copies of all documents to be used at the hearing, confront and question all witnesses who testify at the hearing, question all other evidence presented and present oral and documentary evidence on the student's behalf, including witnesses. Parent shall inform the District that student will be represented by legal counsel five (5) days prior to the hearing date.
 - F. This means if there are written documents, or witnesses, or letters, or records of any kind which the student and his or her parent believe will help their case, they may present that information for consideration at the hearing. The student and the parent may bring their own witnesses, including student witnesses, who may have knowledge concerning the events in question. The student may testify. You should take time in advance of your hearing to plan how you will present your case and what witnesses and written documents you wish to use.
5. The student's hearing will be in a session closed to the public unless the student requests, in writing, at least five (5) days prior to the date of the hearing that the hearing be conducted at a public meeting.
6. An administrative panel will conduct the student's expulsion hearing. Within three (3) school days after the hearing, the panel will determine whether to recommend the expulsion of the student to the governing board. The parent/guardian may call 209-574-5000, extension 243, on the third day, for a verbal notification of the panel's recommendation. If the panel decides not to recommend expulsion, the proceedings will be terminated, and the student will immediately be permitted to commence whatever education program may be designated by the superintendent or his/her designee. A decision, by the panel, not to recommend expulsion is final.
7. If the panel decides to recommend expulsion, findings of fact in support of the recommendation will be prepared and submitted to the governing board. All findings of fact recommendations shall be based solely on the evidence admitted at the hearing. The governing board will determine whether to accept the recommendation based on the review of the findings of fact and recommendations of the panel or upon the results of any supplementary hearing which the board may order to be conducted.

8. The board will make its determination, whether the student will be expelled, within forty (40) school days of the date when the pupil was first removed from school for the incident, which caused the expulsion recommendation.

9. The evidence presented at the hearing shall be the kind of evidence upon which reasonable persons are accustomed to rely on in the conduct of serious affairs. In order to support a recommendation for expulsion, there must be substantial evidence showing that the student committed an expellable offense. A decision to expel shall not be based solely upon hearsay evidence, but hearsay evidence is admissible and may be considered to corroborate non-hearsay evidence. An admission by the student is an exception to this rule. The admission, testified to by the person to whom the admission was made, may be sufficient evidence to support an expulsion.

10. The panel may determine that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to an unreasonable risk of harm. If this determination is made, the testimony of that witness may be presented at the hearing in the form of a sworn declaration. The identity of the witness may be withheld from the student who has been recommended for expulsion.

The District's Board Policy (BP 5144.1(a)(b)(c)(d) and Administrative Regulations regarding suspension and expulsion due process can be located on the District's web page: www.sylvan.k12.ca.us.)

X. School Attendance

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. Regular attendance is a key factor in the success a student achieves at school. State law only allows reimbursement to schools for student attendance when the student is physically present at school. For the sake of your child's education, and the financial stability of the Sylvan Union School District, please avoid absences whenever possible.

A. Excused Absences:

Absences listed below are excused when verified in accordance with Board Policy:

1. Illness
2. Quarantine directed by county or city health officer.
3. Medical, dental, mental health counseling, and optometric appointments. 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.
4. Attending funeral services of a member of the pupil's immediate family, for not more than one day for services conducted in California and not more than three days for services conducted outside of California. Upon request, additional days may be allowed at the discretion of the principal.
5. Appearance in court.
6. A religious observance of a holiday or ceremony.
7. Attendance at religious retreats not to exceed four (4) hours per trimester.

B. Missed Assignments

Students shall be permitted to make up missed school assignments for excused absences. One day shall be allowed for each excused day of absence to make up the work. The time for make-up may be extended by the teacher. Additional time may be requested based on hardship. Responsibility for requesting missed work lies with the student and parent.

C. Truancy, Excessive Absenteeism, Tardies (EC 48260-48263, 48900, 49164, EC 37228)

Students may not be absent from school without verified approval of parent/guardian or school. The following represents the procedures that will be followed when a student is absent from school without a valid excuse or is tardy without the school's approval in excess of 30 minutes. Incident = unexcused tardy of 30 minutes in one or more periods in a day or absent without a valid excuse (unexcused) and verified by a parent or guardian.

