

**ROUND VALLEY HIGH SCHOOL  
STUDENT/PARENT HANDBOOK  
2024-2025**



**26280 High School Street P.O. Box 276 Covelo, CA 95428  
Telephone: (707) 983-6171 Fax (707) 983-6179**

## ***MESSAGE FROM THE PRINCIPAL***

Dear Round Valley High Students and Families,

Welcome to a new and exciting academic year at Round Valley High School! It is an honor and privilege to continue to serve as the Round Valley High School Principal here in my hometown of Round Valley. Our staff has been very busy preparing for the upcoming new school year and we are excited to welcome you to Round Valley High School! It is our hope that you take advantage of the activities and the opportunities available to you here at RVHS.

This handbook serves as a valuable resource that outlines the guidelines, expectations, and opportunities that will shape your experience within our school community. The student handbook is designed to ensure a safe, inclusive, and productive learning environment for all students. It provides essential information on school policies, procedures, and rules that help maintain a safe, positive, and respectful atmosphere. I urge you to familiarize yourself with its contents and refer to it whenever necessary.

Within this handbook, you will find valuable information on various aspects of school life including: Code of conduct, academic policies, extra curricular activities, student support services, technology and internet usage, and communication channels for effective communication.

It is important to remember that the Student Handbook is a living document that may be updated periodically. We encourage you to stay informed about revisions or additions by regularly checking our school website or by reaching out to your teachers or the administrative staff.

In an effort to support each student, the faculty and staff look forward to the collaborative relationship that we will have all year long. It is important that both students and their families partner with us in working to fulfill the educational and social goals, as well as, the dreams and visions of each and every student. Please join with the staff and myself in making Round Valley High School a positive learning and social environment.

Wishing you all a successful and fulfilling year ahead! Please don't hesitate to communicate with us about any concerns or questions regarding your child's education, we are here to help. Go Mustangs!

*Amanda Derby*  
Principal, Round Valley High School

## **ROUND VALLEY HIGH SCHOOL VISION STATEMENT**

Round Valley High School staff and community developed a vision statement for our school in the fall of (2019). We believe that this vision statement reflects our beliefs of what we desire and strive to provide to all Round Valley High school students.

**Round Valley High School provides a caring and healthy learning environment which inspires a passion for knowledge using an engaging, culturally relevant curriculum that prepares our students to be responsible citizens, successful in any form of post- secondary education or employment.**

### **ROUND VALLEY HIGH SCHOOL STUDENT LEARNING OUTCOMES (SLOs)**

The Student Learning Outcomes were refined and update by staff during the 2019-20 school year WASC review process and are as follows:

#### **ROUND VALLEY HIGH SCHOOL STUDENT LEARNING OUTCOMES (SLOs)**

Edited November 2019

The refined Student Learning Outcomes are as follows:

1. Round Valley High School students will be healthy individuals who will recognize the importance of balancing physical, social, spiritual and intellectual well-being.
2. Round Valley High School students will be effective communicators who will respect diversity and work well with others on both personal and professional levels.
3. Round Valley High School students will be critical thinkers who can analyze information and then persist through any adversity to achieve personal and professional goals.
4. Round Valley High School students will be digitally knowledgeable citizens who can make effective use of modern technology and media to take advantage of all opportunities for them to achieve their dreams.
5. Round Valley High School students will recognize, respect and acknowledge the diverse history, peoples, traditions, economic foundations, and future identity as a community.

# ADMINISTRATION

**Amanda Derby** - Principal

## Certificated Staff

<b>Brady, Susan</b>	English/Independent Study
<b>Britton, Amanda</b>	Ag Mechanics/Natural Resources
<b>Eleck, Ardie</b>	Special Education
<b>Giusti, John</b>	Mathematics/Music Production
<b>Grable, Amber</b>	FFA/AG Science
<b>Harris, Colin</b>	Social Science/Personal Finance
<b>Kley, Basil</b>	Mathematics/PE
<b>Russ, Joe</b>	Yolla Bolly Continuation
<b>Sparks, Jaime</b>	English/ELD
<b>Spivey, Virginia</b>	ELL Tutor
<b>Wallace, Carter</b>	Music
<b>Want, Rolinda</b>	Native Language/Native Art & History
<b>Want, Hailey</b>	Native Language
<b>Erika Diaz Ramirez</b>	STEM
<b>Heidi Edwards</b>	Patient Care
<b>Dea Heiken</b>	Child Development
<b>Thomson, Jobe</b>	Academic Counselor
<b>Shakati Walsh</b>	SEL Counselor

## **Classified Staff**

**Warden, Corey**

Resource Classroom Aid

**Gurrola, Lucinda**

High School Secretary

**Martinez, Adam**

ELL Aid

**Brenda Gutierrez**

ELL Tutor

**Stillwell, Kim**

Student Monitor

**Dea Heiken**

Behavior Support Paraprofessional

## 2024-2025 BELL SCHEDULES

DAILY BELL SCHEDULE		MINIMUM DAY BELL SCHEDULE	
1st Period	8:30 am - 9:22 am	1st Period	8:30 am - 9:10 am
2nd Period	9:27 am - 10:18 am	2nd Period	9:15 am - 9:55 am
3rd Period	10:23 am - 11:14 am	3rd Period	10:00 am - 10:40 am
4th Period	11:19 am - 12:10 pm	4th Period	10:45 am - 11:25 am
Lunch	12:10 pm - 12:46 pm	Lunch	11:25 am - 12:01 pm
5th Period	12:51 pm - 1:43 pm	5th Period	12:06 pm - 12:46 pm
6th Period	1:48 pm - 2:39 pm	6th Period	12:51 pm - 1:31 pm
7th Period	2:44 pm - 3:35 pm	7th Period	1:36 pm - 2:16 pm
EARLY RELEASE DAY BELL SCHEDULE		DELAYED START BELL SCHEDULE	
1st Period	8:30 am - 9:01 am	1st Period	10:30 am - 11:05 am
2nd Period	9:06 am - 9:37 am	2nd Period	11:10 am - 11:45 am
3rd Period	9:42 am - 10:13 am	3rd Period	11:50 am - 12:25 pm
4th Period	10:18 am - 10:49 am	4th Period	12:30 pm - 1:05 pm
5th Period	10:44 am - 11:25 am	Lunch	1:05 pm - 1:41 pm
6th Period	11:30 am - 12:01 pm	5th Period	1:46 pm - 2:21 pm
7th Period	12:06 pm - 12:37 pm	6th Period	2:26 pm - 3:01 pm
		7th Period	3:06 pm - 3:35 pm

Round Valley Unified School District implements a shortened Delayed Start Schedule when weather and road conditions make it the safest course of action for all students and staff.

