



Raymond-Knowles Union Elementary School District

PO Box 47 Raymond, Ca
93653
(voice) 559.689.3336
(fax) 559.395.1709
www.rkusdd.k12.ca.us

Deena Hegerle, Superintendent
Annie Scott, Principal

Student Conduct and Discipline

Expected Student Behavior

The Governing Board of a school district shall prescribe disciplinary rules consistent with the applicable laws and rules of the State Board of Education. (E.C. 35291). Such rules are established in an effort to maintain an atmosphere conducive to learning. In most instances, high expectations for student behavior, effective classroom management, preventative measures, positive conflict resolution techniques and parent/guardian involvement can minimize the need for formal discipline and can help foster within students a sense of self-discipline and personal responsibility. Students who do not comply with such rules may be disciplined (e.g. counseled, reprimanded, suspended, etc.) or, in extreme cases, expelled or arrested as circumstances warrant in the application of the law.

Possible Student Disciplinary Measures

- 1. Conference:** Students will be counseled regarding appropriate school behavior.
- 2. Detention:** Students may be detained for disciplinary or other reasons up to one (1) hour after the close of the maximum school day. (C.C.R. Title 5, Sec. 353)
- 3. Weekend Classes:** A district may maintain weekend classes at which a student may elect to serve his/her disciplinary detention rather than after school. (E.C. 37223)
- 4. Restriction of Recess:** A district may adopt reasonable rules and regulations to authorize teachers to restrict the recess time of student(s) for disciplinary purposes. (E.C. 44807.5)
- 5. Exclusion from Extracurricular Activities:** A district may, according to its policies and administrative regulations, restrict or disqualify students from participating in extracurricular activities.
- 6. Community Service:** As part of or instead of disciplinary action, a district may require a student to perform community service during non-school hours, on school grounds (e.g. school outdoor beautification, campus betterment, teacher, peer or youth assistance programs, etc.). (E.C. 48900.6)
- 7. Reassignment to Alternative Education:** A district may transfer a student to an alternative education program pursuant to Education Code sections 48432.5 or 48662.
- 8. Suspension by Teacher from Class:** For any of the reasons set forth herein in Section 1V, a teacher may suspend a student from class for the day of the suspension and the following day by sending the student to the principal for appropriate action. (E.C. 48910)
- 9. Parent Attendance:** A district may adopt a board policy authorizing a teacher to require a parent/guardian of a student, suspended from class under E.C. 48910 for violating E.C. 48900 (i) or E.C.

48900 (k), to attend a portion of the school day in the class from which the student was suspended. Parents/guardians shall be notified of this policy prior to its implementation. (E.C. 48900.1)

- 10. Suspension from School:** The principal of a school or the superintendent of a district may suspend a student from school for any of the reasons set forth herein in Section 1V. for no more than five (5) consecutive school days. (E.C. 48911)
- 11. Expulsion:** A district may expel a student from school for any of the reasons set forth herein in Sections 1V, and V. Expulsion is defined as the removal of a student from (1) the immediate supervision and control, or (2) the general supervision, of school personnel. (E.C. 48925)
- 12. No Corporal Punishment:** No person employed by or engaged in a public school shall inflict, or cause to be inflicted corporal punishment upon a student. (E.C. 49001)

Student Suspension (Education Code Section 48900)

1. Education Code section 48900 states that a student shall not be suspended or recommended for expulsion from school unless the superintendent or the principal of the school in which the student enrolls determines that the student has:
 - a) 1. Caused, attempted to cause or threatened to cause physical injury to another person; or
2. Willfully used force or violence upon the person of another, except in self-defense
 - b) Possessed, sold or otherwise furnished any firearms, knife, explosive or other dangerous object 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, which is concurred in by the principal or the designee of the principal.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or been under the influence of any 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.
 - d) Unlawfully offered, arranged or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, and alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered or otherwise furnished to any person another liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property.
 - g) Stolen or attempted to steal school property or private property. As used in this section, "school property" includes, but is not limited to, electronic files and databases. [E.C. 48900 (u)]
 - h) Possessed or use tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use of possession by a student of his or her own prescription products.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of Health and Safety Code.

- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm. "Imitation firearm" is defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o) Harassed, threatened or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness or both.
- p) Unlawfully offered, arranged to sell negotiated to sell, or sold the prescription drug Soma
- q) Engaged in or attempted to engage in, hazing. "Hazing" is defined as a method of initiation or preinitiation into a student 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 student.
- r) Engaged in an act of bullying. "Bullying" means any severe or pervasive physical or verbal act or conduct including, communications made in writing or by means of electronic act (e.g. email, text message, sounds, images or post on a social network website, by means of any electronic device) and including one or more acts committed by a student or group of students as defined in Section 48900.2, 48900.3 or 48900.4, directed toward one or more students that has or can be reasonably predicted to have the effect of (a) placing a reasonable student in fear of harm of his/her person or property, (b) causing a reasonable student to experience substantially detrimental effect on his/her physical or mental health, © causing a reasonable student to experience substantial interference with his/her academic performance or (d) causing a reasonable student to experience substantial interference with his/her ability to participate in or benefit from the services, activities or privileges provided by a school.
- s) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion pursuant to the provisions of this section.
- t) As used in this section, "school property" includes, but not limited to, electronic files and databases.

2. In addition to the reasons specified in Section 48900, a student maybe be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the student is enrolled determines that the student has committed any of the following acts or misconduct:
 - Students in grades 4-12 inclusive who have committed sexual harassment as defined in Section 212.5 of the Education Code. (E.C. 48900.2)
 - Students in grades 4-12 inclusive who caused, threatened to cause, or participated in hate violence as defined in section 233 of the Education Code. (E.C. 48900.3)

- Students in grades 4-12 inclusive who intentionally engaged in harassment, threats or intimidation, directed against school district personnel or students. (E.C. 48900.4)
- Making terroristic threats against school officials or school property or both (E.C. 48900.7)

Student Expulsion (Education Code Section 48915)

1) Mandatory expulsion Recommendation and Mandatory Expulsion

The principal or superintendent shall immediately suspend and recommend expulsion, and the governing board shall expel a student upon finding that the student committed any of the following acts at a school, at a school sponsored activity or going to or coming from school or a school sponsored activity, whether on or off campus:

- **Possessing, Selling or Furnishing a Firearm-** possession must be verified by district employee; this subdivision does not apply if the student had written permission to possess firearm from certificated employee;
- **Brandishing a Knife at Another Person-** as defined in the section, “knife” means any dirk, dagger or other weapon with a fixed, sharpened 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;
- **Sale of a Controlled Substance-** listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code;
- **Committing or attempting to Commit Sexual Assault or Committing Sexual Battery-** as defined in Section 48900 (n) of the Education Code;
- **Possession of an Explosive-** “Explosive” means any explosive, incendiary or poison gas, including but not limited to, a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any other similar device.

2) Other Grounds for Expulsion Which Require Supplemental Findings by the District Board

a) Mandatory Expulsion Recommendation Unless Inappropriate Due to the Particular

Circumstance: The principal or superintendent shall recommend expulsion, unless inappropriate due to the particular circumstances, for any of the following acts committed at school or at a school activity off school grounds:

- **Causing serious physical injury** (except in self-defense)
- **Possession of any knife or other dangerous object of no reasonable use to the student**
- **Unlawful possession of any controlled substance** listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code (except for first offense of possession of not more than one ounce of marijuana);
- **Robbery or Extortion**
- **Assault or Battery upon a school employee** as defined in Sections 240 and 242 of the Penal Code

b) Discretionary Expulsion Recommendation: The principal or superintendent may recommend expulsion and the governing board may expel for violations of Education Code 48900 (a)-(r) or sections 48900.2, 48900.3, 48900.4, or 48900.7.