1. First / Second Incident:

The student and parents will be informed of the mandatory attendance laws and the District's policy and procedures. The student will be instructed to attend all classes. Failure to do so shall be treated as "defiance of authority." The student will receive an "unsatisfactory" in each class he/she was truant, and may be assigned to Responsibility School and/or other alternative consequences.

2. Third Incident:

Student will be referred to a school administrator/designee. The student is now a legal truant (absent from school without a valid excuse more than three days or tardy in excess of 30 minutes on each of four or more days). E.C. 48260.5 (a) The pupil is a truant. A letter shall be sent certified or by using "proof of service" method to the parents/guardians informing them that their student is a legal habitual truant (E.C. 48262) and has been in "persistent defiance of authority." The parent or guardians is obligated to compel the attendance of the pupil at school. The parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of chapter 2 of Part 27.

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 District Intervention Team, School Attendance Review Board and/or involuntary transfer to an alternative education program. The school administrator shall call and hold a Child Study Team meeting. The pupil may be subject to prosecution under Section 48264. Pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code. It is recommended that a parent or guardian accompany the pupil to school and attend classes with the pupil for a day, if appropriate. Further incidents of truancy will be reported as appropriate. For any truancy, alternative consequences may be assigned such as detention, responsibility school, in-school suspension, referral to the District Intervention Team or referral to the School Attendance Review Board (SARB).

D. Excessive Absenteeism

Good attendance is important to the success of students. Absences, whether excused or unexcused, are detrimental to the learning process. In addition, regular attendance develops habits that are essential for success in the world of work. A school administrator or designee may hold a Student Study Team (SST) or parent meeting after (10) days of absence to discuss placing the student on Attendance Supervision. Attendance Supervision imposes a requirement that a licensed medical practitioner must verify additional absences. (CAC Title 5 sec. 421 b). If the parent/guardian cannot be contacted, the administrator/designee will hold a conference with the student and a certified letter shall be sent informing the parent/guardian that the student is placed on Attendance Supervision and the pertinent provisions of the excessive absence policy. A student who is absent five (5) or more times without the required parent verification: May be referred to the School Attendance Review Board or the District Administrative Hearing Panel. Eighth grade students who have ten or more unexcused absences during the third trimester may not be included in graduation ceremonies or related activities. Being absent 6 periods equals one full-day and counts toward total absences

E. Tardies

1st Tardy:	Teacher to discuss with student.
2nd Tardy:	Tardy letter sent by teacher.
3rd Tardy:	Tardy letter sent by teacher, one detention issued.
4th Tardy:	Tardy letter sent by teacher, two detentions issued, assigned a "U" for citizenship.
5th + Tardy:	Alternative consequences, loss of extra curricular activities

Eligibility for school activities related to attendance will be based upon an unexcused absence rate of 10% of days enrolled or greater at each Trimester and mid-point of each Trimester. If attendance improves, the student may petition to be removed from the Ineligibility List at the Trimester or midpoint of the Trimester and/or by Administrator discretion. His or her decision is considered binding and not subject to further appeal.

F. School Attendance Review Board (SARB): (E.C. 448320-48324, 48292-48293)

The Education Code provides for the establishment of School Attendance Review Boards (SARB) to meet the special needs of pupils with school attendance problems or school behavior problems. In addition, Sylvan Union School District may utilize a District Attendance Review Team to address attendance problems. Recommendations may include that parents and students take certain measures to correct inappropriate behavior, refer the pupil to community agencies for assistance, or suggest adjustments to the school assignment.

G. Medications

Students who need to take medication (prescription or non-prescription) during the school day are REQUIRED to have a District medical form on file in the school office prior to such administration. (EC 49422, EC 49423, EC 48900, BP 5144)

2017-2018

PLEASE READ THE INFORMATION CONTAINED IN THIS BOOKLET AND DISCUSS IT WITH YOUR CHILD.

IF YOU HAVE QUESTIONS ABOUT ANY OF THE INFORMATION, PLEASE CONTACT YOUR SCHOOL PRINCIPAL.

SIGN AND RETURN THIS PAGE TO THE SCHOOL.

I have read the Sylvan Union School District Student Code of Conduct and have discussed it with my child.

Parent/Guardian Signature _____

Student Signature _____

Print Student's Name _____

Grade

Date