

San Ysidro School District



Positive Discipline Plan

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INTRODUCTION

The San Ysidro Positive Discipline Plan provides a framework for implementing a culture of discipline that is based on a problem-solving model and aims to prevent inappropriate behavior.

This framework is built on school-wide positive behavior support, a culture of positive discipline techniques, and the systemic development of carefully identified rules with the necessary structure for their firm, fair, and consistent implementation. The importance of a school-wide positive behavior support and discipline plan is consistent with the principles of safety, responsibility, respectfulness, appreciation of differences, honesty, and life-long learning.

Through Positive Behavior Intervention and Support the district offers a range of interventions that are systematically applied to students based on their levels of need and addresses the role of the environment as it applies to the students' development and improvement of behavior problems.

STAKEHOLDERS

The San Ysidro School District created the Student Success Task Force Committee on December of 2018 with the objective of creating the Discipline Plan and Parent Handbook.

Below is the list of members of the Student Success Task Force Committee:

Name	Site	Title
Marielena Amezcua	La Mirada	Teacher
Halley Stocks	Ocean View Hills	Teacher
Maida Gonzales	Ocean View Hills	Outreach Consultant
Laura English	Smythe	Resource Teacher
Veronica Aguayo	Smythe	Outreach Consultant
Maria Kaai	Sunset	Teacher
Rodrigo Amezquita	Sunset	Outreach Consultant
Manuel Bojorquez	Willow	Principal
Rick Quintana	Willow	Lead Psychologist
Maria Rodriguez	San Ysidro Middle	Principal
Denise Villezcas	San Ysidro Middle	Lead Psychologist
David Alvarado	San Ysidro Middle	Teacher
Karen Tovar	San Ysidro Middle	Parent
Eriberto Garcia	San Ysidro Middle	Teacher
Sylvia Mayer	Vista Del Mar Middle	Teacher
Nirvana Bustos	Vista Del Mar Middle	Outreach Consultant
Gustavo Lopez	Vista Del Mar Middle	Instructional Media Resource Aide
Elizabeth Alvarez	Vista Del Mar Middle	Parent
Alejandrina Camacho	Vista Del Mar Middle	Parent
Marisela Lozano	Vista Del Mar Middle	Teacher
Manuela Colom	District Office	Executive Director – Ed. Services
Oscar Madera	District Office	Special Ed. Director

GUIDING PRINCIPLES

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, as well as support a school climate where students and staff are responsible and respectful. Successful school discipline is guided by the following principles:

- Engaging and effective instruction and classroom management are the foundations.
- Preventing misbehavior before it occurs and using effective interventions after it occurs.
- Strengthening school safety and academic success by encouraging all school staff to build positive relationships with students and be actively engaged in their students' academic lives and learning.
- Promoting high standards of behavior from school teams by teaching, modeling, and monitoring behavior and by fairly and consistently correcting misbehavior as necessary.
- Pairing school discipline with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community and is more likely to result in getting the student re-engaged in learning.
- Maximizing the amount of time students spend learning and minimizing the time students are removed from their classrooms due to misbehavior.

REASONABLE CONSEQUENCES

District programs and schools will make every reasonable effort to correct student misbehavior through site-based resources at the lowest possible level, and support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior.

Teachers can address the majority of disciplinary issues at the classroom level. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and match the severity of the student's misbehavior.

USE OF OUT OF SCHOOL SUSPENSIONS, EXPULSIONS, AND REFERRALS TO ALTERNATIVE SCHOOLS

The use of measures such as out-of-school suspensions, expulsions, and referrals to alternative schools that exclude students from school should be minimized. These measures typically result in the loss of valuable instructional time and should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses.

DUE PROCESS

School and district officials must make sure that disciplinary due process rights are explained to students and parents. A failure to provide students and parents/guardians with due process could possibly result in a breakdown of trust between schools and some students, families, and communities they serve. To ensure effective relationships and adequate communication in student disciplinary matters, there should be consideration and respect for: (1) parents/guardians right to be immediately notified when their child faces disciplinary action; (2) students' right to a fair hearing; and (3) parents/students right to appeal suspensions, expulsions, and referrals to alternative schools.

NON-DISCRIMINATION

School and district staff responsible for implementing this Plan shall do so without discrimination based on ethnicity, ethnic group identification, race, color, creed, religion, national origin, ancestry, gender, sexual orientation, marital status, age, disability, resident status, or membership in any of the protected class(es).

DEFINITION PBIS

PBIS

Positive Behavioral Interventions and Supports is a framework for enhancing adoption and implementation of a continuum of evidenced-based interventions to achieve academically and behaviorally important outcomes for all students.

The broad purpose of PBIS is to improve the effectiveness, efficiency and equity of schools. PBIS improves social, emotional and academic outcomes for all students, including students with disabilities and students from underrepresented groups.

At its heart, PBIS calls on schools to teach students about behavior, just as they would teach about any other subject—like reading or math. PBIS recognizes that students can only meet behavior expectations if they know what the expectations are. A hallmark of a school using PBIS is that everyone knows what's appropriate behavior. Throughout the school day—in class, at lunch and on the bus—kids understand what's expected of them.

PBIS has important guiding principles:

- Every child can learn proper behavior.
- Stepping in early can prevent more serious behavior problems.
- Each child is different, and schools need to provide many kinds of behavior support.
- How schools teach behavior should be based on research and science.
- Following a child's behavioral progress is important.
- Schools must gather and use data to make decisions about behavior problems.

PBIS is not a treatment or therapy, it's a framework for teachers, administrators and parents to follow. It's also important to know that when a school uses PBIS, it uses it for all students. That includes kids with IEPs and 504 plans.

According to several studies, PBIS leads to better student behavior. In many schools that use PBIS, students receive fewer detentions and suspensions, and get better grades. There's also some evidence that PBIS may lead to less bullying.

