

STUDENT CONDUCT CODE

PRE-K THROUGH GRADE 12

2020-2021



STOCKTON UNIFIED SCHOOL DISTRICT
701 N. Madison Street
Stockton, CA 95202

STUDENT CONDUCT CODE
PRE-K THROUGH GRADE 12

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**Stockton Unified School District
Board of Education**

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Philosophy

Our Mission is to graduate every student college, career, and community ready. In doing so we lift all youth out of circumstances of poverty and scarcity. Our goals for our students include:

- Every child by the end of the 3rd grade will read and comprehend at the proficient level.
- Every child by the end of the 9th grade will demonstrate mastery of Algebra concepts and application.
- Every child by the end of the 12th grade will graduate and be college or career ready.

Successful schools provide a safe and welcoming environment where students have an opportunity to learn and teachers can devote their time to instruction. Student support focuses on prevention, intervention, and reinforcing positive behavior.

The Governing Board of Stockton Unified School District desires to provide a safe, supportive, and positive school environment conducive to student learning, which prepares students for college, career, and community readiness. By fostering a supportive community where students can learn and grow into responsible citizens our students will be contributing, engaged members of society.

Stockton Unified School District has an age appropriate multi-tiered system of support for both academic and behavioral intervention. This tiered response to student behavior allows us to intervene using strategies and tools to help students understand the role they play in the classroom environment and in their academic success.

While staff will be using preventative measures and positive strategies whenever possible, it may be necessary to take actions which will result in the loss of instructional time. Exclusionary discipline is reserved for situations in which the behavior requires elevated consequences.

We encourage parents/guardians and students to become thoroughly familiar with the contents of this booklet to ensure that everyone understands both the philosophy behind our conduct code, as well as, the consequences of conduct code violations. Our pledge to students and families is that we treat all students respectfully and with fairness.

Statement to Principals

Students in Stockton Unified School District, like members of any community, have both rights and responsibilities. It is the obligation of the District to protect those rights and to educate students about their responsibilities.

The purpose of this conduct code is to ensure that all students understand their rights and responsibilities, the consequences of inappropriate student behavior, and both the procedures for addressing student behavior as well as the reason for redirection or discipline. This code serves to define actions according to Education Code and provide each school with the framework for student discipline procedures and rules. Administrators should consult the Student Conduct Code Book, the Guidelines for Addressing Conduct Code Violations, Conduct Code Violation Intervention Strategies for information about student discipline and appropriate interventions.

The written school site rules and procedures on school discipline will be provided to continuing pupils and families at the beginning of each school year, as well as transfer students and their families at the time of their enrollment in the school.

I. STUDENT RIGHTS

1. **Equal Educational Opportunity**

Schools must provide all students an opportunity to receive a Free Appropriate Public Education (FAPE). Students have the right to attend school until the age of 18 or graduation from high school, unless receiving Special Education services and support can extend through age of 21.

No student can be prevented from participating in any program because of his or her ethnic group, religion, gender, color, race, national origin, physical or mental disability, marital or parental status, or sexual orientation.

Students have the right to equal educational opportunity without interference from other students or individuals.

2. **Exercise Free Expression**

Freedom of Speech: Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications.

Students writing for school newspapers have the right to exercise freedom of speech, except expression that is obscene, libelous or slanderous. Also prohibited is expression that so incites students as to create a clear and present danger of unlawful acts on school grounds or disruption of school operations.

Students' freedom of expression shall be further limited only as authorized by Education Code sections 48907, 48950, and other applicable state and federal laws.

Other Forms of Expression: Students are entitled to express themselves by displaying or wearing symbols of ethnic, cultural, political, or other values, except for items commonly considered gang-related in our community. Where individual schools have a dress code prohibiting gang-related apparel at school or school activities, the definition of "gang related apparel" shall be defined in the school safety plan. (See Board Policy and Administrative Regulation 5145)

3. **Freedom from Sexual Harassment**

Students have the right to learn in an educational environment free of sexual harassment. This means they are entitled to attend school without being subjected to unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature.

4. **Freedom of Assembly**

Student organizations, clubs and groups will be given equal access to meet on school premises during reasonable, designated times and allowed to utilize school media including the school newspaper, bulletin boards and public address system in accordance with Board Policy and Administrative Regulation 6145.5.

5. **Due Process**

Students facing significant disciplinary action, such as any form of school exclusion, are entitled to fair procedures to determine if they are at fault. District officials will comply with all procedures for proper notice and appeal as specified in board policy, administrative regulation and in accordance with the law. (See Board Policy 5144.1 and Administrative Regulation 5144.2)

The procedures and methods of appeal are further explained in Section IV.

6. **Uniform Complaint Procedures**

Stockton Unified School District (SUSD) annually notifies its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the Uniform Complaint Procedures (UCP) process.

The SUSD is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP in: Adult Education; After School Education and Safety; Agricultural Vocational Education; American Indian Education Centers and Early Childhood Education Program Assessments; Bilingual Education; California Peer Assistance and Review Programs for Teachers; Career Technical and Technical Education, Career Technical, Technical Training, Career Technical Education; Child Care and Development; Child Nutrition; Compensatory Education; Consolidated Categorical Aid; Course Periods without Educational Content (for grades nine through twelve); Economic Impact Aid; Education of Pupils in Foster Care and Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district; English Learner Programs; Every Student Succeeds Act/No Child Left Behind (titles I-VII); Local Control Accountability Plans (LCAP); Migrant Education; Physical Education Instructional Minutes (for grades one through six); Pupil Fees; Reasonable Accommodations to a Lactating Pupil; Regional Occupational Centers and Programs; School Safety Plans; Special Education; State Preschool; and, Tobacco-Use Prevention Education.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or

activity is elective or compulsory, or is for credit.

