

STUDENT CONDUCT CODE

Disciplinary Rules

PRE-K THROUGH GRADE 12

2011 - 2012

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

STUDENT CONDUCT CODE

PRE-K THROUGH GRADE 12

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Board of Education**

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Philosophy

Every school district has a responsibility to provide the learners a safe, orderly environment in which optimum learning can take place. In doing so, the rights of all individuals must be considered, but no group or individuals may be favored over another. It is the intent of the Stockton Unified School District Board to establish fair, reasonable and consistent rules for student behavior on all campuses.

This handbook was developed through the cooperative involvement of parents, staff, and students to provide guidelines for acceptable behavior and desirable expectations from every individual attending our schools.

It is also a commitment to not let disruptive and negative actions deprive any students from receiving the best possible educational experience. We believe that students who obey rules, respect others, and take responsibility for learning contribute to the positive climate necessary for each person to experience success each day.

Parents and students need to become thoroughly familiar with the contents of this booklet to insure that everyone will be aware of the consequences of conduct code violations. Students charged with infractions will be given due process and treated in a respectful manner, but appropriate consequences can be anticipated.

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 school district to protect those rights and insist upon those responsibilities.

The purpose of this conduct code is to insure that all students understand their rights and responsibilities, the consequences of violations of school rules, and the procedures for dealing with violations. This code serves to provide each school the framework for student discipline procedures and rules.

The written school site rules and procedures on school discipline will be provided to continuing pupils at the beginning of each school year, to transfer pupils at the time of their enrollment in the school, and to their parents or guardians. Violation of a class or school rule not specifically mentioned in the Student Conduct Code shall make the student liable for consequences stated in Offense 21 of the Student Conduct Code.

Some consequences listed in the Student Conduct Code may be too severe for younger elementary pupils. It is not the intent of the Student Conduct Code to define in detail every possible situation which may occur and list consequences. Administrative judgment must be exercised.

I. STUDENT RIGHTS

1. Equal Educational Opportunity

The schools must provide all students a chance to get an education. Students have free admission to the schools and the right to attend school until the age of 18 or graduation from high school.

No student can be prevented from participating in any program because of his or her race, national origin, ethnic origin, religion, color, sex, mental or physical handicap.

Students have the right to equal educational opportunity without interference from other students and people who do not belong on the campus.

2. Exercise Free Expression

No form of expression shall interfere with the right of others to express themselves or with the conduct of school and classroom activities.

Freedom of Speech: Students are entitled to express verbally their personal opinions in language that is not offensive

Students are entitled to use specified bulletin boards for the posting of notices concerning school activities.

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.

Other Forms of Expression: Students are entitled to express themselves by displaying or wearing symbols of ethnic, cultural, political, or other values, except for gang-related items.

3. Freedom From Sexual Harassment

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

4. Freedom Of Assembly

Students are entitled to hold meetings at a time and in a place and manner, which does not disrupt or disturb the educational process.

5. Due Process

Students facing major disciplinary action are entitled to fair procedures to determine if they are at fault. Students are entitled to appeal decisions resulting in major disciplinary action such as suspension, expulsion, or transfer to another school.

The procedures and method of appeal are explained in Section IV.

6. Uniform Complaint Procedures

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties:

The Stockton Unified School District has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination and complaints alleging violation of state or federal laws governing educational programs.

The Stockton Unified School District shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board. Unlawful discrimination complaints may be based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance. The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Adult Education, Consolidated Categorical Aid Programs, Migrant Education, Career Technical And Technical Education And Training Programs, Child Care And Developmental Programs, Child Nutrition Programs, Special Education Programs, and Federal Safety Planning Requirements.

Complaints must be filed in writing with the following compliance officer:
Sergio E. Betancourt, Compliance Services, 701 North Madison Street, Stockton, CA 95202-1687. Phone: (209) 933-7100.

Complaints alleging discrimination must be filed within six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The District person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the District's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the district's Decision. The appeal must include a copy of the complaint filed with the District and a copy of the District's Decision.

Civil law remedies may be available under state or federal discrimination laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the LEA's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

A copy of the Stockton Unified School District UCP policy and complaint procedures shall be available free of charge.

7. Reasonable Searches

A principal or designee may conduct a reasonable search of a student's person, school property, locker or vehicle when there is reason to suspect the student possesses contraband. These 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, lockers 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.