How PBIS Works

PBIS sets up three tiers of support for students and staff in a school.

Tier 1 - Establishment of school-wide universal expectations, rewards, and consequences along with proactive systems and structures that teach, support, and reinforce universal expectations for all students in all locations.

Students learn basic behavior expectations, like to be respectful and kind. School staff regularly recognize and praise students for good behavior.

Tier 2 - Prescriptive, targeted interventions of moderate frequency, intensity, and duration for identified behaviorally at-risk students.

This tier provides an extra layer of support for students who continue to struggle with behavior. Students get a set of evidence-based interventions and instruction.

Tier 3 - Prescriptive for students exhibiting chronic behaviors who are in need of intensive individualized instruction and support to facilitate acquisition of replacement behaviors and adaptive skills.

This tier is the most intensive level. It's for students who need individualized supports and services.

Students with IEPs or 504 plans can be in any of the tiers.

Andrew M.I. Lee, JD
"PBIS: What You Need to Know"
June 14, 2019



Understood.org
"Positive Behavior and Intervention Supports"
Bakersfield City School District
June 14, 2019






SCHOOL RULES





Three School Rules:

- Be Respectful – relates to compliance to teacher requests and positive peer and adult relationships.
- Be Responsible – addresses school efforts, such as being ready for class, completing work, and keeping the school and classroom clean and orderly.
- Be Safe – implies a feeling of social, emotional, and physical safety and creates a feeling of belonging.

All expectations must be regularly taught and reviewed.

Common Area	Be Respectful!	Be Responsible!	Be Safe!
Cafeteria 	<ul style="list-style-type: none"> • Allow anyone to sit next to you. • Use quiet voices. • Follow adult directions, the first time given. 	<ul style="list-style-type: none"> • Pick up after yourself-around the tray and underneath the table. • Raise your hand to throw trash away or to go to the bathroom. • Get all utensils, milk, etc. when first going through the line. 	<ul style="list-style-type: none"> • Keep food to yourself. • Sit with feet on the floor, bottom on bench, and facing table.
Playground and/or recess 	<ul style="list-style-type: none"> • Play fairly. • Include everyone. • Take turns. 	<ul style="list-style-type: none"> • Use only restrooms located by stairs. • Clean up after yourself. • Return all equipment. • Notify an adult of incidents. • Freeze when the bell rings. 	<ul style="list-style-type: none"> • Walk to and from playground. • Walk to designated line. • Stay within boundaries. • Be aware of activities and games around you. • Eat in designated areas. • Keep your food to yourself.

Common Area	Be Respectful!	Be Responsible!	Be Safe!
Passing Areas 	<ul style="list-style-type: none"> • Use quiet voices. • Hold door open for the person behind you. • Keep your hands and feet to yourself. 	<ul style="list-style-type: none"> • Keep areas clean. • Appreciate and respect displayed work. 	<ul style="list-style-type: none"> • Stay on the right side. • Walk at all times. • Wait for the class to enter/exit.
Stairs & Elevators 	<ul style="list-style-type: none"> • Walk behind the person in front of you. • Be patient. • Elevators to be used only by students with medical notes (and a peer). 	<ul style="list-style-type: none"> • Follow directions at all times. • Keep stairs clean. 	<ul style="list-style-type: none"> • Walk facing forward. • Walk up and down the right side. • Hold on to all objects.
Bathrooms 	<ul style="list-style-type: none"> • Knock on stall door before usage. • Give others privacy. • Use quiet voices. 	<ul style="list-style-type: none"> • Flush toilet after use. • Return to classroom promptly. • Use a bathroom pass. • Notify an adult of incidents. 	<ul style="list-style-type: none"> • Keep water in sink. • Wash hands thoroughly. • Put paper towels in garbage cans.
Arrival and Dismissal Areas 	<ul style="list-style-type: none"> • Use kind words and actions. • Wait for your turn. • Clean up after yourself. • Follow adult directions the first time given. • Help others. 	<ul style="list-style-type: none"> • Arrive by 8:05 a.m. • Walk to your line. • Stay in your area until your teacher picks you up. • Leave promptly at dismissal time. 	<ul style="list-style-type: none"> • Upon leaving school go directly home. • Use sidewalks and crosswalks. • Wait in lunch patio for car pick-up.
Library 	<ul style="list-style-type: none"> • Use quiet voices. • Wait your turn. 	<ul style="list-style-type: none"> • Take care of books. • Return books on time. 	<ul style="list-style-type: none"> • Walk in quietly and in a straight line. • Keep hands and feet to yourself.

Common Area	Be Respectful!	Be Responsible!	Be Safe!
Computer Lab 	<ul style="list-style-type: none"> • Use quiet voices. • Use all equipment appropriately. 	<ul style="list-style-type: none"> • Use school-approved websites. • Stay on task. • Maintain desktop/mouse settings. 	<ul style="list-style-type: none"> • Leave equipment plugged in. • Leave troubleshooting to staff members
Assemblies 	<ul style="list-style-type: none"> • Use audience manners. • Sit appropriately. • Keep hands and feet to yourself. 	<ul style="list-style-type: none"> • Follow school rules. • Guide others to follow school rules. • Take proper care of all personal belongings and school equipment. • Be honest. • Clap to show appreciation only after each teachers' recognition. 	<ul style="list-style-type: none"> • Wait for dismissal signal from adult. • Allow space for middle aisle.
Transportation Bus Areas 	<ul style="list-style-type: none"> • Allow anyone to sit next to you. • Use quiet voices. • Follow adult directions, the first time given. 	<ul style="list-style-type: none"> • Have your bus pass ready. • Follow all bus rules. • Guide others to follow bus rules. • Take proper care of all personal belongings and school equipment. 	<ul style="list-style-type: none"> • Remain orderly in line while waiting for the bus. • Keep hands, feet, and objects to yourself. • Remain seated. • Be aware of your surrounding when entering/exiting the bus.
All Common Areas 	<ul style="list-style-type: none"> • Use kind words and actions. • Wait for your turn. • Clean up after yourself. • Follow adult directions the first time given. • Help others. 	<ul style="list-style-type: none"> • Follow school rules. • Guide others to follow school rules. • Take proper care of all personal belongings and school equipment. • Be honest. 	<ul style="list-style-type: none"> • Walk facing forward. • Keep hands, feet, and objects to yourself. • Get adult help for accidents and spills. • Use all equipment and materials appropriately.