2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee. A pupil fees and/or LCAP complaint may be filed anonymously, however, the complainant must provide evidence or information leading to evidence to support the complaint.

A pupil enrolled in a school in our district shall not be required to pay a pupil fee for participation in an education activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We shall post a standardized notice of the educational rights of foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48853, 48853.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

The staff member, position, or unit responsible to receive UCP complaints in our agency is:

Dee Alimbini, Compliance Services
701 North Madison Street
Stockton, CA 95202-1687
(209) 933-7100 email: dalimbini@stocktonusd.net

Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

We advise any complainant of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal

discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our Uniform Complaint Procedures process shall be available free of charge and is also on our website: www.stocktonusd.net

7. SUSD Police Department Complaint Procedures

Policies and complaint forms specific to the SUSD Police Department may be obtained from the District Police Department at 640 N. San Joaquin Street, Stockton, CA 95202, or by calling (209) 933-7085 or at 701 N. Madison Street, Stockton, CA 95202. Complaints must be filed in writing to Police Department. Specific timelines may apply to complaints regarding police services.

8. Reasonable Searches

A principal or designee may conduct a reasonable search of a student's person, a student's belongings in the student's possession or in the student's locker or desk, or of the student's vehicle parked on District property when there is reasonable, articulable suspicion to suspect the student possesses contraband. Contraband may include illegal substances, drug paraphernalia, weapons, or other objects or substances, which may be injurious to the student or others. While school authorities will respect the rights of each student in the use of his/her locker and desk, lockers and desks are the property of the school and are assigned to students for the purpose of storing school-related materials and items essential to the physical well-being of the student.

The District may use random, unannounced metal detector scans as part of its program to promote safety and to deter the presence of weapons and drugs on school campuses. Signs are posted at all schools to explain that anyone entering the school may be searched when on campus or attending athletic or extracurricular events.

The District will conduct searches pursuant to the procedures included in Board Policy and Administrative Regulation 5145.12.

II. STUDENT RESPONSIBILITIES

Students are expected to:

1. Attend School Daily, Unless Valid Excuse is Provided

Regular school attendance provides students with the opportunity to have a successful and engaging school experience culminating in college, career, and community preparedness. In California, a student is required by law to attend school between the ages of 6 and 18.

2. **Be On Time For All Classes**

Being on time helps to ensure all students can learn free of distraction. Stockton Unified School District is dedicated to providing high quality first instruction, rigorous curriculum, and supporting academic achievement and social-emotional development supported by Multi-Tiered System of Supports (MTSS). Entering a classroom after a lesson has begun interferes with the rights of other academic pursuits.

3. **School Based Expectations**

Academic and behavioral expectations are designed to allow ALL students to participate in their education and to limit distractions caused by other students.

4. **Leave Unnecessary Items At Home**

Items which distract from the learning environment should not be brought to school. Items which are considered to be distractions to instruction or creating an unsafe learning environment may be taken away and turned into the office to be returned to the student with a warning at the end of the day. If you have a question as to what qualifies as a distraction, please contact your school site administrator.

5. **Cooperate With the School Community**

Every community depends upon the willingness of citizens, including students, families, teachers, and other District personnel, to play a part in upholding the guidelines by which everyone participates. Contributing to a positive school community leads to college, career, and whole community readiness.

6. **Complete All In-Class And Homework Assignments And Meet Deadlines**

In order to benefit from the educational opportunity provided by school, it is important to complete the assigned work, including assigned homework. Please contact your teacher, counselor, or other trusted site personnel if you need more support to complete assignments and meet deadlines.

7. **Respect Public Property And Carefully Use And Return All Materials And Equipment**

Damage to school property and materials denies others the use of such property and materials and limits the educational process. Inform your teacher, counselor, or site administrator if an item/material is not working as expected.

8. **Come To Class With Necessary Books And Materials**

In order to benefit the most from your education, it is important to come to class prepared to learn. This includes bringing necessary books and materials. In the event you are unable

to provide necessary materials, please contact your site administrator or counselor.

9. Ensure That School Correspondence To Parents/Guardians Reaches Home

Education requires a partnership between the home and the school. This allows parents/guardians and teachers to help students when they are having difficulties. Teachers and other school personnel will communicate with families by sending materials home with the student. The student is to make sure that all materials are given to the parent/guardian.

10. Follow Directions From Responsible Adults

As student safety is paramount, it is important for students to follow the directions of teachers and other school personnel, as well as to obey school rules, inside the classroom as well as outside.

11. Maintain Academic Standards

To encourage and promote academic excellence, students shall have maintained at least a 2.0 grade point average in all enrolled classes during the previous grading period in order to participate in athletics, extracurricular and co-curricular activities. This policy applies to students in grades 7-12 inclusive.

III. CONDUCT CODE VIOLATIONS AND CONSEQUENCES

Introduction

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

Should your child's school determine the need for progressive disciplinary measures, the following actions may be taken by the school:

Referral for Counseling – Students may be referred to the school counselor to discuss issues that interfere with learning.

Counseled and Warned – Student is counseled as to their responsibilities and the consequences of behavior.