- c) **Supplemental Findings Required:** Upon receiving a recommendation for expulsion based on any of the expellable acts set forth in sections V.2. (a) and V.2. (b) above, a district's governing board may expel a student upon finding that the student committed such expellable act(s) at school, at a school sponsored activity, or going to or coming from school or a school sponsored activity, whether on or off campus, and upon finding one of the following:
- The other means of correction are not feasible or have repeatedly failed; or
 - That due to the nature of the act, the student's presence creates continuing danger to the physical safety of the student or others. (E.C. 48915 (a) (b) (e))

Limitations Regarding Suspension and/or Expulsion

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a student, including an individual with exceptional needs as defined in Education Code 56026, may be suspended for any of the reasons enumerated in Education Code Section 48900 upon the first offense, if the principal or superintendent of schools determines that the student violated subdivision (a), (b), (c), (d), or (e) of Section 48900, or that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (E.C. 48900.5)

The superintendent or principal may use discretion to provide alternatives to suspension or expulsion for students, including, but not limited to, counseling and an anger management program. [E.C. 48900 (v)]

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

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

If a district seeks to expel any student, the district must comply with all requirements set forth in Education Code sections 48900 through 48918.6.

Other Laws Related to School Districts

Bicycle Helmet. No person under 18 years of age shall operate a bicycle, a non-motorized scooter, or a skateboard or ride as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards. (P.C. 148.1)

Bomb Threats. False reports that a bomb or other explosive has been placed in school buildings or on school grounds will be referred to law enforcement agencies. Students involved are also subject to disciplinary action. (P.C. 148.1)

Disruption of School/Classroom. Disruption of school or classroom activities/operations is prohibited as follows:

- Every minor over sixteen (16) years of age, or any adult who is not a student of the school, who comes upon any school ground or into any schoolhouse and willfully interferes with the discipline, good order, lawful conduct or administration of any school class or activity of the school with the intent to disrupt, obstruct or inflict damage to property or bodily injury upon any person, is guilty of a misdemeanor. (E.C. 44810);
- Any parent, guardian or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor. This provision does not apply to any otherwise lawful employee concerted activity, including, but not limited to, picketing and the distribution of handbills (E.C. 44811)
- Any person who willfully disturbs any public school or public school meeting is guilty of a misdemeanor. (E.C. 32210)
- Any person who is not a student, a parent/guardian of the student, or an officer or employee of the school district, or who is not required by his/her employment to be in a public school building or on the school grounds shall promptly depart from the school grounds and not return for at least seven days upon the principal's or the principal's designee's request to leave the school grounds if it appears reasonable to the principal/principal's designee to conclude that the continued presence of the person under these circumstances would be disruptive of, or would interfere with, classes or other school activities. Violation of this is a misdemeanor. Any person who is requested to leave school premises pursuant to this provision may appeal to the superintendent of the school district. (E.C. 32211, P.C. 626.8)
- Any person who is not a student, officer or employee of a public school and who is not required by his/her employment to be on campus or an other school facility, enters a school facility outside the common areas where public business is conducted, and it reasonably appears to the principal/designee that the person is committing any act likely to interfere with the peaceful conduct of the school activities or has entered the school facility for the purpose of committing any such act, the principal/designee may direct the person to leave the school facility. Violation of this provision is a misdemeanor. (P.C. 626.7)

Dress Code. A school district may adopt a reasonable dress code that requires students to wear a school wide uniform or prohibit the wearing of gang related clothes. (E.C. 35183)

Electronic Signaling Devices. A school district may regulate the possession or use of any electronic signaling device by students, including cell phones and pagers, while the students are on campus, attending school sponsored activities or while under the supervision and control of school district employees. However, a school district may not prohibit a student's use of an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to purposes related to the health of the student. (E.C. 48901.5)

Fires, Explosives or Threat Thereof. Students involved in setting fires or explosives which threaten or cause damage to human life or property on campus or at school sponsored events are subject to disciplinary action. Parent or guardian is responsible for payment of damages. (E.C. 48900, E.C. 48915 (c) (5); P.C. 451, 452, 12303.3)

Grooming and Dress Policies. A student who goes to school without proper attention having been given to personal cleanliness or neatness of dress, may be sent home to properly prepared for school, or shall be required to prepare himself/herself for the schoolroom before entering. (C.C.R. Title 5, Sec. 302)

Imitation Firearms. No person may openly display or expose any imitation firearm in a public place, including a public school. An imitation firearm means any BB device, toy gun, replica of a firearm or other device that is substantially similar in appearance to a firearm. (P.C. 12550; P.C. 12556)