Middle School Classroom Matrix – Expectations

Class/Area	Integrity	Respect	Responsibility	Safe
PE Classes	<ul style="list-style-type: none"> • Make positive contributions • Play fair • Follow the game rules • Support the learning of others • Include others • Take pride in your achievements 	<ul style="list-style-type: none"> • Wait until you are invited to take PE equipment • Treat equipment carefully and return items when asked • Acknowledge others in a positive manner • Listen when a teacher or representative is addressing the group 	<ul style="list-style-type: none"> • Follow safety directions • Actively participate in all class activities • Ensure field markers remain in the correct place • Remain with your PE class until dismissed 	<ul style="list-style-type: none"> • Hands to yourself • Camera Free Zone • Walk in the appropriate zone
Locker Room	<ul style="list-style-type: none"> • Use time effectively • Change quickly • Honor privacy and personal space • Leave personal possessions of others alone 	<ul style="list-style-type: none"> • Keep our locker room free of trash • Leave information notices where they are posted so others can read them • Listen to announcements • Be Courteous and consider others 	<ul style="list-style-type: none"> • When the door is closed, wait at the red line until is opened • Enter and exit safely and sensibly • Move to roll numbers quickly so you can enjoy PE time • Take your belongings with you when you leave • After class, wait at the red line until the bell rings 	<ul style="list-style-type: none"> • Hands to yourself • Camera Free Zone • Walk in the appropriate zone
Science Lab		<ul style="list-style-type: none"> • Use of communication devices only if permitted by teacher • Keep hands and feet to yourself 	<ul style="list-style-type: none"> • Report all accidents and injuries to your teacher right away • Report all equipment breakage to your teacher right away • After your science activity, clean your area. Area should look the way it did before the activity. • Use science materials for intended purpose only 	<ul style="list-style-type: none"> • Always follow written and verbal instructions for science activities • Never taste or smell chemicals • Unauthorized experiments or procedures are not permitted • Use safety equipment properly • Dispose of chemicals properly • Always follow safety procedures
Music Room	<ul style="list-style-type: none"> • Raise your hand. • Actively participate. • Take responsibility for your own learning. • Use good singing posture. Always help support singers near you. • Play instruments with proper technique. • Be careful of instruments/equipment when leaving. • Take care of all instruments • Participate in class 	<ul style="list-style-type: none"> • Listen quietly as the teacher gives instruction for the class. • Follow directions. • Always use your best singing voice and encourage others to do their best. It is a group effort! • Only play your instrument when it is “your turn” to play. 		<ul style="list-style-type: none"> • Come in quietly in line and sit correctly in the chair. • Stay in your own space. • Keep hands, feet, and objects to yourself

STUDENT DISCIPLINE CODE

The student discipline code applies to all students attending school in the San Ysidro School District including the following circumstances: (1) while on any school grounds; (2) while going to or coming from any school; (3) during the lunch period, whether on or off the school campus; and (4) during, going to, or coming from a school-sponsored activity. Where appropriate, discipline should be progressive. This means that a student's first violation will usually merit a consequence of a lesser degree than subsequent violations, taking into account all factors relevant to the severity of the current violation. Except where specified by Education Code Section 48900.5, a student may be suspended only when there has been a determination that other means of correction have failed to bring about proper conduct or that the student's presence causes a danger to persons.

The student discipline code also applies to: (1) all school-related trips and excursions approved according to governing board standards; and (2) optional District educational programs such as: (a) summer school; (b) after-school programs and (c) pre-kindergarten or preschool programs. At the principal's discretion, a student with documented discipline problems not requiring expulsion may be removed from the remainder of an optional educational program. Before a removal occurs, the parent will receive a written notice and an opportunity to be heard in front of the principal or principal's designee.

Consequences and Interventions

Understanding that consequences and interventions represent "teachable moments" is fundamental to a positive approach to discipline. The goal of progressive consequences and interventions is the teaching of pro-social behavior. Progressive consequences seek accountability and behavioral change. Prevention of negative behavior occurs by helping students learn from their mistakes. Essential to progressive discipline is helping students who have engaged in unacceptable behavior to:

1. Understand why the behavior is unacceptable and the harm it has caused
2. Understand what they could have done differently in the same situation
3. Take responsibility for their action
4. Be given the opportunity to learn pro-social strategies and skills to use in the future
5. Understand the progression of more stringent consequences if the behavior reoccurs

Consequences and interventions are most effective with students when they deal directly with the problem, in a way that is fair and impartial. These procedures were developed to establish a uniform discipline code for the District; it is expected that this code would be followed and consistently enforced throughout the San Ysidro School District. All District staff who are authorized to impose disciplinary actions are expected to do so in a prompt, fair, and lawful manner and to place emphasis on the student's ability to grow in self-discipline. To correct the behavior of any student who is subject to discipline, the principal/designee should, to the extent allowed by law, first use an alternative(s) to suspension. Except for single acts of a grave nature or multiple offenses, suspension or expulsion is used only when other means of correction have

failed to bring about proper conduct or the student's presence causes a continuing danger to persons. All District staff are to assure due process for students. When choosing interventions and consequences for a student's behavior, District staff should consider the following factors:

1. Age, health, maturation and disability or special education status of the student
2. Student's prior conduct and record of behavior
3. Student's understanding of the impact of their behavior
4. Student's willingness to repair the harm caused by their behavior
5. Seriousness of the behavior offense and the degree of harm caused
6. Impact of the incident on overall school community
7. Whether the student's violation threatened the safety of any student or staff member
8. The likelihood that a lesser intervention or consequence would adequately address the violation

When students are disruptive or act inappropriately, and following consideration of the factors previously mentioned, District staff shall determine the level of consequence and intervention needed to assist the student in bringing about proper conduct. Consequences should be paired with an appropriate intervention. The following levels of interventions and consequences shall be applied in a logical, appropriate, and consistent manner.

Levels of Response - Consequences and Interventions

Level 1	Examples of Classroom Managed Responses	
	These consequences and interventions aim to teach correct behavior so students may learn and demonstrate safe, respectful, and responsible behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Below are possible consequences and interventions that may be used.	
Level 2	<i>Possible Consequences</i>	<i>Possible Interventions</i>
	<ul style="list-style-type: none"> • Contact parent • Verbal corrective feedback • In-class time out • Parent/guardian conference • Student verbal or written apology • Use buddy teacher system • Loss of classroom privileges • Student written reflection • Teacher and student conference/Pose logical consequences 	<ul style="list-style-type: none"> • Establish positive relationship with student • Seat change • Pre-correction and redirection • Role play replacement behavior • Establish buddy teacher system • Parent/guardian accompany student in class • Loss of • Daily progress report for behavior • Increase positive recognition • Goal setting with student
Level 3	Examples of Administrative Responses	
	These consequences and interventions, used in response to an office discipline referral, aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. Interventions often involve support staff and aim to engage the student's support system to ensure successful learning, consistency, and change the conditions that contribute to the student's inappropriate or disruptive behavior. Below are possible consequences and interventions that may be used. Level 1 interventions may still apply.	
Level 4	<i>Possible Consequences</i>	<i>Possible Interventions</i>
	<ul style="list-style-type: none"> • Parent/guardian notification required • Detention • Student verbal or written apology • Use buddy teacher system • Change of class • Conference with student • Removed privilege/restricted activity • Restitution/community service • Time out • Relationship development action • Restorative conferencing 	<ul style="list-style-type: none"> • Refer to TSS/Individual Education Plan (IEP)/504 team • Increase positive recognition • Collaborative problem solving • Establish positive relationship with student • Refer for substance abuse intervention • Mentoring • Develop/revise Supporting Behavior Plan (SBP)/contract • Check In/Check Out • Social/Academic Skills Group • Refer for educational/psychological evaluation • Refer to school/community based mental health
Level 5	Examples of Administrative Removal Responses	
	Level 3 consequences and interventions involve short-term removal of a student from the school environment due to the severity of the behavior or because Level 1 and Level 2 consequences have failed to bring about proper conduct. Level 1 and Level 2 interventions may still be applied in addition to those listed in Level 3. The duration of the suspension is to be limited as much as practicable while adequately addressing the behavior.	
Level 6	<i>Required Consequences</i>	<i>Possible Interventions</i>
	<ul style="list-style-type: none"> • Parent/guardian notification • Suspension from school (one to five days) • <u>or</u> In-School Suspension (one to five days) • <u>or</u> Alternative to Suspension class (one to five days) (Junior High/Middle School) • Restorative Justice re-entry conferencing 	<ul style="list-style-type: none"> • Develop/revise Supporting Behavior Plan (SBP) • Revise 504/IEP (for students with disabilities) and Supporting Behavior Plan (SBP) • Develop Functional Behavioral Assessment and Behavior Intervention Plan
Level 7	Examples of Administrative Removal Responses	
	Level 4 involves the removal of the student from the school environment due to the severity of the behavior or because Level 1, 2, or 3 consequences and interventions have failed to bring about proper conduct. These consequences focus on protecting the safety of the school community and ending self-destructive and dangerous behavior. Level 1, 2 and 3 interventions may still be applied, if applicable.	
Level 8	<i>Required Consequences</i>	<i>Possible Interventions</i>
	<ul style="list-style-type: none"> • Parent/guardian notification • Suspension from school (5 days) • May refer for expulsion (total removal from school) if other means of correction have not brought about proper conduct <u>or</u> are not feasible <u>or</u> there is a continuing danger to the physical safety of the student or others • Alternative educational placement 	<ul style="list-style-type: none"> • Manifestation determination (IEP only)/504 compliance review • Develop/revise Supporting Behavior Plan (SBP) • Revise IEP (for students with disabilities) and Supporting Behavior Plan (SBP) • Develop Functional Behavioral Assessment and Behavior Intervention Plan

Mandatory Recommendation for School Expulsion		
Mandatory removal from school and referral for expulsion for acts as specified in Education Code.		
Level 5	<p><i>Required Consequences</i></p> <ul style="list-style-type: none"> • Parent/guardian notification • Suspension from school (5 days) • Mandatory referral for expulsion 	<p><i>Possible Interventions</i></p> <ul style="list-style-type: none"> • Manifestation determination (IEP only)/504 compliance review • Alternative educational placement

PROBLEM BEHAVIOR AND APPLICABLE LEVELS OF RESPONSE

Note: If the problem behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by law. In accordance with law, a Level 3 response may be used on a first offense for behaviors marked with an asterisk (*).