On days when the Delayed Start Schedule is in effect, classes begin and buses run 2 hours later. Morning breakfast will be canceled when the 2 hour delay is in effect. Afternoon dismissal times and bus schedules are the same as regular school days.

The special schedule was developed to help cope with winter weather and avoid unnecessary cancellation of school. The Delayed Start Schedule allows students walking, driving and riding buses to avoid hazardous traffic conditions.

# **ACADEMICS**

## **Graduation Requirements**

2024 Graduates from Round Valley High School must complete 260 credits to graduate. STUDENTS WHO DO NOT MEET THE CREDIT CRITERIA WILL NOT PARTICIPATE IN GRADUATION CEREMONIES OR SCHOOL SPONSORED SENIOR ACTIVITIES.

## **Course Requirements**

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

**1. Three courses in English (Education Code 51225.3)**

**2. Three courses in mathematics (Education Code 51225.3)**

At least one mathematics course, or a combination of two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

**3. Two courses in science, including biological and physical sciences (Education Code 51225.3)**

**4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)**

**5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)**

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

**6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)**

### **HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

**Seniors of RVUSD Schools are required to complete a “Senior Project”. Seniors will be given up to three (3) options to choose from for their Senior Project.**

#### **Exemptions and Waivers**

A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6173.3 - Education for Juvenile Court School Students)*

In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)

*(cf. 6173.2 - Education for Children of Military Families)*

#### **Retroactive Diplomas**

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was



enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

### **HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with

1. This list represents the requirements needed for a diploma from Round Valley High School. University, state college, and trade school requirements may be much more stringent and students should be prepared to take the courses required by those institutions. For more information, contact the Counseling Office.
2. In order to participate in graduation ceremonies, a student must have completed all RVHS graduation requirements, completed a senior check-out sheet and not have any outstanding disciplinary actions. Graduates must successfully complete a senior portfolio that includes a research project and formal presentation.

### **PROGRESS AND GRADE REPORTS**

Round Valley High School is on a 10-week, quarter system. Students will receive 5 week progress reports. The Quarter Grade reports will be sent at 10 week intervals. Those grades will reflect credits earned in 2.5 increments. Athletic and FFA eligibility reports will continue to be utilized for student participation in activities. Consult the RVUSD calendar for these report dates. Reports are mailed home about every five weeks (eight mailings each year). Contact the school secretary with questions if you do not receive a scheduled report.

### **ATTENDANCE**

*ATTENDANCE POLICY: The State of California requires that all students 18 years of age or younger attend an educational program unless they have graduated from school or passed the Proficiency Test. School success is highly dependent on school attendance. In addition, good school attendance is necessary to maintain a work permit.*

**It is the parent's responsibility to contact the attendance office (983-6171 ext. 400) on each day of the student's absence. If it is not possible for the parent to call on the day of the absence, a written excuse by the parent/guardian must be presented to the Attendance Office on the morning the student returns to school. Students will have 10 days to provide the office with written verification of the absence. Unverified absences will result in an unexcused absence (truancy).**

**INDIVIDUALS SHOULD BE AWARE OF THE FACT THAT AS PER SCHOOL BOARD POLICY 5113 and 5121/AR5113 and 5121.**

FAMILY TRIPS AND/OR VACATIONS will not be excused under this policy unless by prior administrative approval. Parents/guardians are expected to plan family trips and vacations outside the academic year. Work assigned during absences must be turned in within the specified time upon return or days of absence will become unexcused.

### **TARDY BECOMING UNEXCUSED ABSENT**

**PLEASE NOTE:** Students who are late to any class in excess of 30 minutes WILL be considered UNEXCUSED ABSENT. This absence will be added to the number of accumulated UNEXCUSED ABSENCES for the 10-week grading period.

### **SCHOOL ATTENDANCE REVIEW BOARD (SARB)**

**EDUCATIONAL CODE 48260 STATES THAT ANY STUDENT SUBJECT TO COMPULSORY FULL-TIME OR CONTINUATION EDUCATION WHO IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE THREE FULL DAYS IN ONE SCHOOL YEAR OR TARDY OR ABSENT FOR MORE THAN ANY 30-MINUTE PERIOD DURING THE SCHOOL DAY WITHOUT VALID EXCUSE ON THREE OCCASIONS IN ONE SCHOOL YEAR, OR COMBINATION THEREOF, IS A TRUANT AND WILL BE REPORTED TO THE ATTENDANCE SUPERVISOR.**

**THE ATTENDANCE SUPERVISOR OR DESIGNEE, SCHOOL ADMINISTRATOR OR DESIGNEE, PEACE OFFICER OR PROBATION OFFICER, AS PER EDUCATION CODE 48264. MAY ARREST OR ASSUME TEMPORARY CUSTODY DURING SCHOOL HOURS, ANY MINOR SUBJECT TO COMPULSORY FULL TIME OR CONTINUATION EDUCATION THAT IS FOUND AWAY FROM HOME AND IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE.**

School attendance review boards – or SARBs – were established by the legislature in 1975 to divert students with attendance, excessive tardiness, and/or behavioral problems. These problems often lead to a student becoming involved in the juvenile justice system. The purpose of the SARB committee is to help all students and their families assure the students individual educational success.

The following steps outline the SARB process:

1. After three unexcused absences or tardies of more than 30 minutes, the school or district sends the parent or guardian Truancy Letter #1.
2. This initiates the SARB referral process. All parental contacts will be documented.
3. Following six unexcused absences, Truancy Letter #2 is sent.
4. Following nine unexcused absences, Truancy Letter #3 is sent. The completed SARB Referral Form and pertinent documents are sent to the district child welfare and attendance office. At this point, some districts or schools choose to initiate an intermediate step. A school attendance review team (SART) meeting is held, or a student study team (SST) is activated. If the problem can be resolved through SART action, the student is not referred to SARB

### **STUDENT CHECK OUT PROCESS**

Student safety is the number one concern at RVHS. Information regarding students leaving school grounds during school hours is critical to the maintenance of constant student safety. Students under the age of 18 years old must be checked out of school by a parent or guardian or guardian–designee. The Guardian **MUST** sign out students at the front office prior to the student’s release from school. Failure to check out a student in the proper manner may result in the student receiving an “UNEXCUSED ABSENCE” for classes missed.

### **ACTIVITIES**

#### **ASSOCIATED STUDENT BODY (ASB)**

All students of Round Valley High School are members of the ASB. ASB Officers form the *Executive Student Council*. All ASB and class officers must meet athletic grade, credit, and behavioral criteria.