Before conducting a metal detector check of an individual student, the administrator must have reasonable individualized suspicion that the student is in the possession of an illegal or unauthorized metal-containing object or weapon. To be reasonable, suspicion must be based upon specific, articulately, objective facts, and any rationally derived inferences, that would lead a reasonable person to suspect that an individual is in possession of a weapon or other contraband while on school premises or in connection with school activities. Reasonable

individualized suspicion may result as a consequence of the random metal detector scans described above. A search of students only may be conducted in a classroom (teachers and staff are excluded from searches).

School officials or law enforcement officers may conduct random metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all people passing through a designated area in hallway or; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals. Random metal detector checks will be conducted in the classroom of students only (teachers and staff are excused from searches). (Board Policy 5145.12)

When conducting a search of a student's person, the person conducting the search should be of the same sex as the student being searched. A second adult of the same sex as the student being searched should also be present. In no instance shall a school employee conduct "strip searches."

II. STUDENT RESPONSIBILITIES

- 1. Not Interfere With The Rights Of Others To Study And Learn**
Parents send their children to school for an education. An individual may decide not to take advantage of that opportunity. However, no one has the right to interfere with the education of others.
- 2. Attend School Daily Unless Sick Or Legally Excused**
In California, a student is required by law to attend school until the age of 6 and 18. Schools cannot educate students who do not attend class. Regular school attendance provides students with the opportunity to have a successful school experience that culminates in high school graduation.
- 3. Be On Time For All Classes**
Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit. Future employers are not going to take the time to teach it.
- 4. Obey School Rules**
Rules are designed to allow a school to meet its obligation to educate students. The schools cannot achieve this task if they must spend much of their time maintaining order.

Students whose continued inappropriate behavior accumulate 20 days of suspension in a given school year may be involuntarily transferred to an alternative education program or school. Citizenship grades for students in grades K-8 may be affected by inappropriate behavior. Secondary students may be placed on social probation (preventing participation in extra-curricular activities, sports, field trips, etc.) for continued inappropriate behavior or excessive truancy.

- 5. Leave Unnecessary Items At Home**
Items which detract or distract from the learning environment are not to be brought to school. Such items may include but are not limited to: cell phones, MP3 players, radios, ear phones, toys, matches, lighters, cards and beepers. Such items shall not be brought to school unless specifically authorized in writing by a teacher or administrator. Items will be taken away and turned into the office to be returned to the student with a warning at the end of the day. Continuing to bring such items to school may result in disciplinary consequences.
- 6. Cooperate With School**
Every community depends upon the willingness of citizens to play a part in upholding the rules by which everyone has agreed to live. It is wrong to expect

help when your rights have been violated when you refuse to help others protect theirs.

7. Complete All In-Class And Homework Assignments And Meet Deadlines

The full responsibility for learning cannot be transferred from the student to the teacher. There can be no effective education when students are free to decide whether they will do the assigned work. Everything that must be learned cannot be accomplished during the school day. It is the student's responsibility to complete assignments, including assigned homework.

8. Respect Public Property And Carefully Use And Return All Materials And Equipment

Schools are a community's gift to its young people. It is wrong to abuse the gift.

9. Come To Class With Necessary Books And Materials

A teacher should not have to delay starting class because a student has come unprepared to begin work. This lack of preparation interferes with the rights of others to learn and study. Getting an education requires more than being in class, just as keeping a job requires more than showing up for work.

10. See That School Correspondence To Parents Reaches Home

Education requires a partnership between the home and the school. For a partnership to work, everybody must know what is happening -- good or bad. Sometimes students are asked to be the messengers. More often, students are merely asked to meet their responsibility to be honest and not intercept and destroy progress reports, attendance information, and report cards. One requires little effort, the other requires a little integrity.

11. Take Direction From Responsible Adult

The law requires students to obey school rules and follow the directions of teachers and other school personnel.

12. 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 extracurricular and co-curricular activities. This policy applies to students in grades 7-12 inclusive.

III. CONDUCT CODE VIOLATIONS AND CONSEQUENCES

Introduction

It should be understood that state law permits disciplinary action for any misbehavior which creates a danger for others or which disturbs the educational process. Disciplinary action by the school may include any of the following:

Administrative Actions

- (REF) Referral for Counseling -- Occasionally students may be referred to appropriate counselors to discuss problems.
- (CW) Counseled and Warned -- Student is counseled as to their responsibilities and the consequences of continued inappropriate behavior.
- (CLS) Class Suspension -- Student may be removed from a particular class to find a solution for their inappropriate behavior.
- (PCOT) Parent Contact -- Parent notified of their student's inappropriate behavior.
- (DET) Detention -- A period of isolation or semi-isolation outside of regular class time.
- (WORK) Work Detail -- Some non-demeaning tasks might be assigned to the student with the permission of the parent/guardian.
- (SCRT) Student Court -- A Student may be referred to a school supervised group of peers for resolution of their inappropriate behavior.
- (WES) Weekend School -- Students who are absent from classes without an excused or approved reason or who are involved in minor infractions may be directed to attend weekend school.
- (LOP) Loss of Privileges -- Limitations on a student's participation in school activities.
- (ISS) In-School Suspension -- A suspension from regular classes which takes place at the school site.
- (PCON) Parent Conference -- In many instances, a parent/teacher/principal conference is required to discuss problems.
- (SUSP) 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.
- (LAW) Notification of Appropriate Law Enforcement Agencies -- The appropriate law enforcement agency is informed of certain student offenses; sometimes notification is specifically required by law.
- (TAP) Transfer to Alternative Program -- In certain cases, students may be directed to attend alternative programs which exist in the district.
- (EXP) Expulsion -- Generally, student expulsions are a last resort after other administrative actions have been tried. In some instances, expulsion is required by law.
- (EXSP) Extension of Suspension - A suspension for more than five days needs approval by the Assistant Superintendent of Elementary Education or Assistant Superintendent of Secondary Education.

The above letter codes preceding each Administrative Action should be used when establishing a student's computerized discipline history.

GROUNDS FOR DISCIPLINARY ACTION

State law is clear that schools may take action for student 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.

Only specific examples of unacceptable behavior are listed below; obviously not all offenses can be included. Those with an asterisk (*) require the principal to recommend expulsion unless the principal can show in writing that expulsion is inappropriate under the circumstances. (See Education Code Section 48915.)

- 1. Offense: Battery On Another Person, Except In Self-Defense. Education Code Section 48900(a)(2)**

Explanation: Battery (beating, hitting, striking, biting, pushing, etc.) on an innocent person who is the victim of an unsolicited confrontation with an aggressor.

Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 2. Offenses: Caused, Attempted To Cause, Or Threatened To Cause Physical Injury With A Deadly Weapon/Dangerous Object/Explosive. Education Code Sections 48900(a)(1), (a)(2), (b), 48915(a)(2)***

Explanation: Threaten or attempt to cause physical injury with a deadly weapon/dangerous object/explosive (including firecrackers) or any other means of force likely to cause great bodily injury.

Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 3. Offense: Causing Serious Physical Injury. Homicide. Education Code Sections 48900(a)(2), 48915(a)(1)***

Explanation: Causing serious physical injury to another person, except in self-defense. Homicide.

Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.

**4. Offense: Fighting Or Threatening To Cause Physical Injury To Another Person
Education Code Section 48900(a)(1)**

Explanation: 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. Threatening to cause physical injury to another student.

Consequences: Suspension; potential expulsion. Report to the appropriate law enforcement agency.

High school students who are involved in (2) two fights in any academic year or who are involved in (3) three fights during their high school career (grades 9-12) shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to particular circumstances. (Refer to page 26)

**5. Offense: Agitation.
Education code Section 48900(k)**

Explanation: Instigating or causing fights, encouraging others to fight.

Consequences: Suspension, and/or other Administrative Action.

**6. Offense: Battery on A School Employee
Education Code Section 48900(a)(2), 48915(a)(5)***

Explanation: Willful use of force (hitting, pushing, grabbing, bumping, etc.) or any other violent act upon any school employee.

Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.

**7. Offense: Threaten And/Or Attempt To Cause Physical Injury To A School Employee.
Education Code Sections 44014, 48900(a)(1), 48915(a)(5)***

Explanation: Threaten and/or attempt to cause physical injury to a school employee.

- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 8. Offense: Possession, Selling, Or Furnishing Of A Firearm.
Education Code Sections 48900(b), 48915(c)(1)***
- Explanation: Possessing a firearm at school or at a school activity off school grounds. The term “firearm” does not include BB guns, pellet guns, look-a-like guns, or starter guns.
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 9. Offense: Brandishing A Knife At Another Person.
Education Code Sections 48900(b), 48915(a)(2)*, 48915(c)(2)***
- Explanation: Threatening another person with a knife or other weapon that could be used for stabbing.
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 10. Offense: Possession, Sale, And/Or Providing Of A Knife, Other Type Of Weapon, Or Dangerous Objects.
Education Code Sections 48900(b), 48915(a)(2)***
- Explanation: Possessing, selling, using or otherwise providing any knife, destructive/ explosive devices or dangerous objects. This includes fireworks, firecrackers, M-80’s, cherry bombs, look-a-like weapons, pepper spray, stun guns, laser light pointers, razor blades, tear gas, laser guns, BB guns, pellet guns, blackjack, sling shot, billy club, shuriken, nanchaku, metal knuckles, spears, and any other object which has the present ability to cause great bodily injury, or is used in a threatening manner against another person with the intent to cause bodily injury.
- Consequences: Suspension; potential expulsion. Report to the appropriate law enforcement agency.
- 11. Offense: Possession Or Use Of Alcoholic Beverages, Controlled Substances, Or Intoxicants Of Any Kind.
Education Code Sections 48900(c), 48915(a)(3)***