Problem Behavior	Level 1	Level 2	Level 3	Level 4	Level 5	Required Law Enforcement Notification
Absence from Class or School						
• Tardiness	●	●				
• Cutting class	●	●				
• Excessive absences/truancy	●	●				
Bullying						
• Intentional physical or verbal act or conduct including communications made in writing or by means of an electronic act that has an effect described in law (Susp. Gr. 4-8 only EC 48900 (r))	●	●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Severe or pervasive physical or verbal act(s) or conduct including communications made in writing or by means of an electronic act that has an effect described in law (Susp. Gr. 4-8 only EC 48900 (r))		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Engaged in, or attempted to engage in, hazing as defined in law (EC 48900 (q))		●	●	●		
Contraband - Tobacco						
• Possession of tobacco or any products containing tobacco or nicotine (EC 48900 (h))	●	●	●			
• Possession of nicotine delivery systems (e.g., vaporizers, hookah pens) (EC 48900 (h))	●	●	●			
• Use of tobacco or any products containing tobacco or nicotine (EC 48900 (h))		●	●			
Contraband - Alcohol and Intoxicants						
• Possessed or under the influence of an alcohol beverage or an intoxicant of any kind (EC 48900 (c)) *		●	●	●		●
• Used, sold, or furnished an alcohol beverage or an intoxicant of any kind (EC 48900 (c))			●	●		●
Contraband - Controlled Substances						
• Possessed, offered, arranged, or negotiated to sell any drug paraphernalia (EC 48900 (j))		●	●	●		
• Possessed, or came to school under the influence of, a controlled substance (EC 48900 (c)) *		●	●	●		●
• Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (EC 48900 (p))			●	●		●
• Used or offered a controlled substance (EC 48900 (c))			●	●		●

• Unlawfully offered, arranged, or negotiated to sell and delivered a "look alike" represented as a controlled substance, alcoholic beverage or other intoxicant <i>(EC 48900 (d))</i>			●	●		●
• Sold a controlled substance <i>(EC 48915 (c)(3))</i>					●	●

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PROBLEM BEHAVIOR AND APPLICABLE LEVELS OF RESPONSE

Note: If the problem behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by law. In accordance with law, a Level 3 response may be used on a first offense for behaviors marked with an asterisk (*).

Problem Behavior	Level 1	Level 2	Level 3	Level 4	Level 5	Required Law Enforcement Notification
Contraband - Weapons						
• Possessed an imitation firearm <i>(EC 48900 (m))</i>		•	•	•		
• Possessed a knife or other dangerous object <i>(EC 48900 (b)) *</i>		•	•	•		
• Sold or otherwise furnished any knife or other dangerous object <i>(EC 48900 (b))</i>			•	•		
• Brandished a knife at another person <i>(EC 48915 (c)(2))</i>					•	•
• Possessed an explosive as defined in federal law <i>(EC 48915 (c)(5))</i>					•	•
• Possessed, sold, or otherwise furnished a firearm <i>(EC 48915 (c)(1))</i>					•	•
Contraband - Other items						
• Possession of unauthorized items not otherwise included in this code	•	•				
• Unauthorized sale or distribution of goods not otherwise included in this code	•	•				
• Use of over-the-counter or prescription medicine in a manner other than prescribed by a physician or Education Code <i>(EC 48900 (a)(1), EC 48900 (b), EC 48900 (c)) *</i>		•	•	•		•
Disruption						
• Engaged in behavior causing an interruption during class or other school activity	•	•				
• Ran, made excessive noise, or loitered in a hallway or between classes	•	•				
• Engaged in gambling	•	•				
• Repeated and chronic behavior that creates an environment preventing teaching and learning <i>(Susp. Gr. 4-8 only EC 48900 (k))</i>		•	Grades 4 - 8 Only	Grades 4 - 8 Only		
• False activation of a fire alarm <i>(Susp. Gr. 4-8 only EC 48900 (k))</i>		•	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Caused a major disruption to the atmosphere of order and safety in the school, such as a riot <i>(Susp. Gr. 4-8 only EC 48900 (k))</i>			Grades 4 - 8 Only	Grades 4 - 8 Only		

Dress Code Violation						
• Wearing clothing that does not fit within dress code guidelines established by the District or school in accordance with BP 605.01, Pupil Dress and Grooming	●	●				
• Wearing clothing that does not fit within dress code guidelines and causes a major disruption to a safe school environment (<i>Susp. Gr. 4-8 only EC 48900 (k)</i>)	●	●	Grades 4 - 8 Only			

PROBLEM BEHAVIOR AND APPLICABLE LEVELS OF RESPONSE

Note: If the problem behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by law. In accordance with law, a Level 3 response may be used on a first offense for behaviors marked with an asterisk (*).

Problem Behavior	Level 1	Level 2	Level 3	Level 4	Level 5	Required Law Enforcement Notification
Harassment						
• Minor annoying behavior or negative gestures toward other students	●	●				
• Repeated annoying behavior or negative gestures toward other students despite directions to stop by staff (<i>Susp. Gr. 4-8 only EC 48900 (k)</i>)		●	Grades 4 - 8 Only			
• Intentionally engaged in harassment, threats or intimidation directed against District personnel or student(s) causing disorder and creating a hostile school setting (<i>Susp. Gr. 4-8 only EC 48900.4</i>)		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Harassed/threatened/intimidated a student victim/witness in a school disciplinary proceeding (<i>EC 48900 (o)</i>)		●	●	●		
Immodest/Offensive Behavior						
• Inappropriate display of affection	●	●				
• Viewing or displaying obscene or sexually explicit content (<i>EC 48900 (i)</i>)		●	●	●		
• Intentional physical or verbal act or conduct that is of a sexual nature or considered obscene by a reasonable person (<i>EC 48900 (i)</i>)		●	●	●		
• Sexual harassment; Severe or pervasive physical or verbal act(s) or conduct of a sexual nature that has an effect described in law (<i>Susp. Gr. 4-8 only EC 48900.2</i>)			Grades 4 - 8 Only	Grades 4 - 8 Only		
• Committed a sexual battery (<i>EC 48915 (c)(4)</i>), (<i>EC 48900 (n)</i>)					●	●
• Committed or attempted to commit a sexual assault (<i>EC 48915 (c)(4)</i>), (<i>EC 48900 (n)</i>)					●	●