#### **DANCES**

ASB as well as clubs may sponsor dances. Doors close one hour after the dance begins, there are no in and out privileges, and school rules apply. Only *PRE-APPROVED GUESTS ARE WELCOME AT DANCES*. *GUESTS MUST BE UNDER 21 YEARS OF AGE*. Fees will apply at all dances.

#### **CLUBS**

RVHS offers various clubs held during lunch time as well as after regular school hours. Students are encouraged to form new clubs. Any student interested in forming a new club must seek out an advisor and apply with the principal. District transportation is not provided for after school activities.

## **FUTURE FARMERS OF AMERICA (FFA)**

Students who wish to participate as a member of FFA must meet specific criteria, grade eligibility, and behavior standards. Students interested in joining FFA MUST be enrolled in an Agriculture Class, and must maintain a GPA of 2.0 and no grades of "F" to maintain eligibility in fair activities. For further information or questions please contact the academic counselor.

## **ATHLETICS**

Round Valley High School is a member of the North Coast League of the Coastal Mountain Conference. Good sportsmanship is expected from all athletes as well as parents, athletic supporters, team managers, and coaches. School and district rules apply at all practices, and home and away contests.

Student – athletes must check out and return all uniforms and equipment at the close of each sport season. Students who do not comply with these rules may have graduation privileges, transcripts and/or report cards withheld pending return of school uniforms or equipment.

### **Date of Determination:**

All RVUSD student athletes must meet the 2.0 GPA with no more than one "F" to meet the eligibility requirement in order to participate in athletics. This determination is held every 10 weeks- according to the quarter grades. The date of the determination of athletic participation is the Wednesday immediately following each of the quarter grading periods. No Exceptions will be made.

## **RVHS ATHLETIC TEAM OFFERINGS**

### **FALL**

**Football**  
**Volleyball**

### **WINTER**

**Boys Basketball**  
**Girls Basketball**

### **SPRING**

**Baseball**  
**Softball**

**\*\*\*Cheerleading is offered as a non-sport at this time for fall and winter sports\*\*\***

## **SPORTS/EXTRACURRICULAR ELIGIBILITY**

<ul style="list-style-type: none"><li>● ASB or Class Office</li><li>● Athletics</li><li>● Publicly and officially represent the school (Band, Leadership, FFA, Peer Counseling)</li><li>● Prom Candidates and Court</li><li>● Leadership positions</li><li>● FFA fair participation</li></ul>	<ul style="list-style-type: none"><li>● Maintain at least a 2.0 grade point average in all enrolled classes, including athletics</li><li>● No more than one F in a grading period</li><li>● Maintain minimum progress towards meeting high school graduation requirements ( 30 units per semester)</li><li>● Adherence to a signed Code of Conduct</li><li>● Satisfactory attendance (must be present on the day of event)</li><li>● Satisfactory school behavior (no outstanding detentions, In-School Suspension, No Suspension)</li></ul>
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## **DRESS CODE**

### **Dress and Grooming**

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Trustees policy and administrative regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times.
  
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice. This includes Backwoods and Cookies logos.

3. Hats, caps and other head coverings shall in the classroom be at the discretion of the teacher.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited. As is the sagging or low wearing of pants/bottoms that expose undergarments.
5. Gym shorts may not be worn in classes other than physical education.
6. Hair shall be clean. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

(cf. 3260 - Fees and Charges)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

#### Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

Regulation ROUND VALLEY UNIFIED SCHOOL DISTRICT

Approved: June 26, 2017 Covelo, California

## CELL PHONES

***Cell phone use in class, assemblies, In-School Suspension, and during testing is prohibited at all times. Electronic devices are to be silenced and are not to be used, heard, or visible during class time or tutorial.*** Students must have cell phones turned off and put away prior to entering the school building. Use of cell phones may result in the following: In-School Suspension, confiscation of cell phone pending parent/administrator conference, detention, loss of off-campus privileges, an/or loss of athletic/leadership/privileges.

### **2024-2025 Cell Phone Policy**

1. All students are required to keep their cell phones silenced and put away/out of sight during school hours, with the exception of lunchtime if they leave campus.
2. Students are allowed to bring their cellphones to school, but they must be silenced, put away and out of sight before entering the school building.
3. In case of an emergency, students may request to use their cell phone with the permission of a teacher or administrator.
4. Violations of the cell phone policy will result in disciplinary action, which will include confiscation of the device pending parent/administrator conference, the device will not be returned to the student, only to the parent following the parent/administrator conference. Repeated offenses will result in the student having to leave their cell phone at home.

The implementation of a no cellphones use in the classroom policy can provide a balanced solution to reduce the negative impact of excessive cell phone use while still allowing students to carry their devices for emergency situations. Allowing the school to create a more focused, productive, and safe learning environment for students, free from the distractions of cell phones, while promoting improved communication and social skills.

## CLOSED CAMPUS

RVHS students may not leave school campus except during the designated lunch period and must return at the designated time. Students that return late from lunch are to be assigned lunch time detention on the following day. Students will not be permitted to leave the campus at lunch until their detention has been completed. **Any Student who fails to follow RVUSD and RVHS rules may have off-campus privileges revoked per administration.**

## **COMMUNICATION**

RVHS values parent/guardian communication. In order to reduce distractions during class time, communication regarding your child during school hours is to be conducted through the main office. Any information to or from your child must be relayed through the office-to-classroom communication system. PLEASE DO NOT CALL OR TEXT YOUR STUDENT'S CELL PHONE. Please call the main office at 707-983-6171, extension 400.

With notification to family/guardian. Staff should attempt to resolve discipline issues at the lowest action level, as appropriate, with fair and equitable treatment of all students and the involvement of parents/family. The Administration reserves the right to consider extraordinary circumstances in determining appropriate consequences.

Nineteen days of accumulated suspension will result in recommendation for expulsion. Consequences will be determined by the severity of the offense.

Board Policies and Administrative Regulations can be found online at:

[www.gamutonline.net/district/roundvalley](http://www.gamutonline.net/district/roundvalley)

[Facebook: Round Valley Unified](#)

[Website: roundvalleyschools.org](http://roundvalleyschools.org)

## **REASONS FOR SUSPENSION**

BP 5144.1 Students

### **Suspension and Expulsion/Due Process**

Note: Education Code [35291](#) requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code [48918](#) mandates the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

Note: While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. According to the U.S. Department of Justice's Civil



Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, studies suggest a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior.