- Explanation: Possessing, using or being under the influence of alcoholic beverage, controlled substances or intoxicants of any kind; providing others with liquids or material that are not prohibited, under the pretense that they are illegal or controlled substances.
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 12. Offense: Sale, Furnishing, Or Possessing For Sale Of Alcoholic Beverages, Controlled Substances, Or Intoxicants Of Any Kind, including the prescription drug, SOMA. Education Code Sections 48900(c), 48900(d), 48915(c)(3)***
- Explanation: Selling, furnishing, or possessing for sale of alcoholic beverages, controlled substances, or intoxicants of any kind.
- a. *Sale, Furnishing, Or Possessing For Sale Of Controlled Substance.*
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- b. *Sale, Furnishing, Or Possession For Sale Of Alcoholic Beverages.*
- Consequences: Suspension; potential expulsion. Report to the appropriate law enforcement agency.
- c. *Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, SOMA.*
- Consequence: Suspension: potential expulsion. Report to appropriate law enforcement agency.
- 13. Offense: Unlawfully Possessed Or Unlawfully Offered, Arranged Or Negotiated To Sell Any Drug Paraphernalia. Education Code Section 48900(j)**
- Explanation: Unlawful possession; or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
- Consequences: Suspension; potential expulsion. Report to appropriate law enforcement agency.

- 14. Offense: Robbery Or Extortion.
Education Code Sections 48900(e), 48915(a)(4)***
- Explanation: Obtaining or attempting to obtain property from another person through force or intimidation.
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence; restitution. Report to the appropriate law enforcement agency.
- 15. Offense: Willful Damage To School Or Personal Property.
Education Code Section 48900(f)**
- Explanation: Intentionally damaging or destroying (graffiti, arson, vandalism, etc.) school or personal property such as books, materials, furniture, buildings, or grounds.
- Consequences: Suspension; potential expulsion; restitution. Report to the appropriate law enforcement agency
- The district reserves the right to withhold the grades, diploma, and transcript of any pupil who willfully damages or fails to return school property until the pupil or parents have paid for the damages. [Education Code Section 48904]
- 16. Offense: Theft, Burglary, Attempt To Steal,
Or Knowingly Receiving Stolen Property.
Education Code Sections 48900(g), 48900(l)**
- Explanation: Taking, entering with intent to take, attempting to take another's property, or knowingly receiving stolen property.
- Consequences: Suspension; potential expulsion; restitution; and/or other Administrative Action. Report to the appropriate law enforcement agency.
- 17. Offense: Possession And/Or Use Of Tobacco Or Nicotine Products
Education Code Sections 48900(h), 48901**
- Explanation: Possession and/or use of tobacco or nicotine products on campus or while attending school-sponsored activities.
- Consequences: Suspension, and/or other Administrative Action - Cessation Program; potential expulsion.
- 18. Offense: Habitual Profanity And/Or Vulgarity And Obscene Acts
Education Code Section 48900(i)**

Explanation: Habitual profanity, vulgar language, lewd gestures, pornography, or committing an obscene act.

Consequence: Suspension, and/or other Administrative Action; potential expulsion.

**19. Offense: Inappropriate Dress/Uniform Violation.
Education Code Section 35183, 35183.3, 35183.5**

Explanation: Students shall dress appropriately for daily attendance at school. In sites where a school uniform policy is in effect, clothes should adhere to the published district uniform guidelines (available at school sites). In all other instances, the school shall be concerned only when the type of clothing, hairstyle, or cosmetics are extreme and could cause school distraction or disruption, or could be unsafe.

Examples of inappropriate clothing may include (but are not limited to):

- Garments where the torso is exposed, i.e., tube tops, half shirts, halters.
- Clothing or buttons which show obscene or alcohol or drug-related slogans, words or pictures, or sexually suggestive statements.
- Clothing related to gangs or gang activities.
- Garments where the entire thigh is exposed, such as micro minis, short shorts, or bathing suits.
- Bare feet.

Consequences

First Offense: Notification of parent; when possible, the student will be sent home to change.

Second

Offense: Notification of parent, detention, community service, loss of privileges, and/or other Administrative Action.

Repeated

Offenses: Suspension, and/or other Administrative Action.