Lying/Cheating						
• Lying to get self or others out of trouble	●	●				
• Intentional lying to get another person(s) in trouble (Susp. Gr. 4-8 only EC 48900 (k))		●	Grades 4 - 8 Only			
• Cheating or plagiarism	●	●				
Non-cooperative Behavior						
• Trespassing; Unauthorized attendance at school activities	●	●				
• Failure to follow directions, share, respond to staff requests, or allow others to participate in an activity	●	●				
• Failure to follow directions leading to potential disruption or harm to self or others (Susp. Gr. 4-8 only EC 48900 (k))	●	●	Grades 4 - 8 Only			
• Failure to follow directions that directly leads to disruption or the harm of self or others (Susp. Gr. 4-8 only EC 48900 (k))		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
PROBLEM BEHAVIOR AND APPLICABLE LEVELS OF RESPONSE						
Note: If the problem behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by law. In accordance with law, a Level 3 response may be used on a first offense for behaviors marked with an asterisk (*).						
Problem Behavior	Level 1	Level 2	Level 3	Level 4	Level 5	Required Law Enforcement Notification
Physical Aggression						
• Minor physical aggression without injury	●	●				
• Mutual fight (with little or no injury) (EC 48900 (a)(1))	●	●	●			
• Mutual fight (with moderate physical injury) (EC 48900 (a)(1))			●	●		
• Attack on student, attempting to cause physical injury (EC 48900 (a)(1)) *		●	●	●		
• Aides or abets in the infliction or attempted infliction of physical injury (EC 48900 (i))		●	●	●		
• Caused or attempted to cause or participated in an act of hate violence (Susp. Gr. 4-8 only EC 48900.3)		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Attack on student, causing physical injury (EC 48900 (a)(1))			●	●		
• Willfully used force or violence upon the person of another, except in self defense (EC 48900 (a)(2))				●		
• Caused serious injury to another person, except in self-defense (EC 48915 (a)(1)(A))				●		
• Unintentional, incidental physical contact with school personnel	●	●				
• Unintentional striking of a staff member who is intervening in a fight or other disruptive activity (EC 48900 (a)(1)) *		●	●			
• Intentional assault or battery upon any school employee (EC 48915 (a)(1)(E))				●		●

Property Misuse/Damage						
• Littering	●	●				
• Minor or accidental damage	●	●				
• Attempted to cause damage to property (EC 48900 (f))	●	●	●			
• Caused damage to property (EC 48900 (f))		●	●	●		
• Breaking and entering on District property (EC 48900 (f))		●	●	●		
• Set fire to property (EC 48900 (f))		●	●	●		
Stealing/Possessing Stolen Property						
• Stole school or private property (EC 48900 (g))	●	●	●			
• Knowingly possessed stolen property (EC 48900 (l))	●	●	●			
• Attempted to commit robbery or extortion (EC 48900 (e), EC 48915 (a)(1)(D)) *		●	●	●		
• Committed robbery or extortion (EC 48900 (e), EC 48915 (a)(1)(D))			●	●		
Tantrum						
• A combination of disruptive behavior (e.g., whining, yelling, throwing objects) to express frustration or gain attention	●	●				