Note: Pursuant to Education Code [48900.5](#), a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel and the student and his/her parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline. Education Code [48900.5](#) authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code [48911](#), as amended by AB 667 (Ch. 445, Statutes of 2017), requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. [5131](#) - Conduct)

(cf. [5131.1](#) - Bus Conduct)

(cf. [5131.2](#) - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Note: Pursuant to Education Code [48900\(s\)](#), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for violations committed away from school if it is related to a school

activity or to school attendance. For example, Education Code [48900](#) defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code [48900\(s\)](#))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. [5112.5](#) - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, the DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

#### Appropriate Use of Suspension Authority

Note: Education Code [48900.5](#) requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

Except when a student's act violates Education Code [48900\(a\)-\(e\)](#), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative

regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#), [48900.6](#))

(cf. [1020](#) - Youth Services)

(cf. [5138](#) - Conflict Resolution/Peer Mediation)

(cf. [5144](#) - Discipline)

(cf. [6142.4](#) - Service Learning/Community Service Classes)

(cf. [6164.2](#) - Guidance/Counseling Services)

(cf. [6164.5](#) - Student Success Teams)

Note: The following optional paragraph may be revised to reflect district practice.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

Note: Education Code [48900](#)(k) prohibits a district from suspending students in grades K-3 for disruption or willful defiance and authorizes, but does not require, a district to suspend students in grades 4-12 for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups. Option 1 below is for use by any district that chooses to suspend students in grades 4-12 for disruption and/or willful defiance as authorized pursuant to Education Code [48900](#)(k). Any district that chooses to eliminate disruption and willful defiance as reasons for suspending any of its students from school should select Option 2 below. Such districts should also delete the first paragraph in the section titled "Additional Grounds for Suspension and Expulsion: Grades 4-12," in the accompanying administrative regulation.

Note: Each option below reflects an exception granted to teachers pursuant to Education Code [48910](#) to suspend students, including a K-3 student, from class; see section "Suspension from Class by a Teacher" in the accompanying administrative regulation.

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code [48910](#). (Education Code [48900](#))

Note: The following optional paragraph reflects the Legislature's intent, expressed in Education Code [48900](#), concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. [5113](#) - Absences and Excuses)

(cf. [5113.1](#) - Chronic Absence and Truancy)

### On-Campus Suspension

Note: As an alternative to off-campus suspension, Education Code [48911.1](#) authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code [48911.2](#) states that, if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another on-campus progressive discipline program.

Note: The following optional section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code [48900](#) and [48900.2](#), but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#))

### Authority to Expel

A student may be expelled only by the Board. (Education Code [48918\(j\)](#))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code [48915](#))

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code [11053-11058](#)
5. Committing or attempting to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)
6. Possessing an explosive as defined in 18 USC [921](#)

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code [48915](#)(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

Note: Pursuant to Education Code [48917](#), the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code [48917](#))

No student shall be expelled for disruption or willful defiance. (Education Code [48900](#))

#### Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent

or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code [48911](#), [48915](#), [48915.5](#), [48918](#))

(cf. [5119](#) - Students Expelled from Other Districts)

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

#### Maintenance and Monitoring of Outcome Data

Note: Pursuant to Education Code [48900.8](#) and [48916.1](#), the district is required to maintain data related to suspensions and expulsions and to report such data to the Superintendent of Public Instruction.

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code [48900.8](#) and [48916.1](#), including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

Note: Pursuant to Education Code [52060](#), districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. As defined in Education Code [52052](#), numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. [0460](#) - Local Control and Accountability Plan)

Legal Reference:

#### EDUCATION CODE

[212.5](#) Sexual harassment

[233](#) Hate violence

[1981-1981.5](#) Enrollment of students in community school

[17292.5](#) Program for expelled students

[32261](#) Interagency School Safety Demonstration Act of 1985

[35145](#) Open board meetings

[35146](#) Closed sessions (regarding suspensions)

[35291](#) Rules (for government and discipline of schools)

[35291.5](#) Rules and procedures on school discipline

[48645.5](#) Readmission; contact with juvenile justice system

[48660-48666](#) Community day schools

[48853.5](#) Foster youth

[48900-48927](#) Suspension and expulsion

[48950](#) Speech and other communication

[48980](#) Parental notifications

[49073-49079](#) Privacy of student records

[52052](#) Numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

CIVIL CODE

[47](#) Privileged communication

[48.8](#) Defamation liability

CODE OF CIVIL PROCEDURE

[1985-1997](#) Subpoenas; means of production

GOVERNMENT CODE

[11455.20](#) Contempt

[54950-54963](#) Ralph M. Brown Act

## HEALTH AND SAFETY CODE

[11014.5](#) Drug paraphernalia

[11053-11058](#) Standards and schedules

## LABOR CODE

[230.7](#) Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

## PENAL CODE

[31](#) Principal of a crime, defined

[240](#) Assault defined

[241.2](#) Assault fines

[242](#) Battery defined

[243.2](#) Battery on school property

[243.4](#) Sexual battery

[245](#) Assault with deadly weapon

[245.6](#) Hazing

[261](#) Rape defined

[266c](#) Unlawful sexual intercourse

[286](#) Sodomy defined

[288](#) Lewd or lascivious acts with child under age 14

[288a](#) Oral copulation

[289](#) Penetration of genital or anal openings

[417.27](#) Laser pointers



[422.55](#) Hate crime defined

[422.6](#) Interference with exercise of civil rights

[422.7](#) Aggravating factors for punishment

[422.75](#) Enhanced penalties for hate crimes

[626.2](#) Entry upon campus after written notice of suspension or dismissal without permission

[626.9](#) Gun-Free School Zone Act of 1995

[626.10](#) Dirks, daggers, knives, razors, or stun guns

[868.5](#) Supporting person; attendance during testimony of witness

#### WELFARE AND INSTITUTIONS CODE

[729.6](#) Counseling

#### UNITED STATES CODE, TITLE 18

921 Definitions, firearm

#### UNITED STATES CODE, TITLE 20

[1415\(K\)](#) Placement in alternative educational setting

7961 Gun-free schools

#### UNITED STATES CODE, TITLE 42

[11432-11435](#) Education of homeless children and youths

#### COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

#### ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

#### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

#### WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students:

<https://www2.ed.gov/about/offices/list/oese/oshs>

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AR 5144.1

#### Students **Suspension and Expulsion/Due Process**

Note: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of district practice.