- 20. Offense: Interference.**
Education Code Section 48900(k)
- Explanation: Interfering with persons who are breaking up a fight or stopping a school disturbance.
- Consequence: Suspension, and/or other Administrative Action.
- 21. Offense: Disobedience.**
Education Code Section 48900(k)
- Explanation: Disrupting school activities and defying the authority of school personnel. Includes such things as, but is not limited to: truancy, failure to comply with disciplinary consequences, defiance, disrespect, insubordination, littering, unlawful assembly, bringing radios and CD's to school, forgery, classroom disruption, and the possession of spray paint and marker pens without written permission of school authority.
- Consequences: Suspension, and/or other Administrative Action.
- 22. Offense: Gambling.**
Education Code Section 48900(k)
- Explanation: Gambling is forbidden on school grounds.
- Consequences: Suspension, and/or Administrative Action. Report to the appropriate law enforcement agency.
- 23. Offense: Cheating.**
Education Code Section 48900(k)
- Explanation: Copying work of others, submitting it as one's own work and securing examinations or answers.
- Consequences: No credit will be given for the assignment or the examination and make-up privileges will not be allowed. Suspension, and/or Administrative Action.
- 24. Offense: Trespassing - Violation of Suspension.**
Penal Code Section 626.2
Education Code Section 48900 (k)
- Explanation: Coming to any school or attending a school activity while on suspension without permission is considered trespassing and a misdemeanor.

Consequences: Suspension, and/or other Administrative Action. Report to appropriate law enforcement agency.

**25. Offense: Misbehavior On A School Bus.
Title 5 of The California Code of Regulations Section 14103
Education Code Section 48900(k)**

Explanation: Disobeying directions of the bus driver; causing a disturbance or creating a dangerous situation because of misbehavior.

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.
- Show good manners at the bus stop. This behavior includes staying near the bus stop area, keeping off private property, 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 bus driver.
2. Students must follow safety procedures.
3. Students must not destroy property.
4. Students must not fight, push or trip.
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 stop and the bus door is opened.
8. Students must avoid loud talking.
9. Students must not board the bus with reptiles, insects, birds, animals, or glass objects.
10. Students must not board the bus with any hazardous materials 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. 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.

"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. 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 school 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** - Conference with student and site administrator.
Parent will be notified.
- “B” CONDUCT REPORT** - Conference with student and site administrator.
(Driver optional)
- Parent will be notified.
- Optional conference with student, parent, site administrator, and driver, if requested by parent, administrator or driver.

- “C” CONDUCT REPORT**
- Notification of parent.
 - Student will be denied bus transportation until parent conference is held between the driver, student, parent, 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 of the suspension from riding the school bus and instruct the parent 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 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 On 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 a school-related activity, will be grounds for a student being suspended from school.

26. Offense: Violations Of The Law.

Explanation: Conduct which is a violation of the law off the school grounds will also be a violation of the law on the school grounds. (Including Fire Code Violations.)

Consequences: Suspension; potential expulsion. Referral to appropriate law enforcement agency.

- 27. Offense: Being On Another School Campus – Trespassing.
Education Code Section 48900(k)**
- Explanation: Being on another school campus during the school day without administrative permission.
- Consequences: Suspension, and/or other Administrative Action. Report to the appropriate law enforcement agency.
- 28. Offense: Use Of Electronic, Listening Or Recording Devices.
Education Code Sections 48900(k), 51512**
- Explanation: Using any electronic listening or recording device.
- Consequences: Confiscation of electronic device; and/or other Administration Action; Suspension. Report all electronic devices except radios and CDs to the appropriate law enforcement agency.
- 29. Offense: Possession Or Use Of Electronic Signaling Devices.
Education Code Sections 48900(k), 48901.5(a)**
- Explanation: Possessing or using an electronic signaling device such as a pager or beeper.
- Consequences: Confiscation of electronic device; and/or other Administrative Action. Suspension. Report to the appropriate law enforcement agency.
- 30. Offense: Sexual Harassment.
Education Code Sections 48900(i), 48900.2**
- Explanation: Making unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature. Any student who feels she/he is being sexually harassed should immediately contact the school principal, a counselor, a teacher, another administrator or the Coordinator Personnel Operations/ Equal Employment and Compliance (933-7065, Ext. 2121).
- Consequences: Suspension, and/or other Administrative Action if the behavior is severe and pervasive or causes an intimidating, hostile or offensive educational environment; potential expulsion. This offense does not apply to children enrolled in kindergarten and grades 1 through 3.
- Note: (Use SASI Code 90 to also record incident in file of victim.)