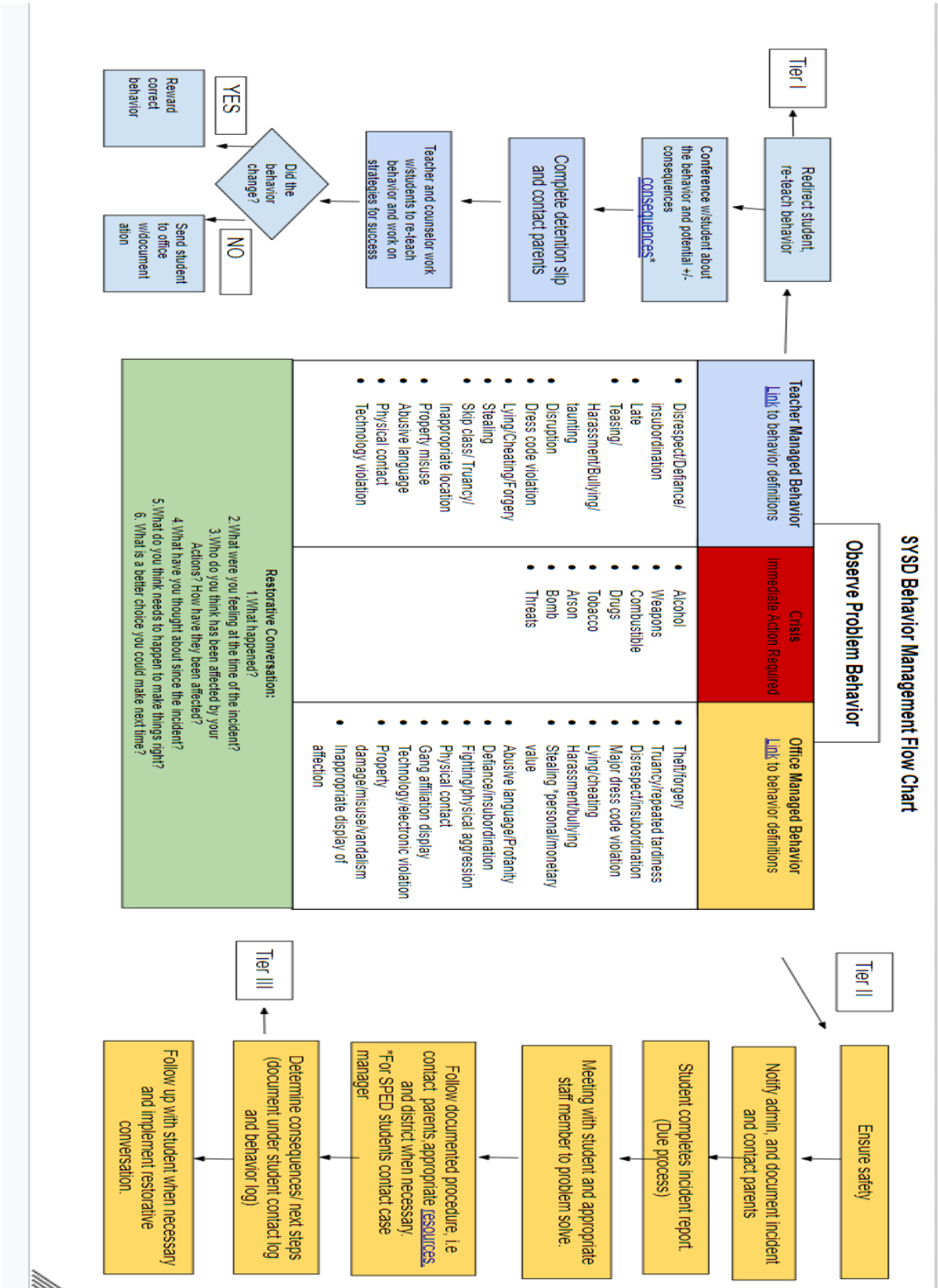
PROBLEM BEHAVIOR AND APPLICABLE LEVELS OF RESPONSE

Note: If the problem behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by law. In accordance with law, a Level 3 response may be used on a first offense for behaviors marked with an asterisk (*).

Problem Behavior	Level 1	Level 2	Level 3	Level 4	Level 5	Required Law Enforcement Notification
Technology Violation						
• Violation of school rules regarding use of personal technology not resulting in harm	●	●				
• Violation of District's Acceptable Use Agreement for using District technology not resulting in harm	●	●				
• Using District technology without permission	●	●				
• Repeated violations of school rules, District Acceptable Use Agreement, or using District technology without permission (Susp. Gr. 4-8 only EC 48900 (k))		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Use of electronic device(s) for which it is determined that such use directly causes physical or emotional harm to another person as defined in law (Susp. Gr. 4-8 only EC 48900 (r))		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
Verbal and Written Aggression						
• Yelling or using aggressive language towards another student	●	●				
• Minor name calling or teasing, whether written or verbal, towards other students	●	●				
• Repeated name calling or teasing, whether written or verbal, towards other students despite directions to stop by staff (Susp. Gr. 4-8 only EC 48900 (k))		●	Grades 4 - 8 Only			
• Use of profanity or vulgarity not directed at others (Susp. Gr. 4-8 only EC 48900 (k))	●	●	Grades 4 - 8 Only			
• Habitual use of profanity or vulgarity (EC 48900 (i))		●	●			
• Threatened to cause an act of hate violence (Susp. Gr. 4-8 only EC 48900.3)		●	Grades 4 - 8 Only	Grades 4 - 8 Only		
• Threatened to cause physical injury (EC 48900 (a)(1)) *		●	●	●		
• Made terroristic threats against school officials or school property or both (EC 48900.7)		●	●	●		●

SAN YSIDRO SCHOOL DISTRICT

BEHAVIOR MANAGEMENT FLOW CHART



BULLYING

Definition- What is bullying?

According to the United States Department of Education, bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behavior must be aggressive and include:

An Imbalance of Power: Kids who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.

Repetition: Bullying behaviors happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.

Types of Bullying

There are three types of bullying:

Verbal bullying -is saying or writing mean things.

Verbal bullying includes:

- Teasing
- Name-calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm

Social bullying, sometimes referred to as relational bullying, involves hurting someone's reputation or relationships.

Social bullying includes:

- Leaving someone out on purpose
- Telling other children not to be friends with someone
- Spreading rumors about someone
- Embarrassing someone in public

Physical bullying involves hurting a person's body or possessions.

Physical bullying includes:

- Hitting/kicking/pinching
- Spitting
- Tripping/pushing
- Taking or breaking someone's things
- Making mean or rude hand gestures

Where and When Bullying Happens

Bullying can occur during or after school hours. While most reported bullying happens in the school building, a significant percentage also happens in places like on the playground or the bus. It can also happen travelling to or from school, in the youth's neighborhood, or on the Internet.

Frequency of Bullying

There are two sources of federally collected data on youth bullying:

- The 2017 School Crime Supplement exit disclaimer icon (National Center for Education Statistics and Bureau of Justice) indicates that, nationwide, about 20% of students ages 12-18 experienced bullying.
- The 2017 Youth Risk Behavior Surveillance System exit disclaimer icon (Centers for Disease Control and Prevention) indicates that, nationwide, 19% of students in grades 9–12 report being bullied on school property in the 12 months preceding the survey.

What bullying is not

There are many other types of aggressive behavior that don't fit the definition of bullying. This does not mean that they are any less serious or require less attention than bullying. Rather, these behaviors require different prevention and response strategies.

These include:

- Peer Conflict
- Teen Dating Violence
- Hazing
- Gang Violence
- Harassment
- Stalking
- single episodes of social rejection or dislike
- single episode acts of nastiness or spite
- random acts of aggression or intimidation
- mutual arguments, disagreements or fights.