Note: Education Code [35291](#) requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. In addition, Education Code [48918](#) and [48918.5](#) mandate that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code [48916](#) mandates procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

Note: The acts for which students may be suspended or expelled are specified in law and in the sections below titled "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12." The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code [52060](#). In addition, pursuant to Education Code [48900.5](#), a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

#### Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code [48925](#))

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code [48910](#)

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code [48925](#))

#### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code [35291](#), [48900.1](#), [48980](#))

(cf. [5144](#) - Discipline)

(cf. [5145.6](#) - Parental Notifications)

#### Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code [48900](#)(a) and (t))

Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code [48900](#) and [48915](#)) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. Note that "firearm" does not include "imitation firearm" which is listed separately in item #12 below. See BP [5131.7](#) - Weapons and Dangerous Instruments.

Note: Pursuant to Penal Code [417.27](#), students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP [5131](#) - Conduct.

2. Possessed, sold, or otherwise furnished any firearm, 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, with the principal or designee's concurrence (Education Code [48900](#)(b))

(cf. [5131](#) - Conduct)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code [11053-11058](#), alcoholic beverage, or intoxicant of any kind (Education Code [48900](#)(c))

(cf. [3513.4](#) - Drug and Alcohol Free Schools)

(cf. [5131.6](#) - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code [11053-11058](#), alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code [48900\(d\)](#))

5. Committed or attempted to commit robbery or extortion (Education Code [48900\(e\)](#))

6. Caused or attempted to cause damage to school property or private property (Education Code [48900\(f\)](#))

7. Stole or attempted to steal school property or private property (Education Code [48900\(g\)](#))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code [48900\(h\)](#))

(cf. [5131.62](#) - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code [48900\(i\)](#))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code [11014.5](#) (Education Code [48900\(j\)](#))

11. Knowingly received stolen school property or private property (Education Code [48900\(l\)](#))

12. Possessed an imitation firearm (Education Code [48900\(m\)](#))

Imitation firearm means 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. (Education Code [48900\(m\)](#))

13. Committed or attempted to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committed a sexual battery as defined in Penal Code [243.4](#) (Education Code [48900\(n\)](#))

14. 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\(o\)](#))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code [48900\(p\)](#))

16. Engaged in, or attempted to engage in, hazing (Education Code [48900\(q\)](#))

Hazing means a method of initiation or pre-initiation 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. Hazing does not include athletic events or school-sanctioned events. (Education Code [48900\(q\)](#))

Note: Education Code [48900\(r\)](#) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code [48900](#), a student may be disciplined for bullying by means of an electronic act even when the act originated off campus. See also BP 5131.2 - Bullying.

17. Engaged in an act of bullying (Education Code [48900\(r\)](#))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code [48900\(r\)](#))

Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student at any grade level, as set forth in Education Code [48900.2](#), [48900.3](#), or [48900.4](#), when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12."

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code [48900.2](#), [48900.3](#), or [48900.4](#) and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Note: AB 2536 (Ch. 419, Statutes of 2016) amended Education Code [48900\(r\)](#) to include an act of cyber sexual bullying, as defined, as an act of bullying for which a student may be suspended or expelled from school.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code [48900\(r\)](#))

a. A message, text, sound, video, or image

b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code [48900\(r\)](#))

(cf. [1114](#) - District-Sponsored Social Media)

(cf. [5131.2](#) - Bullying)

(cf. [6163.4](#) - Student Use of Technology)

(cf. [6164.4](#) - Identification and Evaluation of Individuals for Special Education)

(cf. [6164.6](#) - Identification and Education under Section 504)

Note: Education Code [48900\(t\)](#) allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code [31](#), the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, legal counsel should be consulted as appropriate.

Note: Pursuant to Education Code [48900\(t\)](#), any student who aids or abets a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury is subject to suspension or expulsion as provided in item #1 above.

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code [31](#) (Education Code [48900\(t\)](#))

19. Made terrorist threats against school officials and/or school property (Education Code [48900.7](#))

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or 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. (Education Code [48900.7](#))

Additional Grounds for Suspension and Expulsion: Grades 4-12

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

Note: Pursuant to Education Code [48900\(k\)](#), except as otherwise provided in Education Code [48910](#), students in grades K-3 must not be suspended for disruption of school activities or willful defiance of school authority, and students in grades K-12 must not be expelled on these grounds. Since districts are authorized but not required to suspend students in grades 4-12 based on these grounds, a district may choose, consistent with Option 2 in the accompanying Board policy, to prohibit the use of these reasons for suspending its students. Any district that chooses to do so should delete the following paragraph.

Note: None of the prohibitions or restrictions in Education Code [48900\(k\)](#) affect a teacher's authority to remove a student from class for one day pursuant to Education Code [48910](#).

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code [48900\(k\)](#))

(cf. [5131.4](#) - Student Disturbances)

Note: As discussed in item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code [48900\(r\)](#) defines bullying to include acts involving items #1-3 below, Education Code [48900.2-48900.4](#) provide that only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. The interplay between "bullying" and items #1-3 can raise complex legal issues. Districts should consult legal counsel as appropriate.

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code [212.5](#) (Education Code [48900.2](#))



Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code [212.5](#), [48900.2](#))

(cf. [5145.7](#) - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code [233](#) (Education Code [48900.3](#))

Hate violence means any act punishable under Penal Code [422.6](#), [422.7](#), or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code [233](#); Penal Code [422.55](#))

(cf. [5145.9](#) - Hate-Motivated Behavior)

3. 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](#))

(cf. [5145.3](#) - Nondiscrimination/Harassment)

#### Suspension from Class by a Teacher

Note: The following section is optional and may be revised to reflect district practice. While Education Code [48900\(k\)](#) prohibits a district from suspending students in grades K-3 for disruption or willful defiance, it still allows for a teacher to suspend a K-3 student on these grounds.

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code [48900](#) and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code [48910](#))

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be

appropriately supervised during the class periods from which he/she has been suspended. (Education Code [48910](#))

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code [48910](#))

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code [48910](#))

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code [48910](#))

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code [48913](#))

#### Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code [48915\(c\)](#))

Note: Education Code [48900.5](#) limits situations warranting suspension for a first offense to when the violation involves Education Code [48900\(a\)-\(e\)](#) or the student's presence causes a danger to persons.

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code [48900.5](#))

Note: Pursuant to Education Code [48900](#) and [48915](#), except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code [48915](#)(a) or (c), the Superintendent or principal is authorized to use his/her discretion to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR [5144](#) - Discipline.

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#))

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code [48900.5](#))

(cf. [5125](#) - Student Records)

#### Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code [48911](#))

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code [48903](#), [48911](#), [48912](#))

(cf. [6184](#) - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code [48911](#))

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

Note: Pursuant to Education Code [48911](#), before a student is suspended by the Superintendent, principal, or designee, an informal conference must be held with the student and, when practicable, the teacher, supervisor, or other school employee who referred the student to the principal. AB 667 (Ch. 445, Statutes of 2017) amended Education Code [48911](#) to require that a student be informed during this informal conference of other means of correction that were attempted before the suspension.