- 31. Offense: Committing Or Attempting To Commit Sexual Assault Or Battery.
Education Code Sections 48900(n), 48915(c)(4)***
- Explanation: Attempting to or having committed sexual assault or battery on another person by touching or grabbing the private areas (including the buttocks) of another person.
- Consequences: Suspension; expulsion, unless there are extenuating circumstances supported by evidence. Report to the appropriate law enforcement agency.
- 32. Offense: Causing, Threatening To Cause Or Participating In An Act of Hate Violence.
Education Code Section 48900.3**
- Explanation: Participation in any form of hate violence.
- Consequences: Suspension, and/or other Administrative Action if the behavior is severe and pervasive or causes an intimidating, hostile or offensive educational environment; potential expulsion. This offense does not apply to children enrolled in preschool, kindergarten and grades 1 through 3.
- 33. Offense: Hazing.
Education Code Sections 48900(q)**
- Explanation: Participation in or conspiring to engage in harassing acts that have the potential of injuring, degrading or disgracing others physically or mentally.
- Consequences: Suspension, and/or other Administrative Action; potential expulsion.
- 34. Offense: Intentionally Engaging In Harassment, Threats, Or Intimidation Directed Against A Student Or Group Of Students.
Education Code Section 48900.4**
- Explanation: Participating in harassment, threats, or intimidation which result in a hostile educational environment.
- Consequences: Suspension, and/or other Administrative Action if the behavior is severe and pervasive or causes an intimidating or hostile educational environment; potential expulsion. This offense does

not apply to children enrolled in kindergarten and grades 1 through 3.

Note: (Use SASI Code 91 to also record incident in file of victim.)

- 35. Offense: Harassed, Threatened, Or Intimidated A Pupil Who Is A Witness In a School Disciplinary Proceeding. Education Code Section 48900(o)**
- Explanation: A pupil who is a complaining witness or witness in a school disciplinary proceeding may not be harassed, threatened, or intimidated.
- Consequence: Suspension, and/or Administrative Action; potential expulsion.
- 36. Offense: Made Terrorist Threats Against School Official And/Or School Property. (e.g., “bomb threat”) Education Code Section 48900.7**
- Explanation: The making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. Under this section there is no room for “kidding” around, not being “serious”, or just “playing” around. All threats will be taken seriously. The making of a “bomb threat” is a form of a terrorist threat to be treated under this section.
- Consequences: Suspension; potential expulsion. Report to the appropriate law enforcement agency.
- 37. Offense: False Fire Alarm. Education Code Section 48900(k)**
- Explanation: Inappropriate and unlawful pulling of a fire alarm when there is no evidence of a fire large enough to warrant this action.
- Consequence: Suspension; potential expulsion. Report to the appropriate law enforcement agency.

- 38. Offense: Possession of a Destructive/Explosive Device.
Education Code Section 48915(c)(5)**
- Explanation: Includes any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missiles having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described in the preceding clauses.
- Consequences: Suspension and **Mandatory One-Year Expulsion**; Report to the appropriate law enforcement.
- 39. Offense: Aiding or Abetting
Education Code Section 48900(q)**
- Explanation: A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section. Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider an abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury may be expelled.
- Penal Code Section 31: Aider and Abettor is defined as follows: All persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or, not being present, have advised and encouraged its commission, and all persons counseling, advising, or encouraging children under the age of fourteen years, lunatics or idiots, to commit any crime, or who, by fraud, contrivance, or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, or who, by threats, menace, command, or coercion, compel another to commit any crime, are principals in any crime so committed.
- Consequence: Suspension; potential expulsion. Report to the appropriate law enforcement.
- 40. Offense: Bullying.
Education Codes 48900, 48900.2, 48900.3, 48900.4**
- Explanation: Intimidation or threats, including but not limited to, bullying Committed by means of an electronic act, harassment, sexual harassment, discrimination harassment which have a negative impact on an individual's academic performance

or creates an intimidating, hostile or offensive educational environment for a pupil or school personnel.

Consequence: Suspension, possible expulsion.

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 obligated to send their children to school unless otherwise provided by law. 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
2. Quarantine under the direction of a county or city health officer
3. Medical, dental, optometric, or chiropractic appointments
4. Attendance at funeral services for a member of the immediate family
5. Jury duty
6. Participation in religious instruction in accordance with district policy
7. Justifiable personal reasons. Advance written request by the parent/guardian and approval of the principal or designee shall be required for absences for:
 - Appearance in court
 - Attendance at a funeral service
 - Observation of a holiday of his/her religion
 - Attendance at religious retreats for no more than four hours a semester
 - Employment interview or conference
 - If student is the custodial parent of a child, his/her absence shall be excused when the child is ill or has a medical appointment during school hours.

