

Students

Discipline

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

The Superintendent or designee shall develop a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student behavior at district schools. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; participation in a restorative justice program, communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices. In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference and the requirements in state law for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices. In addition, see Exhibit 5144, the Student Intervention and Behavior Matrix, which describes the appropriate responses by staff to specific student conduct.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.2 - Bullying)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies. Disciplinary practices shall be consistent and provide equitable interventions and consequences across all district schools and for all students, with a special focus on addressing disparities in discipline for those students who have been or who are disproportionately affected.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing effective and equitable classroom management skills, accountability and intervention techniques, and the tools to establish cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and any other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in each school in the immediately preceding school year and their effect on student learning in the school.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. An employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons from physical injury, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student, is not corporal punishment. (Education Code 49001)

(cf. 4158/4258/4358 - *Employee Security*)
(cf. 5131.7 - *Weapons and Dangerous Instruments*)

Physical Restraints and De-escalation Techniques and Training

Staff shall be trained not to use force, including the use of physical restraints, except in exigent circumstances. Any physical restraint technique shall be applied in compliance with state and federal law. Physical restraints may only be used to control behavior that poses a clear and present danger of serious harm to the student or to others that cannot be immediately prevented by a response that is less restrictive. (Education Code 49005.4)

Only staff who have been trained in the application of physical restraints shall apply physical restraint techniques in response to student misconduct. Each school site shall maintain a list of staff who have been trained in physical restraint techniques.

District training on the use of physical restraints shall use as a resource the U.S. Department of Education's "Restraint and Seclusion Resource Document." Any training shall include the Department of Education's advice that physical restraint techniques shall be avoided unless the student's behavior poses immediate danger of serious physical harm to the student or to others.

A procedure to document the use of physical restraints and to address any complaint of excessive force against a staff member shall be negotiated with each applicable bargaining unit. Complaints concerning the potential use of excessive force by district staff other than police officers shall be filed pursuant to the procedure established in AR 1312.1. Data on the use of physical restraints shall be reviewed regularly to determine whether staff and school sites are using physical restraint techniques inappropriately or disproportionately. If such a determination

is made, a remediation plan for any staff member and/or school site shall be developed on a case-by-case basis.

In addition to the review of the physical restraints used by district staff other than police officers, the district shall annually complete the report on the use of physical restraints and file it with CDE. (Education Code 49006)

Staff responsible for responding to student misconduct shall annually be trained on positive behavioral supports and other strategies, including de-escalation techniques and compliance with federal and state law relating to behavioral restraints, for the purpose of preventing student behavior that may lead to the use of physical restraints.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49005-49006.4 Seclusion and restraint

49330-49334.5 Injurious objects

49550-49564.5 Meals for needy students

52060-52077 Local Control and Accountability Plane

CIVIL CODE

1714.1 Parental liability for child's misconduct

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

BP 5144

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Safe Schools: Strategies for Governing Boards to Ensure Student Success, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

US DEPARTMENT OF EDUCATION ADVISORIES

Restraint and Seclusion: Resource Document, Washington D.C., 2012

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

Replaces BP 5144 (11/12)