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code [48900.5](#), and the evidence against him/her, and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code [48911](#))

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code [48911](#))

Note: Item #2 below should be revised to reflect the district's processing and reporting procedures.

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code [48911](#))

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code [48911](#))

This notice shall state the specific offense committed by the student. (Education Code [48900.8](#))

Note: The following optional paragraph may be revised to reflect district practice.

In addition, the notice may state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code [48914](#))

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code [48911](#))

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code [48911](#))

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code [48911](#))

Note: When the student being considered for expulsion is a foster youth, Education Code [48911](#) and [48918.1](#) require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR [6173.1](#) - Education for Foster Youth.

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code [48853.5](#), [48911](#), [48918.1](#))

(cf. [6173.1](#) - Education for Foster Youth)

Note: Pursuant to Education Code [48918.1](#), the district's liaison for homeless students must be notified when the student being considered for expulsion is a homeless student. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code [48918.1](#))

(cf. [6173](#) - Education for Homeless Children)

Note: The following optional paragraph may be revised to reflect district practice. Since Education Code [48900](#) and [48900.5](#) require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

#### Suspension by the Board

Note: The following optional section reflects the Board's authority to suspend students from school pursuant to Education Code [48912](#). In practice, it is impractical for boards to directly exercise this authority since circumstances warranting suspension usually require quick and sometimes immediate action which may not be possible for a board due to legal requirements for taking board actions, such as having a meeting.

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code [48912](#))

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code [48915](#). (Education Code [48912.5](#))

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code [49073-49079](#). (Education Code [35146](#), [48912](#))

(cf. [9321](#) - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if

made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code [35146](#), [48912](#))

### On-Campus Suspension

Note: The following optional section is for use by any district establishing an on-campus suspension program pursuant to Education Code [48911.1](#). However, pursuant to Education Code [48900.5](#), such a district is required to use other means of correcting a student's behavior before imposing a supervised suspension, unless such a supervised suspension is otherwise permitted by law for a student's first offense. Use of a supervised suspension classroom program does not in any way limit the district's ability to transfer a student to an opportunity school or class or a continuation education school or class in accordance with law.

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code [48911.1](#))

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code [48911.1](#))

### Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code [48915](#))

1. Causing serious physical injury to another person, except in self-defense

2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code [11053-11058](#), except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code [240](#) and [242](#), upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code [48915](#))

#### Student's Right to Expulsion Hearing

Note: Education Code [48918](#) mandates that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code [48918](#) must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code [48918](#).

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code [48918\(a\)](#))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code [48918\(a\)](#))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code [48918\(a\)](#))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code [48925](#). Unless the student requests in writing that the



expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code [48918\(a\)](#))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code [48918\(a\)](#))

### Stipulated Expulsion

Note: The following section is optional and may be revised to reflect district practice.

"Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive his/her right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained to them before the agreement is signed. Districts should consult legal counsel as appropriate.

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code [48918](#).

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

### Rights of Complaining Witness

Note: Education Code [48918.5](#) mandates the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code [48918.5](#))

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy

of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code [48918.5](#))

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code [48918.5](#))

#### Written Notice of the Expulsion Hearing

Note: Education Code [48918](#) mandates the Board to adopt procedures that include the following items.

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code [48900.8](#), [48918\(b\)](#))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code [48915.1](#), to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code [48915\(a\)](#) or (c).

(cf. [5119](#) - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non attorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

#### Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

Note: Prior to conducting an expulsion hearing to determine whether a foster youth should be expelled, Education Code [48918.1](#) requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code [48918.1](#), such additional notice must be given to the district liaison for homeless students when the student involved is a homeless child or youth and the violation does not require a mandatory recommendation for expulsion. While such a notice is not required if the offense requires a mandatory recommendation for expulsion, it is nonetheless recommended and the following section reflects this recommendation.

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code [48918.1](#))

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code [48918.1](#))

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code [48918.1](#))

#### Conduct of Expulsion Hearing

Note: Education Code [48918](#) mandates that the Board adopt procedures that include the following items.

Note: Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all

expulsion hearings in this manner, the requirements of Education Code [48918](#) pertaining to the conduct of the hearing must be met.

1. Closed Session: Notwithstanding Education Code [35145](#), the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code [48918](#))

Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code [48918\(c\)](#))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code [48918\(c\)](#))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code [48918\(g\)](#))

Note: Education Code [48918](#) authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In *Woodbury v. Dempsey*, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.

Note: In accordance with Code of Civil Procedure [1987](#), the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave

rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure [1985-1985.2](#) and enforced in accordance with Government Code [11455.20](#). (Education Code [48918\(i\)](#))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code [48918\(i\)](#))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code [48918\(i\)](#))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code [48900](#) and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code [48918\(h\)](#))

Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate.

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code [48918\(f\)](#))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

Note: Education Code [48918.6](#) provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code [47\(b\)](#).

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code [48918](#), [48918.5](#))

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code [868.5](#).
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code [48918\(a\)](#))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Note: For districts that use a hearing officer or administrative panel, Education Code [48918](#) mandates that the Board adopt procedures that include the following section.

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code [48918](#))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code [48918\(a\)](#) and (d))

Note: Pursuant to Education Code [48918](#), if the hearing officer or administrative panel does not recommend expulsion, a student must be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. Education Code [48918](#) also states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may be referred to his/her prior school. However, the hearing officer or administrative panel, like the Board, must recommend expulsion or a suspended expulsion under Education Code [48915](#), if it finds that a student committed any such violation that mandates expulsion. District should consult legal counsel to resolve this apparent discrepancy.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian,

the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code [48918\(e\)](#))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code [48918\(f\)](#))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code [48917](#), [48918](#))

#### Final Action by the Board

Note: Education Code [48918](#) mandates that the Board adopt procedures that include the following paragraph.

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code [48918\(j\)](#))

(cf. [9321.1](#) - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Note: The Gun-Free Schools Act, 20 USC 7961, requires that information in the following paragraph be sent to the California Department of Education (CDE) for assurances of compliance with federal and state law. For other language that must be submitted to the CDE, see section below entitled "Notifications to Law Enforcement Authorities."