Class Suspension – Student may be removed from a particular class for a period of time to reflect on behavior and meet with school counselor or administrator. Parents will be asked to attend a conference with the teacher and school administrator or counselor. (Education Code 48910)

Parent/Guardian Contact – Parent/Guardian may be asked to attend a conference with the teacher, administrator, and counselor or an Individualized Education Plan team meeting (IEP) to discuss their child’s behavior.

Detention – Student will be assigned detention outside of the instructional day, which may be combined with community service.

Community Service – Schools may assign community service on the school campus in lieu of in-school or out of school suspension. Community service may be assigned off the school site with the permission of the parent/guardian. (Education Code 48900.6)

Saturday School – Students who are absent from classes without an excused or approved reason may be *required* to attend weekend school. Students may be asked to attend Saturday School for minor infractions in lieu of class suspension or out of school suspension.

Loss of Privileges – Limitations on a student's participation in school activities such as extracurricular activities such as music performances, athletics, or school dances.

In-School Suspension – A suspension from regular classes which takes place at the school site under the direction of certificated personnel.

Out-of-School Suspension – A suspension from regular classes in which the student is prohibited from attending school, participating in school activities, and being on the school grounds or on any other school campus.

Notification of Appropriate Law Enforcement Agencies – Stockton Unified School District has its own police force. There are certain offenses which the District is required by law to report to law enforcement and which may require police intervention. These include gun, drug and alcohol offenses as well as when there is a clear and immediate threat of harm to students, teachers or public safety. (See Education Code section 48902)

Transfer to Alternative Program – Continued actions by the student which result in suspension from the school up to twenty days and when all other school based interventions have been exhausted may result in a transfer to an alternative school in or out of the District through the Student Attendance Review Board (SARB) for habitual insubordination.

Expulsion – In some cases of serious misconduct expulsion is required by Education Code for a first offense. For other offenses, and after the school has exhausted all school based interventions, the student may be expelled from the school and/or District and be required to attend an alternative school in or out of the District.

Extension of Suspension – When a student has committed an expellable offense, the school may ask the Superintendent’s designee to extend the suspension from school until a due process hearing can be held.

GROUNDS FOR DISCIPLINARY ACTION

California State Education Code is clear that schools discipline students for misbehavior when the offense occurs (1) while on school grounds, (2) while going to or coming from school (3) during the lunch period whether on or off campus, and (4) during, or while going to or from, a school-sponsored activity.

Examples of unacceptable behavior are listed below. The explanations and consequences listed below for Conduct Code violations are in summary form and may include other specific behaviors and/or consequences not mentioned in the text. Students may be suspended and/or expelled from school for violations of Education Codes 48900, 48900.2, 48900.3, 48900.4, 48900.7 and 48915. However, suspension will only be used for a first offense for the offenses identified by law or where it is determined the student’s presence causes a danger to persons.-Similarly, expulsion will only be utilized for first offenses in serious cases of misconduct and as required by Education Code. Schools will attempt to work with the student and parent/guardian to help redirect student behavior and stop inappropriate or disruptive behavior that interferes with the right of all students to learn.

Mandatory Recommendation to Expel and Mandatory Expulsion Offenses

The District is required to recommend expulsion and the student must be expelled if it is found he/she committed an act in violation of Education Code 48915(c)(1, 2, 3, 4, 5).

1. **Offense:** Possessed, sold or otherwise furnished any firearm, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or principal’s designee’s agreement. (Education Code 48900(b), 48915(c)(1))

Explanation: A firearm is defined as a device, designed to be used as a weapon, which expels a projectile by the force of an explosion or other form of combustion.

Consequences: Immediate suspension from school, *mandatory* recommendation for expulsion, and *mandatory* expulsion where it is found student committed the act. Report to law enforcement.

2. **Offense:** Brandishing a knife at another person. (Education Code 48915(c)(2))

Explanation: A knife means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a

weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. (Education Code 48915(g))

Consequences: Immediate suspension from school, *mandatory* recommendation for expulsion, and *mandatory* expulsion where it is found student committed the act. Mandatory report to law enforcement. (Education Code 48902)

3. **Offense:** Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48900(c), 48915(c)(3))

Explanation: The California State Health and Safety Code defines controlled substances. Alcoholic beverages and any other intoxicants (such as marijuana) of any kind are prohibited on school campuses or at school sponsored activities.

Consequences: Immediate suspension from school, *mandatory* recommendation for expulsion, and *mandatory* expulsion where it is found student committed the act. Report to law enforcement.

4. **Offense:** Committed or attempted to commit sexual assault or sexual battery. (Education Code 48900(n), 48915(c)(4))

Explanation: Sexual assault, means any of the following:

- a. Rape, as defined in Section 261 of the Penal Code.
- b. Sodomy, as defined in Section 286 of the Penal Code.
- c. Lewd or lascivious acts as defined in paragraph Section 288 of the Penal Code.
- d. Oral copulation, as defined in Section 288a of the Penal Code.
- e. Sexual penetration, as defined in Section 289 of the Penal Code.
- f. Sexual battery is defined by Section 243.4 of the Penal Code.

Consequences: Immediate suspension from school, *mandatory* recommendation for expulsion, and *mandatory* expulsion where it is found student committed the act. Report to law enforcement.

5. **Offense:** Possession of an explosive as defined by 18 USC 921. (Education Code 48915(c)(5))

Explanation: An explosive is defined as a destructive device, incendiary or poison gas or projectile containing any explosive or incendiary material or other chemical substance. (Education Code 48915(h), United States Code Title 18, Section 921)

Consequences: Immediate suspension from school, *mandatory* recommendation for expulsion, and *mandatory* expulsion where it is found student committed the act. Report to law enforcement.