Truant Pupils

Education Code Sections 48260

Any pupil subject to compulsory full-time education who is absent from school without a valid excuse three full days 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 attendance supervisor.

Parent Notification

Education Code Section 48260.5

Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian by U.S. Mail. (Education Code 48260.5)

**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 will be notified that the student is not attending school regularly (grant will be sanctioned).

**School Attendance Review Board Referral
Education Code Section 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 School Attendance Review Board (SARB).

**Arrest of Truant Pupils
Education Code Section 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.

Academic Hold Status

Within the first three days of absence, the school will attempt to contact the parent/guardian of an absentee student. If no contact can be made, the school shall refer the absent student to the Child Welfare and Attendance. If, after ten days, the absent student has not returned to school or has not been located, the school will be instructed to drop the student to Academic Hold.

Students who are in Academic Hold status and who wish to re-enter their home school may do so depending on space availability. Re-enrolled students and their parent/guardian must meet with Child Welfare and Attendance within five days of re-enrollment.

Failure to return to District school or to provide verification of enrollment in another district or charter/private school will result in a continuum of sanctions for violation of compulsory attendance laws pursuant to Education Code 48200 and Welfare and Institutions Code 11253.5. If a student has already been deemed a habitual truant, the student will be referred to Student Attendance Review Board.

Note: Education Code 48900 provides that the legislature intends that alternatives to suspension be imposed for truancy, tardiness, or other absences.

Transfers from Stockton Unified School District

When moving from the District, parents are required to provide contact information for the new address and the name and city of the new school children will attend. Parents 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 designation as 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/ guardians 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.

Eleventh and twelfth grade students may leave campus during the lunch period provided that they have met all of the following criteria:

1. Have achieved twelfth grade level status
 - 165 credits for Seniors
2. Have achieved eleventh grade level status
 - 110 credits
3. 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."
4. Have maintained good citizenship status (no suspensions during the current semester);
5. Have maintained positive attendance with no unexcused absences;
6. Have parent/guardian permission slips on file authorizing their youngster to leave campus during the lunch period and have obtained a valid off-campus lunch pass;
7. Students must pass both the English Language Arts and Math portions of the CAHSEE Exam.

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 Sections 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.
- In cases where expulsions are pending, suspension may be extended.
- 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 Director of Elementary Education or the Director of Secondary Education when a suspension is issued by the principal or any other instance in which a review of the district's action is desired.

**3. Expulsion And Due Process Requirements.
Education Code Section 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. 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 that expulsion is being considered.
- (3) The student and his parents (or legal representative) have the right to call witnesses, question school officials, subpoena witnesses, and present information on behalf of the student.
- (4) 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 San Joaquin County Board of Education within 30 days.
- (2) Parents wishing to appeal continuation school or class placement have the right to review by the Director of Secondary Education.

Stockton Unified School District
No Fighting Contract

SAMPLE

Student's Name _____ DOB _____

School: _____ Grade _____ SASI ID# _____ Parent's Primary Language _____

The student named on this **No Fighting Contract** recently engaged in a fight with another student while under the school's jurisdiction. The action of fighting is a violation of Education Code 48900 (a)(1) / (a)(2) and the K-12 Student Conduct Code. These rules regarding student conduct state:

When a student has been involved in one fight or the second fight of his/her high school career, the administration shall initiate significant interventions by inviting parent and student to attend a meeting at school to review and sign a No Fighting Contract, referral to conflict management and school counselor upon student's return to school. Additionally, a student suspended for fighting shall be placed on social probation for 45 school days.

Students who are involved in two (2) fights in any academic year or high school students who are involved in three (3) fights within their high school career (grades 9-12) shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to the particular circumstances.

As the student named on this **No Fighting Contract**, I have been informed by the school's administration:

- That fighting is prohibited on any school campus, at a school activity off campus, on the way to or from school or school activity or at any time of school related.
- That there are decisions I can make to avoid fighting, including but not limited to, refusing to engage in verbal or non-verbal conduct that may lead to fighting, walking away from a situation, going to Conflict Management, counselor or other school official for assistance, refusing to go to a fight/conflict and refusing to associate with students who engage in verbally or physically aggressive behavior toward others.
- **That if I am involved in another fight this school year, I will be recommended for expulsion from _____ and be placed in an alternative high school setting.**
- **That my signature on this contract is my agreement to not fight.**

Student's Signature _____ **Date** _____

As the parent/guardian of the student named on this **No Fighting Contract**, I have been informed by the school's administration that my son/daughter will be recommended for expulsion from all schools in the District if he/she is involved in another fight this school year or a third fight in his/her high school career. I also agree to discuss with my son/daughter the importance of following all school rules and treating others with respect.