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a



case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code [48916](#))

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code [48916](#))

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

Note: The following paragraph is optional. Education Code [48916.5](#) authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code [48916.5](#))

#### Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code [48900.8](#))
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code [48916](#))
3. Notice of the right to appeal the expulsion to the County Board (Education Code [48918](#))
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code [48918](#))
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code [48915.1](#) (Education Code [48918](#))

## Decision to Suspend Expulsion Order

Note: Pursuant to Education Code [48917](#), the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are optional and should be revised to reflect district criteria.

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code [48917](#))
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code [48917](#))
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code [48917](#))
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code [48917](#))
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code [48917](#))
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the

student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code [48915.1\(b\)](#). (Education Code [48918\(j\)](#))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code [48917](#))

### Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code [48919](#))

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code [48919](#))

### Notification to Law Enforcement Authorities

Note: The Gun-Free Schools Act, 20 USC 7961, requires that information in the following two paragraphs be sent to the CDE for assurances of compliance with federal and state law.

Note: In addition, Education Code [48902](#) requires the principal or designee to notify law enforcement authorities when a student or nonstudent possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code [49076](#) requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities).

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code [245](#). (Education Code [48902](#))

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code [48915\(c\)\(1\)](#) or (5) or Penal Code [626.9](#) and [626.10](#). (Education Code [48902](#))

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code [48900](#)(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code [48902](#))

#### Placement during Expulsion

Note: Education Code [48915](#) requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code [48900](#)(f) through (m) or Education Code [48900.2](#), [48900.3](#), or [48900.4](#) may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Note: Education Code [48915.01](#) states that if the Board has established a community day school pursuant to Education Code [48661](#) on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code [48663](#) prohibits the use of independent study in community day schools, Education Code [48916.1](#) does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

The Board shall refer expelled students to a program of study that is: (Education Code [48915](#), [48915.01](#))

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. [6158](#) - Independent Study)

(cf. [6185](#) - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code [48915](#))

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code [48916.1](#))

### Readmission after Expulsion

Note: Education Code [48916](#) mandates that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #1-2 below should be revised to reflect district practice.

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code [48916](#))
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code [48916](#))

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention

in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code [48645.5](#))

#### Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code [48900.8](#))

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code [48918\(k\)](#))

Note: Education Code [48915.1](#) requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code [48915.1](#))

(cf. [5119](#) - Students Expelled from Other Districts)

(4/14 12/14) 12/17

### **CLASSROOM SUSPENSION**

Students may also be suspended from an individual class for up to two (2) consecutive days at the direction of the teacher. Teachers will also phone the student's parents. **Students suspended from class are to report immediately to the office, failing to do so will result in suspension from school.** Excessive class suspensions will result in school suspension and a parent conference with the school administration.

### **BULLYING**

Bullying in school takes on many forms and faces. A behavior or statement is considered bullying when it is unwanted, hurtful in nature, and creates a general feeling of power over another person or group of people. Bullying will NOT be tolerated in any form at RVHS. Students who bully others will face disciplinary action, must attend a parent/ administrator conference, and may have privileges revoked such as athletic participation, off campus lunch privileges, and leadership positions.

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 6020 - Parent Involvement)*

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

## **CYBER BULLYING**

Using technology such as texting, and internet web sites such as Face Book for threats, slanderous comments, sexual harassment, or bullying are considered school- related and will be treated as a school – related offense. Students who utilize cyber bullying will be subject to disciplinary action as well as a possible referral to law enforcement, and possible loss of privileges.

## **SEXUAL HARASSMENT**

Sexual harassment encompasses several forms. Statements, actions and behaviors that state, imply, allude to, or are written about sexual implications of others in any form ***may be considered sexual harassment by the individual to which they are directed , as well as any other individual who hears or sees them acted out.*** Examples of sexual harassment include, but are not limited to: Inappropriate statements regarding a person's sexual preference, statements regarding another person's appearance as it relates to body parts, sexuality, or sexual connotation, pictures of body parts conveying sexual connotations, referring to someone using inappropriate sexually related slang such as 'Gay', making statements about another person's clothing in a sexual manner, and using inappropriate sexual language. Sexual Harassment will not be tolerated during class time as well as any other time at RVHS.

## **CLASS RULES AND EXPECTATIONS**

### **Students WILL:**

1. Follow teacher/ staff directions
2. Display respect towards others
3. Turn off and put away all personal electronic devices in their Yondr pouch; these include, but are not limited to: Cell phones, smart watches, personal music and viewing devices and wireless headphones.
4. Use appropriate language at all times
5. No food or drink ( except water) during class time without teacher permission
6. Follow RVUSD rules and procedures at all times



## **INTERNET**

Internet access is available to students and teachers in the Round Valley Unified School District. The District is pleased to be able to offer this access, believing that the Internet offers vast, diverse and unique resources to both students and teachers. Our goal in providing this service is to promote educational excellence in our schools by facilitating resource sharing, innovation, and communication. All computers in the District are to be used in a responsible, efficient, ethical and legal manner.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual users. Students and teachers have access to:

Electronic mail (e-mail) communication with people all over the world.

Information and news from NASA as well as the opportunity to correspond with the scientists at NASA and other research institutes.

Public domain software and graphics of all types for school use.

Discussion groups on many topics ranging from Native American Culture to the environment, to music to politics.

Access to many University Library Catalogs, the Library of Congress and Eric, a large collection of relevant information to educators and students.

Graphical access to the World Wide Web.

With access to computers and people all over the world also comes the availability of materials that may not be considered to be of educational value in the context of the school setting. On a global network it is impossible to control all materials and an industrious user may discover controversial information. Round Valley Unified School District firmly believes that the valuable information and interaction available on the worldwide network far outweighs the possibility that users may procure material that is not consistent with the educational goals of the District.

## **INTERNET – TERMS AND CONDITIONS OF USE**

The purpose of Internet access in schools is to support research and education by providing access to unique resources and the opportunity for collaborative work. The following rules will apply to all students that need access information on the Internet:

### **Students are expected to:**

1. Be Polite to others and respectful to property
2. Abide by rules of network etiquette and common decency.

**Students are PROHIBITED from:**

1. Use of the computers to play games /engage in personal mailings, during class time.
2. Transmissions of any materials in violation of any national or state regulations are prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene materials, or materials protected by trade secrets.
3. Pornographic materials are inappropriate in a school setting. Accessing such materials is specifically forbidden and may result in suspension from school.
4. Students are not to enter chat rooms.
5. Tampering with district or others' personal settings or documents.
6. Use of Vulgar, disrespectful, slanderous, racial, or 'hate' -related content or words.
7. Revealing personal addresses or telephone numbers to strangers over the Internet.
8. Using the network in such a way that you would disrupt the use of the network by other users.