Mandatory Recommendation to Expel Offenses Unless Extenuating Circumstances Exist

For these offenses the student must be recommended for expulsion, unless the Superintendent or principal determines that expulsion should not be recommended under the particular circumstances or that an alternative means of correction would address the conduct.

Expulsion for the following offenses must be based on a finding that at least one of the following exists: (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct, or (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

1. **Offense:** Causing serious physical injury to another person except in self-defense. (Education Code 48900(a)(1), 48900(a)(2), 48915(a)(1)(A))

Explanation: Examples include threatening or attempting to cause physical injury with a deadly weapon/dangerous object/explosive device or any other means of force likely to cause great bodily injury. Causing or attempting to cause serious physical injury upon the person of another. Fighting, in which both parties have contributed to the confrontation by verbal and/or physical action, or when a fight has been provoked by one person in which both persons participate.

Consequences: Parent/guardian conference, suspension from school. *Mandatory* recommendation to expel unless circumstances identified above exist. Report to law enforcement.

2. **Offense:** Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student. (Education Code 48900(b), 48915(a)(1)(B))

Explanation: A knife means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. (Education Code 48915(g)) A dangerous object is one of no use to the student and may cause injury or harm to another. *Examples* of dangerous objects are laser pointers, brass knuckles, a connected ring that covers more than one finger, nunchaku-like weapons, or firecrackers.

Consequence: Parent/guardian conference, suspension from school. *Mandatory* recommendation to expel unless circumstances identified above exist. Report to law enforcement.

3. **Offense:** Unlawful possession of any controlled substance as defined in Health and Safety

Code 11053-11058. (Education Code 48900(c), 48915(a)(1)(C))

Explanation: The California State Health and Safety Code defines controlled substances. Alcoholic beverages and any other intoxicants (such as marijuana) of any kind are prohibited on school campuses or at school sponsored activities.

Consequences: Parent/guardian conference. Suspension from school. *Mandatory* recommendation to expel unless it is the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis, or the student is in possession of over the counter medication for medical purposes, or prescription medication prescribed for the student by a physician, or circumstances identified above exist. Referral to substance abuse counseling. Report to law enforcement.

4. **Offense:** Robbery or Extortion. (Education Code 48900(e), 48915(a)(1)(D))

Explanation: Robbery is the taking of personal property from another without permission accomplished by means of force or fear. Extortion is the obtaining of property from another, with his consent, induced by a wrongful use of force or fear.

Consequences: Parent/guardian conference, suspension from school. *Mandatory* recommendation to expel unless circumstances identified above exist. Restitution. Report to law enforcement.

5. **Offense:** Assault or battery, as defined in Penal Code 240 and 242, upon any school employee. (Education Code 48915(a)(1)(E))

Explanation: Battery (any willful and unlawful use of force or violence upon the person of another, Penal Code 242) or assault (an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another, Penal Code 240). Examples of assault and battery include threatening or attempting to cause physical injury with a deadly weapon/dangerous object/explosive device or any other means of force likely to cause great bodily injury. Causing or attempting to cause serious physical injury upon the person of another. Intentional and willful use of force upon any school employee acting in the course of his/her duties.

Consequences: Suspension from school. *Mandatory* recommendation to expel unless circumstances identified above exist. Report to law enforcement.

Discretionary Discipline Offenses

Suspension, including supervised suspension (Education Code 48911.1) shall be imposed only when other means of correction fail to bring about proper conduct. All interventions must be documented in the student's record. Suspension may be imposed on the first offense for violation of Education Code 48900(a-e) or when the Superintendent or principal determines that the student's presence causes a danger to persons. (Education Code 48900.5)

Stockton Unified School District has adopted, for each school, an age appropriate multi-tiered system of support for both academic and behavioral intervention. This tiered response to student misbehavior allows us to intervene at the first sign of misbehavior using strategies and tools to help students understand the role their behavior plays in the classroom environment and in their academic success.

1. **Offense:** Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

Explanation: Battery or assault. Threatening or attempting to cause physical injury with a deadly weapon/dangerous object/explosive device or any other means of force likely to cause great bodily injury. Causing or attempting to cause serious physical injury upon the person of another. Fighting, in which both parties have contributed to the confrontation by verbal and/or physical action, or when a fight has been provoked by one person in which both persons participate.

Consequence: Parent/guardian conference. Suspension from school. Possible recommendation for expulsion. Report to law enforcement.

2. **Offense:** Possessed, sold, or otherwise furnished a knife, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (Education Code 48900(b))

Explanation: A knife means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. (Education Code 48915(g)) A dangerous object is one of no use to the student and may cause injury or harm to another. *Examples* of dangerous objects are laser pointers, brass knuckles, a connected ring that covers more than one finger, nunchaku-like weapons, or firecrackers.

Consequences: Suspension from school. Possible recommendation for expulsion. Potential suspension from school. Referral to counseling. Report to law enforcement.

3. **Offense:** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of an alcoholic beverage, or an intoxicant of any kind. Unlawfully possessed, used, or otherwise furnished, or been under the influence of a controlled substance as defined Chapter 2 (commencing with Section 11053) of Division 10 of the Health and

Safety Code. (Education Code 48900(c))

Explanation: The California State Health and Safety Code defines controlled substances. Alcoholic beverages and any other intoxicants (such as marijuana) of any kind are prohibited on school campuses or at school sponsored activities.