Parent's Signature _____ **Date** _____

As a District interpreter, I explained this **No Fighting Contract** to the parent in his/her primary language.

District Interpreter's Signature _____ **Date** _____

As the Administrator implementing this **No Fighting Contract**, I have reviewed its contents with this student and parent/guardian.

Administrator's Signature _____ **Date** _____

Copies to:

- (1) Parent/Guardian (2) Student (3) Discipline File (4) CUM (5) Administrator
(6) CWA Administrator

CWA 4/09

V. CITIZENSHIP

Explanation: It is one of the school's duties to assist parents in helping students develop 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.

Parents and students should be as interested in citizenship "ability" as they are in math, music or athletic ability.

THE CITIZENSHIP GRADE (K-8)

Students will receive a quarterly or trimester citizenship grade from each of their classroom teachers.

The grade will be based solely on the citizenship displayed in each teacher's classroom.

Grades K-6

Students will receive a grade of "outstanding," "satisfactory" or "unsatisfactory," based on the "Citizenship Guidelines."

Grades 7-8

Students will receive teachers' comments regarding "satisfactory" or "unsatisfactory" citizenship.

The citizenship mark for each class will be shown on the student's report card. Citizenship marks will not be shown on the student's transcript or other permanent records.

If a student receives three or more "unsatisfactory" marks (in two or more classes for grades 7-8), certain privileges may be withdrawn until the next regular grading period.

The effective period for withdrawal or restoration of privileges shall be receipt of the report card by the student.

The loss of privileges shall be limited to the following:

Elementary Schools - Grades (K-6)

1. Participation in school sports.
2. Extracurricular activities.
3. Assemblies.

Elementary Schools - Grades (7-8)

1. After-school recreation.
2. School clubs.
3. Student government.
4. Public performances of music, dance, drama and speech.
5. Special field trips not a part of regular classroom work.
6. School dances and assemblies.

CITIZENSHIP GUIDELINES FOR STUDENTS

Teachers shall use the following criteria in determining a student's citizenship grade in his or her class:

1. Attends class regularly except for excused absences.
2. Comes to class on time.
3. Comes to class with necessary materials.
4. Completes homework assignments.
5. Meets deadlines.
6. Performs his or her work when independent work is required.
7. Participates in class activities and discussions.
8. Exercises reasonable care of school property.
9. Shows respect for others.
10. Does not disrupt class; exercises good conduct.

Teachers are required to discuss these standards with their students and explain their expectations. If a student's citizenship grade is unsatisfactory at the time progress reports are issued, that fact should be noted.

**VI. EDUCATION CODE SECTIONS
GROUNDS FOR SUSPENSION AND EXPULSION**

E.C. 48900

A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self defense.
- (b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance, alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid substance, or material and represented this liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed 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.
- (h) Possessed or used 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.
- (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.
- (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.
- (n) Committed or attempted to commit a sexual assault or battery.
- (o) Harassed, threatened, a pupil who is a complaining witness or witness in a school disciplinary proceeding.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- (t) A pupil who aids or abets.

- E.C. 48900.2
Sexual harassment (grades 4-12)
- E.C. 48900.3
Causing, attempting to cause, threatening to cause or participating in an act of hate violence. (grades 4-12)
- E.C. 48900.4
Intentionally engages in harassment, threats, or intimidation directed against a student or group of students. (grades 4-12)
- E.C. 48900.7
Made terrorist threats against school officials and/or school property
- E.C. 48915
Expulsion

The principal or superintendent of schools shall recommend the expulsion of a pupil for the following acts unless they find that expulsion is inappropriate due to the particular circumstances.

- (a)(1) Causing serious physical injury to another person.
- (a)(2) Possession of any knife, explosive, or other dangerous object.
- (a)(3) Unlawful possession of any controlled substance.
- (a)(4) Robbery or extortion.
- (a)(5) Assault or battery upon any school employee.

Mandatory offenses for which the principal or superintendent must recommend expulsion, and the governing board must expel the student are as follows:

- (c)(1) Possessing, selling, or otherwise furnishing a firearm as verified by a school employee.
- (c)(2) Brandishing a knife at another person.
- (c)(3) Unlawfully selling a controlled substance.
- (c)(4) Committing or attempting to commit a sexual assault or battery.
- (c)(5) Possession of a destructive/explosive device.

- E.C. 48900(s)
No pupil shall be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance which occur at any time, including but not limited to, any of the following:

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