These actions can cause great distress. However, they do not fit the definition of bullying, and they're not examples of bullying unless someone is deliberately and repeatedly doing them

SUSPENSIONS AND EXPULSIONS

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](#)

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](#))

Additional Grounds for Suspension and Expulsion: Grades 4-8

Any student in grades 4-8 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\(k\)](#))

Suspension from Class by a Teacher

- 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](#))

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:

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

Expulsion

Means removal of a pupil from immediate supervision and control or the general supervision, of school personnel. In other words it means that a student will be removed from a school due to persistent violation of the school's rules, or in some instances a single severe offense.

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

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\(a\)](#))

SCHOOL UNIFORM GUIDELINES

School uniforms promote an environment of learning and help instill school pride. Use of appropriate attire enhances the educational process by emphasizing academics, achievement, and dignity. Complying with the uniform policy also allows school officials to better monitor a safe and secure school environment.

- Uniform shirts will be navy blue, light blue or white polo/golf style shirts (short or long sleeves with a collar) or shirts that button down the front with a collar. No emblem, logo, decoration, or decorative trim.
- Spirit shirt/club shirt may be worn on day/s determined by the school administrator.
- Navy blue and khaki pants, skirts, shorts, skorts, or jumpers must be uniform style and color.
- Shorts and skorts must measure (front and back) no shorter than three inches above the knee and no longer than mid-knee. Skirts and jumpers must measure no shorter than three inches above the knee.
- Belts should be black, brown, navy blue, or khaki with no emblem, logo or decoration and must be worn with slacks and shorts that are designed to have belt loops. Belts must be visible and worn around the waist.
- Belts are optional for pre-k, kindergarten, and first grade students.
- Appropriate shoes must be worn and not include thongs.
- Sandals are not allowed

Acceptable outerwear for classroom is limited to include:

- Sweater, sweater vest, sweatshirt, and light jacket. During class time, jackets are to remain open, not zipped or buttoned. Colors for classroom outerwear include khaki, navy blue, gray, and white.
- Heavy coats and jackets worn to and from school and/or outdoors are not restricted, but recommended to colors of navy blue, white, khaki and hunter green.
- No head wear shall be worn on campus

SCHOOL UNIFORM GUIDELINES (Cont.)

The following items are not considered uniform: blue jeans, sweatpants, no stretch pants or leggings, no spandex, no baggy pants, no bell-bottoms, no carpenter or cargo styles, no hip-huggers, no side-knee pockets). Emblems, logos, or decorations are not allowed.

- Shorts and skorts must measure (front and back) no shorter than three inches above the knee and no longer than mid-knee. Skirts and jumpers must measure no shorter than three inches above the knee.
- Belts should be black, brown, navy blue, or khaki with no emblem, logo or decoration and must be worn with slacks and shorts that are designed to have belt loops. Belts must be visible and worn around the waist. Belts are optional for Pre-K, Kindergarten and first grade students.
- Appropriate shoes must be worn and not include thongs. Sandals are not allowed in elementary grades.
- Acceptable outerwear for classroom is limited to include sweater, sweater vest, sweatshirt, and a light jacket. During class time, jackets are to remain open, not zipped or buttoned. Colors for classroom outerwear include khaki, navy blue, gray, and white.
- Heavy coats and jackets worn to and from school and/or outdoors are not restricted, but recommended to colors of navy blue, white, khaki and hunter green.
- No head wear shall be worn on campus

Principals may declare spirit or club days and allow students to wear school spirit shirts, or dress up days (i.e., when school pictures are scheduled) or allow students to wear other uniforms such as Boy Scouts, Girl Scouts, cheerleaders, band, chorus, etc. Other questions about uniforms should be referred first to the school authorities, then to the central office staff.

No student shall be denied attendance at school, penalized, or otherwise subject to disciplinary measures for failing to wear a school uniform.

Appendix

- A.** Board Policy 5131.2 ~ Bullying
- B.** Board Policy 5132 ~ Dress and Grooming
- C.** Board Policy 5144.1 ~ Discipline – Suspension & Expulsion

Students

BP 5131.2(a)

BULLYING

The Board of Education recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, 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)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

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

Bullying Prevention

To the extent possible, district and schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

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.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

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Management Resources:

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Guidance to Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>

California Office of the Attorney General: <http://oag.ca.gov>
Center on Great Teachers and Leaders: <https://gtlcenter.org>
Collaborative for Academic Social and Emotional Learning: <https://casel.org>
Common Sense Media: <http://www.commonsensemedia.org>
National School Safety Center: <http://www.schoolsafety.us>
Partnership for Children and Youth: <https://www.partnerforchildren.org>
U.S. Department of Education: <http://www.ed.gov>

Policy
adopted: **June 13, 2019**

SAN YSIDRO SCHOOL DISTRICT
San Ysidro, California
Appendix B

Students BP 5132(a)

DRESS AND GROOMING

The Board of Education believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22 - Dress and Grooming)
(cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5136 - Gangs)

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

EDUCATION CODE

32281 *School safety plans*

35183 *School dress codes; uniforms*

35183.5 *Sun-protective clothing*

48907 *Student exercise of free expression*

49066 *Grades; effect of physical education class apparel*

CODE OF REGULATIONS, TITLE 5

302 *Pupils to be neat and clean on entering school*

COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Policy
adopted: **June 13, 2019**

SAN YSIDRO SCHOOL DISTRICT
San Ysidro, California
Appendix C

Students BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

The Board of Education 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.

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

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

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. 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)

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)

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

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 may 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 may 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.

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)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(*cf. 5148.3 - Preschool/Early Childhood Education*)

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

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, 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. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

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

8239.1 Prohibition against expulsion of preschool student

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*

64000-64001 *Consolidated application*

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 *Employee 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*

PENAL CODE (continued)

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:

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

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SAN YSIDRO SCHOOL DISTRICT
San Ysidro, California