Consequences: Suspension from school. Referral to substance abuse counseling. Possible recommendation for expulsion. Mandatory report to law enforcement. (Education Code 48902(b))

4. **Offense:** Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))

Explanation: The California State Health and Safety Code defines controlled substances. Alcoholic beverages and any other intoxicants (such as marijuana) of any kind are prohibited on school campuses or at school sponsored activities.

Consequences: Suspension from school. Possible recommendation for expulsion. Mandatory report to law enforcement. (Education Code 48902(b))

5. **Offense:** Attempted to commit robbery or extortion (Education Code 48900(e), 48900(g), 48915(a)(1)(D))

Explanation: Robbery is the taking of personal property from another without permission accomplished by means of force or fear. Extortion is the obtaining of property from another, with his consent, induced by a wrongful use of force or fear.

Consequences: Parent/guardian conference, restitution. Potential suspension from school. Referral to counseling. Possible recommendation for expulsion. Report to law enforcement.

6. **Offense:** Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

Explanation: Every person who maliciously damages or defaces school or private property not his or her own, in cases other than those specified by state law, is guilty of vandalism.

Consequences: Parent/guardian conference, referral to counseling, community service, restitution, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

7. **Offense:** Stole or attempted to steal school property or private property. (Education Code 48900(g))

Explanation: Theft is the deceitful and unlawful taking of property without the permission of the rightful owner.

Consequences: Parent/guardian conference, referral to counseling, community service, restitution, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

8. **Offense:** Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, electronic cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction does not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h), 48901)

Explanation: The use of tobacco or imitation tobacco products is not allowed in the school setting or at school activities.

Consequence: Parent/guardian conference. Tobacco Use Prevention Education (TUPE) counseling, suspension. (No suspension on first offense unless student presents a danger to persons.)

9. **Offense:** Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

Explanation: The school is a place where respectful behavior is the expectation. Examples of obscene acts or habitual profanity are using foul language, making crude sexual references, acting out inappropriate school behaviors or hand gestures which are disruptive to the learning environment.

Consequences: Parent/guardian conference, parent required to attend classes with student, referral to counseling, community service, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

10. **Offense:** Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia. (Education Code 48900(j))

Explanation: The Health and Safety Code defines drug paraphernalia as all equipment, products and materials of any kind which are designed for use or marketed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this division. (Health and Safety Code 11014.5)

Consequences: Parent/guardian conference, referral to substance abuse counseling, community service, suspension from school. (No suspension on first offense unless student

presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

11. **Offense:** Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

Explanation: A student's disruption or defiance that has an impact on the effective or safe functioning of the school, classroom or school bus such as continuing to remain at the scene of a fight, instigating a disturbance after being told to stop the behavior, repeatedly interfering with the learning opportunities of classmates or the teacher's work with the class or any actions which may compromise the safety of students on school buses or on school grounds.

Consequences: Parent/guardian conference, community service, referral to counseling. (No suspension on first offense unless student presents a danger to persons.)

12. **Offense:** Knowingly received stolen school property or private property. (Education Code 48900(l))

Explanation: Theft is the deceitful and unlawful taking of property without the permission of the rightful owner. Knowingly receiving stolen property is as serious as stealing the property in the first place.

Consequence: Parent/guardian conference, referral to counseling, community service, restitution, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

13. **Offense:** Possessed an imitation firearm. (Education Code 48900(m))

Explanation: An imitation firearm means replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

Consequence: Parent/guardian conference, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

14. **Offense:** Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

Explanation: Students who report violations of the Conduct Code or who have been asked to provide information about a Conduct Code violation are not to be threatened or intimidated in any way by any other student.

Consequences: Parent/guardian conference, community service, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

15. **Offense:** Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, Soma. (Education Code 48900(p))

Consequences: Parent/guardian conference, referral to substance abuse counseling, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

16. **Offense:** Engaged in or attempted to engage in hazing. (Education Code, 48900(q))

Explanation: Hazing means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, hazing does not include athletic events or school-sanctioned events.

Consequences: Parent/guardian conference, community service, referral to counseling, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

17. **Offense:** Engaged in an act of bullying, verbal, electronic or through use of social media. (Education Code 48900(r))

Explanation: “Bullying” means 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 Section 48900.2, 48900.3, or 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:

- a. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- b. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- c. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- d. 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.

Consequences: Parent/guardian conference, referral to counseling, suspension. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

18. **Offense:** Committed sexual harassment. (Education Code 212.5, 48900.2)

Explanation: Sexual harassment means unwanted 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 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 through the educational institution.

The conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

Consequences: Parent/guardian conference, referral to counseling, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

19. **Offense:** Caused or attempted to cause, threatened to cause, or participated in an act of hate violence. (Education Code 67380 (5)(c), 233, 48900.3)

Explanation: Hate violence is defined as any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of such, directed against any person or persons because of ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, gender expression, disability or political or religious beliefs of that person or group.

Consequences: Parent/guardian conference, referral to counseling, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

20. **Offense:** Intentionally engaged in harassment, threats or intimidation against District personnel, or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

Explanation: Harassment, threats, or intimidation must be so severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment.

Consequences: Parent/guardian conference, referral to counseling, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion.

21. **Offense:** Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Explanation: Any statement, 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, or property damage in excess of \$1,000, with specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate and specific as to convey to the person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of District property, or the personal property of the person threatened or his or her immediate family.