**NOTE THAT ELECTRONIC MAIL (EMAIL) IS NOT GUARANTEED TO BE PRIVATE. PEOPLE WHO OPERATE THE SYSTEM HAVE ACCESS TO ALL MAIL. IN ADDITION, IT IS CONCEIVABLE THAT (AS WITH ANY TYPE OF MAIL) MESSAGES MIGHT BE INTERCEPTED AND READ BY OTHERS. MESSAGES RELATING TO OR IN SUPPORT OF ILLEGAL ACTIVITIES MAY BE REPORTED TO THE AUTHORITIES.**

Security on a computer system is a high priority, especially when the system involves many users. The system value in large part is based on its reliability and on user's expectations of privacy. Students who feel that they can identify a security problem on the District network should notify a staff member and not identify the problem to other users or attempt to fix it. No one may use another individual's account without his or her permission. Attempts to log on to the Internet as a system administrator use of network "sniffer" and use of password cracking programs will result in disciplinary action.

Vandalism will result in disciplinary action. This includes any malicious attempt to harm or destroy data of another user, the hardware or software of the Internet or any other computer, or any agency or other networks that are connected to the Internet. This includes, but is not limited to, the uploading or creation of computer viruses. Changing or modifying operational files on any RVUSD computer is prohibited.

## **Student Use of Technology**

The Board of Trustees intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

(cf. 0440 - District Technology Plan)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4040 - Employee Use of Technology)

(cf. 6163.1 - Library Media Centers)

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Board policy and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (Wi-Fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

(cf. 5125 - Student Records)

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 6777; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, and appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"

3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Legal Reference:

EDUCATION CODE

49073.6 Student records; social media

51006 Computer education and resources

51007 Programs to strengthen technological skills

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education through Technology Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

COURT DECISIONS

New Jersey v. T.L.O., (1985) 469 U.S. 325

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

FEDERAL TRADE COMMISSION PUBLICATIONS

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

WEB SITES

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

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:  
<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

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

Policy ROUND VALLEY UNIFIED SCHOOL DISTRICT

Adopted: August 10, 2015 Covelo, California

E 6163.4 Instruction

### **LUNCH/BREAKFAST**

Lunch and breakfast are provided for all students at RVUSD. Breakfast and lunch are available on the RVHS campus.

### **PARKING ON CAMPUS**

Students who plan on driving to school and parking their vehicle on campus must apply for and receive a parking permit from the front office. Students must show proof of possession of a valid driver's license and insurance and must park in designated student areas. ***Student drivers who do not follow school check-out and off campus rules will lose school parking privileges.***

### **PLAGIARISM**

Students must complete their own work. Any student discovered using or claiming others' work as their own will be at risk of the following: loss of a passing grade on the assignment or class, loss of leadership, team, or extra-curricular activity, and/or disciplinary consequences.

### **PUBLIC DISPLAY OF AFFECTION**

Overt displays of affection are not appropriate in public places and on RVHS campus. Students must maintain appropriate body space and interaction at all times and at all high school sponsored events. Students who do not demonstrate appropriate physical limits on campus are insubordinate, and may have campus privileges, athletic privileges, and leadership positions revoked.

### **SCHOOL SITE COUNCIL**

The School Site Council (SSC) is an organization of parents, school staff, and students who assist and guide the school in developing its goals and objectives. SSC provides supplemental funds to improve educational programs. The overriding goal of the SSC is to improve the learning environment of Round Valley High School. These changes should motivate student involvement and create a campus more conducive to learning. In line with this goal, SSC has the following sub-goals: 1.) to promote staff education by granting the individual departments money for staff development. 2.) To continue to support a line of communication between the school and parents. 3.) To upgrade the high school's career development program. 4.) To increase the interaction between school and community by building community spirit. 5.) To support special projects proposed by the staff and students that address the above goals.

### **SKATEBOARDS/BIKES**

Skateboards and bikes may be used as transportation to and from school provided they are used and stored appropriately during school hours. Skateboards, skates, and bikes may not be used on campus at any time. Failure to follow rules regarding these items may result in the following: Confiscation of the items, disciplinary consequences, and parent/administration conference prior to returning the item.



### **TARDY POLICY**

Students are considered tardy when they enter the classroom after the bell has rung. Students who are tardy more than 3 times in a class will be issued a detention that must be served by the end of the next school day. A detention will be issued for every consecutive tardy after the 3<sup>rd</sup> tardy to each class. Students who fail to attend their scheduled detention or who are consistently tardy may have one or more of the following consequences: suspension, parent conference with administrator, removal from athletic team participation, extracurricular activities, off campus lunch privileges.

### **TRANSPORTATION**

Students will maintain appropriate, safe, and courteous behavior on school buses and vans. ***Misbehavior on the bus or van may result in the loss of riding privileges and/or disciplinary action. RVUSD does not provide transportation after regular school hours.***

### **TRUANCY**

A student is considered truant when he/she is not in an assigned class without notification to the office of the absence from a parent/ guardian. Students who are more than 10 minutes late to a class without a pass will be marked UNEXCUSED. Students who leave class prior to being excused by the teacher will be considered UNEXCUSED. Each UNEXCUSED ABSENCE will be placed in a truancy category, and SARB personnel will be notified.

### **VISITORS**

For safety reasons, Round Valley High School does not allow student visitors to attend classes. To avoid disruption, all visitors are not permitted on the campus without checking into the office upon entry. Any exception to this policy must be pre arranged through school administration prior to the visit. Visitors will not be authorized during specified state, district or other standardized testing times. VISITORS MUST BE IN POSSESSION OF A *VISIBLE* 'VISITOR' PASS AT ALL TIMES WHILE ON CAMPUS.

### **WORK PERMITS**

Work Permits are available from the high school secretary. Students need to provide a completed Intent to Employ when applying for a work permit. The Intent to Employ is provided and completed by the employer upon hiring. Administration reserves the right to refuse work permits if a student does not meet the following criteria:

- Maintain Minimum progress towards meeting high school graduation requirement (30 credits/semester)
- Satisfactory Attendance
- Satisfactory Behavior in school

### **Personally Owned Devices**

If a student uses a personally owned device to access district technology, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

### **Reporting**

If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the teacher or other district personnel.

### **Consequences for Violation**

Violations of the law, Board policy, or this agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate.

### **Student Acknowledgment**

I have received, read, understand, and agree to abide by this Acceptable Use Agreement and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: \_\_\_\_\_ Grade: \_\_\_\_\_

(Please print)

School: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **Parent or Legal Guardian Acknowledgment**

If the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Acceptable Use Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

(Please print)

Signature: \_\_\_\_\_