Keys. Unauthorized possession, use or duplication of keys to school buildings or premises is subject to disciplinary action. (P.C. 469)

Laser Pointers. No student shall possess a laser pointer on any elementary or secondary school premises unless possession of a laser pointer on the elementary or secondary premises is for a valid instructional or other school related purpose, including employment. (P.C. 417.25; P.C. 417.27)

Loitering. Any person who loiters about a school unlawfully will be referred to law enforcement agencies. (P.C. 653 (b))

Unlawful Assembly. It is prohibited for persons to assemble together to do an unlawful act, or to do a lawful act in a violent, boisterous, or tumultuous manner. All persons who remain present at the place of an unlawful assembly after being lawfully warned to disperse, is guilty of a misdemeanor. Violations of rules governing lawful assembly on school grounds or at school events will be enforced. (P.C. 407, 409, 416, 626.7, 626.8, 627.7)

Registration of Outsiders. No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee. A principal or designee may refuse to register an outsider if he/she has a reasonable basis for concluding that the outsider's presence or acts would disrupt the school, its students, its teachers or its other employees; would result in damage to property; or would result in the distribution or use of unlawful controlled substances. A principal or designee may revoke an outsider's registration if he/she has a reasonable basis for concluding that the outsider's presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school or would disrupt or is disrupting the school, its students, its teachers or its other employees. If an outsider is denied registration or whose registration is revoked may request a hearing before the principal or superintendent of the district regarding the denial/revocation. The request must be in writing and shall state why the denial/revocation was improper, shall give the address to which notice of the hearing is to be set, and shall be delivered to either the principal or the superintendent within five days after the denial or revocation. A hearing before the principal or superintendent must be held within seven days after he/she receives the request for hearing. (P.C. 627.2, 627.4, 627.5)

School Attendance Review Board (SARB). SARB is staffed by volunteers and community agency persons to deal with students and families who have irregular school attendance or are habitually insubordinate or disorderly. The students are referred after all school resources and services resources have been exhausted. (E.C. 48263, 48320-48324)

School Bus Entry. Any person who enters a school bus without permission of the driver or other school official with the intent to commit a crime, who refuses to leave after being ordered to do so, will be referred to law enforcement authorities. (E.C. 39842)

Student Conduct. Every teacher in the public schools shall hold students to strict account for their conduct on the way to and from school, on the playground or during recess. (E.C. 44807)

Student Responsibilities. Every student shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his teacher and others in authority; observe good order and propriety of deportment; be diligent in study; respectful to his teacher and others in authority; kind and courteous to schoolmates; and refrain from the use of profane and vulgar language. (C.C.R. Title 5, Section 300)

Tardiness/Truancy. The law requires attendance of students between the ages of 6-18 years. Any student subject to compulsory education who is absent from school without a valid excuse more than three days or tardy in excess 30 minutes on each of more than 3 days in a school year, is truant and shall be reported to the attendance supervisor. (E.C. 48260-48262)

Threats to School Employees. Anyone who attempts to prevent a school employee from performing his/her duties by means of a threat can be referred to law enforcement authorities. (P.C. 71)

Transportation. Students transported in a school bus and under the authority of the driver are expected to follow district bus regulations. Any student who is noncompliant of these regulations is cause for disciplinary action and may result in a denial of transportation. (C.C.R. Title 5 14103)

Trespassing/Forced Entry. Persons trespassing or forcing entry into a school building or school events will be referred to law enforcement agencies. (E.C. 32211, P.C. 602.1)

Vandalism. Disciplinary action will be taken against students whose acts endanger the life of students, employees or visitors or result in damage to school buildings, school property or possessions of students, staff members or visitors. (C.C.R. Title 5, section 305; E.C. 48900 (f), 48904)

Withholding Grades. A school district may withhold the grades, transcripts or diploma of a student who willfully damages school property. If the student transfers to a new district the new district shall also withhold records until it receives notice from the prior district that the decision to withhold records has been revoked. (E.C. 48904, 48904.3)