Consequences: Parent/guardian conference, suspension from school. (No suspension on first offense unless student presents a danger to persons.) Possible recommendation for expulsion. Report to law enforcement.

STUDENT TRANSPORTATION

(Title 5, CCR14103, Education Code 48900(k))

Rules When Riding District Transportation

Riding the school bus to and from school is a privilege. Students who ride the bus are expected to:

- Be on time at the bus stop. Line up and do not shove or push others when entering or exiting the bus.
- Show good manners at the bus stop. This behavior includes staying near the bus stop area, keeping off private property and not disturbing plants or shrubs. Bus stops are a part of school jurisdiction and all school rules apply.

School Bus Rules and Conduct

1. Students must obey the School Bus Driver.
2. Students must follow safety procedures.
3. Students must not destroy property.
4. Students must not fight, push or trip others
5. Students must not eat, drink, or litter on the bus.
6. Students must not use unacceptable language.
7. Students must remain seated until the bus arrives at the bus stop, the brake is applied and the bus door is opened.
8. Students must avoid loud talking.
9. Students must not board the bus with unopened foods, drinks, live or dead reptiles, insects, birds, animals, ~~or~~ glass objects or balloons.
10. Students must not board the bus with any hazardous material which would include, but not be limited to, any object that could be used as a weapon, or any food products that could become hazardous if spilled on the floor of the bus, i.e., snow cones, sodas, ice cream, etc.

The Transportation Department has established a system to deal with misbehavior on school buses. This system provides the bus driver with several options to deal with unacceptable behavior. The bus driver may:

1. Choose to correct students with a verbal warning or directive.
2. Issue an "A," "B," or "C" Conduct Report which is addressed to the principal with copies to the Transportation Department and the child/parent.

In all cases, the principal, in coordination with the Transportation Director shall have the final authority to determine the extent of the consequences.

"A" CONDUCT REPORT (Notice to Parents)

These are some examples of unacceptable behavior that would result in an "A" Conduct Report. NOTE: The normal progression of consequences is accelerated to the "B" Conduct Report level after the issuance of two "A" Conduct Reports.

1. Any movement OUT of seats while bus is in motion.
2. Creating excessive noise.
3. Littering of any kind.
4. Unauthorized closing or tampering of any kind with bus windows.
5. Failure to obey bus driver.
6. Failure to sit in assigned seat.
7. Refusal to give name when asked to do so.
8. Other violations of a lesser nature.

"B" CONDUCT REPORT (Parental Contact or Parental Contact and Conference.)

These are some examples of unacceptable behavior that would result in a "B" Conduct Report. NOTE: The normal progression of consequences is accelerated to the "C" Conduct Report level after the issuance of two "B" Conduct Reports.

1. Using other than the student's regularly designated bus stop.
2. Putting any part of the body out of the bus window at any time.
3. Creating excessive noise. (Screaming, yelling, etc.)
4. Legs, feet and objects obstructing aisle or facing to the rear in seats.
5. Any improper bus stop procedures, e.g., not lining up, rock throwing, playing in street.
6. Throwing any objects in, out of, or at the school bus.
7. Tampering with radio or bus controls.
8. Eating or drinking on the bus.
9. Giving improper identification when requested by bus driver.
10. Continued failure to obey bus driver.
11. Failure to remain quiet at all railroad crossings.
12. Other unauthorized or unsafe actions.
13. Continued unacceptable behavior as noted in "A" Conduct Report above.
14. Use of cell phones on the bus.

"C" CONDUCT REPORT (Suspension of Bus Riding Privileges -- One Day to Remainder of School Year.)

These are some examples of severe, unacceptable behavior that would result in suspension of bus-riding privileges from one day up to the remainder of the school year, depending on the severity of the unacceptable behavior.

1. Fighting on the bus or at bus stop.
2. Habitually using profanity or obscene gestures.

3. Unauthorized exits from emergency doors, windows, etc.
4. Riding any district school bus after receiving a "no ride" penalty.
5. Unauthorized opening, closing or tampering of any kind with bus doors.
6. Destruction of property-personal or school.
7. Lighting of matches or lighters.
8. Use of tobacco products.
9. Possession of explosives.
10. Possession of alcoholic beverages.
11. Possession of drugs and/or paraphernalia.
12. Possession of firearms.
13. Knives or sharp objects on the bus.
14. Transporting live animals, reptiles, or insects on the bus.
15. Acts of defiance against the driver's authority.
16. Endangering life or limb of other people.
17. If bus is equipped with seat belts, refusal to wear seat belt.
18. Continued unacceptable behavior noted in examples of "B" Conduct Report above.

The School Bus Driver, by California Administrative Code, is responsible for the appropriate behavior of students on the bus and is instructed by the District to report any unacceptable behavior to the Transportation Department. Repeated unacceptable behavior or behavior creating a serious safety hazard will be cause for suspension of school bus-riding privileges.

THE FOLLOWING CONSEQUENCES WILL OCCUR FOR STUDENT MISCONDUCT ON THE SCHOOL BUS:

- “A” CONDUCT REPORT** - Possible conference with student and site administrator. Parent/guardian will be notified.
- “B” CONDUCT REPORT** - Possible conference with student and site administrator. (Driver optional)
- Parent/Guardian will be notified.

- Optional conference with student, parent/guardian, Site Administrator, and Driver, if requested by Parent/Guardian, Administrator or Driver.

“C” CONDUCT REPORT

- Notification of Parent/Guardian, Bus Suspension with possible conference with student and Site Administrator.
- Student will be denied bus transportation until parent/guardian conference is held between the driver, student, parent/guardian, and site administrator. At this conference the length of suspension will be determined.
- Each "C" Conduct Report will result in school bus-riding suspension from one day up to the remainder of the academic year depending upon the severity of the inappropriate behavior.

NOTE: Additional Administrative Action may be taken with each level of conduct report issued. (“A”, “B”, “C”)

The policy of the Transportation Department with regard to a serious violation says:

"When a 'C' Conduct Report is issued, the Transportation Department will inform the Parent/Guardian of the suspension from riding the school bus and instruct the Parent/Guardian to contact the school to arrange for a conference."

"If the suspension occurs on the way to school, the student will be transported to the home stop at the end of the regular school day only on the day that the 'C' Conduct Report is issued."

"If the suspension occurs on the way home from school, the student will be denied transportation the next morning after Parent/Guardian notification."

In some instances, the Principal in coordination with the Transportation Director will have the final authority in determining when these requirements have been met and the suspension is to end.

Rules When Using Public Transportation

Stockton Unified School District students are expected to observe the above rules when riding public transportation. Reported misconduct on public transportation to and from school, or from school-related activities, will be grounds for a student being suspended from school and possible Revocation of District Funded Bus Pass.

THESE AND OTHER PENAL CODES ARE ENFORCED ON RTD VEHICLES:

- **EVASION OF FARES OR MISUSE OF TRANSFER:** Evasion of payment of any fare of the system is a violation. This includes failure to show I.D. for reduced fare when requested and using outdated passes and transfers. Misuse of any transfer, pass, ticket, or

token with the intent to evade the payment of any fare is a violation. (Penal Code 640(b)(1)(2))

- **SMOKING, EATING, DRINKING ON THE BUS:** Use of tobacco, eating or drinking on the bus is a violation. (Penal Code 640(b)(4))
- **WILLFULLY DISTURBING OTHERS/SWEARING:** Excessively loud conversation (including cellular phones), swearing or disturbing others is a violation. (Penal Code 640.5)
- **GRAFFITI:** Defacing or marking with graffiti or inscribed marks to the interior or exterior of an RTD bus or sign is a violation. (Penal Code 640.5)
- **PLAYING SOUND EQUIPMENT ON THE BUS:** Playing sound equipment audibly is a violation. (Penal Code 640(b)(3))

THESE AND OTHER PUBLIC UTILITY CODES ARE ENFORCED ON RTD VEHICLES:

- **INTERFERING WITH THE OPERATOR OR OPERATION OF A TRANSIT VEHICLE:** Or impeding the safe boarding/alighting of passengers is a violation. (Public Utility Code 99170(a)(2))
- **EXTENDING ANY PORTION OF THE BODY THROUGH ANY WINDOW OPENING:** Of a transit vehicle in a manner that may cause harm or injury is a violation. (Public Utility Code 99170(a)(3))
- **VIOLATING NOTICE, DIRECTION, OR SIGN:** That is intended to provide for the safety and security of transit passengers or the safe secure operation of the transit system in a violation. (Public Utility Code 99170(a)(6))
- **THROWING ANY OBJECT FROM A TRANSIT VEHICLE:** Is a violation. (Public Utility Code 99170(a)(4))

The expired pass must be turned in before receiving the new pass.

Students who lose their RTD passes are responsible for its replacement and will not receive an additional pass until the start of a new 31 day period.

ABSENCES AND EXCUSES

The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parent/guardians of children aged six to eighteen are required to send their children to school unless otherwise provided by law. (Education Code 48200) The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

A student's absence shall be excused for the following reasons:

1. Personal illness. (Education Code 48205)

2. Quarantine under the direction of a county or city health officer. (Education Code 48205)
3. Medical, dental, optometric, or chiropractic appointments. (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205) Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law. (Education Code 48205)
6. The illness of or medical appointment during school hours of a child to whom the student is the custodial parent. (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference or interview
 - f. Attendance at an educational conference offered by a non-profit organization on the legislative or judicial process
 - g. Services as a member of a precinct board for an election pursuant to Elections Code 12302
 - h. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)
 - i. Participation in religious instruction or exercised in accordance with District policy:

- In such instances, student shall attend at least a minimum school day. (Education Code 46014)
- The student shall be excused for this purpose for no more than four days per school month. (Education Code 46014)

Truant Pupils
Education Code 48260

Any pupil subject to compulsory full-time education who is absent from school without a valid excuse three full days or the equivalent number of periods in a school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the Child Welfare and Attendance Administrator.

Parent Notification
Education Code 48260.5

Upon a pupil's initial classification as a truant, the District shall notify the pupil's parent or guardian by U.S. Mail or other reasonable means. Parents/guardians are requested to contact the school to discuss reasons for unexcused absences.

Within five days of a student returning to school after an absence, the parent/guardian shall provide an explanation to the school for the absence. Absences not cleared by the parent/guardian in this time frame will be considered unexcused and will contribute to the designation of a truant.

Habitual Truant
Education Code 48262

Any pupil is deemed an habitual truant who has been reported as truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate District officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of the reporting required by Education Code Sections 48260 and 48261. The Human Services Agency (if applicable) and law enforcement will be notified that the student is not attending school regularly.

Chronic Absentee
Education Code 48263.6

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school for any reason, including illness, for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic absentee.

School Attendance Review Board Referral

Education Code 48263

If any minor pupil in any district of a county is a habitual truant, or is irregular in attendance at school or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to the Truancy Review Board and/or School Attendance Review Board (SARB).

Arrest of Truant Pupils

Education Code 48264

The attendance supervisor or his designee, a peace officer, a school administrator or his or her designee, or a probation officer may arrest or assume temporary custody, during school hours of any minor subject to compulsory full-time education or to compulsory continuation education found away from his home and who is absent from school without a valid excuse within the county, city, or school district.

Transfers from Stockton Unified School District

When moving from the District, parents/guardians are required to provide contact information for the new address and the name and city of the new school children will attend. Parents/guardians are to go to the school and complete transfer papers so that accurate school records follow the child. Failure to follow transfer procedures may result in absence from school being considered unexcused and the student designated as a habitual truant.

Closed Campus

In order to keep our students in a supervised, safe, and orderly environment, the Governing Board establishes a "closed campus" for all students in grades 9-10 at all district high schools. Once freshman and sophomore students arrive at school, they must remain on campus until the end of the school day unless they have brought written authorization from their parent/guardian and received permission from school authorities to leave for a specific purpose. Students in grades 9-10 who leave campus without such authorization shall be classified as truant and subject to disciplinary action.

Generally, individual high schools may develop their own policies with regard to leaving campus during lunch. Please review materials specific to your high school. Eleventh and twelfth grade students attending a school with an open campus for lunch may leave campus during the lunch period provided that they have met all of their high school's criteria for doing so.

The Education Code further states: "Neither the school district nor any officer or employee thereof shall be liable for the conduct or the safety of any pupil during such time as the pupil has left the school grounds pursuant to this section."

**IV. PROCEDURES FOR DEALING WITH VIOLATIONS
AND RIGHT OF APPEAL**

A. No Student May Be Punished For Alleged Misconduct Without Due Process.

1. Students are Entitled to:

- a. Oral or written notice of the charges.
- b. An explanation of the evidence.
- c. An opportunity to present his/her side of the story.

**2. Suspension and Due Process Requirements.
Education Code 48903, 48911**

a. Definition:

- A suspension is a temporary removal from school for violation of school rules.
- A student may not be suspended for more than five days at a time.
- A student may not be suspended for more than twenty days per school year from any one school. The District will transfer the student to an alternative education setting at 20 days of suspension.
- In cases where a recommendation for expulsion has been made, the suspension may be extended by the Superintendent's designee until the expulsion hearing is held.
- Reinstatement of the suspended pupil shall not be contingent upon the attendance by the pupil's parent or guardian at such conference.

b. Student's Right to a Hearing

The principal or designee shall meet with the student for the purpose of:

- (1) presenting oral or written notice of the charges;
- (2) giving an explanation of the evidence; and
- (3) giving the student an opportunity to present his or her side of the story.

If it is determined that the student is responsible for a violation of school rules, the student may be suspended for no more than five consecutive school days.

c. Parent Conference

At the *beginning* of a suspension, the parent or guardian of the student being suspended should be notified in writing of the following:

- (1) A statement of the facts leading to the decision to suspend.

- (2) The date and time when the student will be allowed to return to school.
- (3) A statement of the parent's or student's right to have access to the student's records.
- (4) A request that the parent (guardian) attend a conference to discuss the student's behavior.

The parent (guardian) is required by law to respond without delay any request from school officials to attend a conference regarding his or her child's behavior.

d. Parent's Right to Appeal

The student and his or her parents (or guardians) have the right to request a meeting with the principal if an appeal of this action is desired. They may appeal to the appropriate Educational Services Director within 3 weeks of the date of suspension when a suspension is issued by the principal or in any other instance in which a review of the District's action is desired.

**3. Expulsion and Due Process Requirements.
Education Code 48918**

- a. Definition: An expulsion is the long-term removal of a student from attendance at any school in the district by the Board of Education.
- b. Student's Right to a Hearing:
 - (1) A hearing panel shall be convened to determine whether a student should be expelled. The hearing shall take place within thirty (30) school days of the date the principal determines the student has committed an act deserving suspension and expulsion. The student can postpone the hearing one time for up to 30 days.
 - (2) At least 10 days before the hearing, parents (or guardians) must be given written notice through U.S. Mail that an expulsion hearing has been scheduled.
 - (3) The student and his/her parents/guardians (or legal representative) have the right to call witnesses, question school officials, subpoena witnesses, and present information on behalf of the student.

- (4) If the parent wishes to use legal counsel or issue subpoenas to witnesses, Student Support Services must be notified within seven (7) days of the hearing date.
- (5) Recommendations of the Hearing Panel are forwarded to the Governing Board for final action.

c. Student's Right to an Appeal

- (1) If the Board of Education decides to expel the student, the student or student's parent or guardian may appeal the decision to the Board of Education. If the appeal is not upheld by the Board of Education, the parent may appeal the decision of the District Board of Education to the San Joaquin County Board of Education within 30 days.
- (2) Parents/guardians wishing to appeal continuation school or class placement may contact the Director of Student Support Services.

V. CITIZENSHIP

It is one of the school's duties to assist parents/guardians in helping students develop appropriate attitudes and behavior. This duty means preparing students for adult citizenship as well as preparing them for jobs and higher education. For this reason, it is as important for the school to teach and evaluate citizenship as it is to teach and evaluate academic work. Students are expected to demonstrate 21st Century Habits of Success using the four "Cs": creativity, collaboration, communication and critical thinking. Progress reports in mastery of these areas will be given to parents on the quarterly report card for students in grades TK-8.