

Sylvan Union School District



Middle School Student Code of Conduct

2022-2023

Sylvan Union School District

A Letter from the Board of Trustees

Dear Parents/Guardians and Students,

The Board of Trustees of the Sylvan Union School District believes that students, parents, teaching staff, support personnel, and administrators have a responsibility to create an environment in which all students can realize their potential and pursue their studies. In order to accomplish this important task, it is necessary to establish rules and regulations.

This “Code of Conduct” brings together the framework of California law, district policy, and administrative regulations to ensure an appropriate learning climate. In addition, staff has reviewed the local High School Code of Conduct so that practices are in tandem with the high schools our students will attend. The references to E.C. (Education Code), C.C. (California Code), etc., cite specific provisions of these laws. They are included so that students and parents understand the basis for the rules that must be enforced by the Board. The Board takes this obligation very seriously.

This document contains the rights and responsibilities, legal basis, and rationale for which our policies are founded. Please read and discuss this Student Conduct Code with your son or daughter. By working together in enforcing our behavior code and attendance policies we can ensure a safe school that promotes the educational process.

We look forward to a successful school year and thank you for your cooperation and support in ensuring a safe learning environment for all our students.

Sincerely,

Ms. Christine Harvey, Board President
Mrs. Cynthia Lindsey, Board Vice President
Mr. George Rawe, Board Member
Mr. David Collins, Board Member
Mrs. Jennifer Miyakawa, Board Member

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I. Rights and Responsibilities - Rights of Stakeholders

Rights of students

- A safe school environment where rules are clearly understood and followed.
- An equal educational opportunity.
- Attend school with high standards for learning and conduct.
- Attend a school that ensures mutual respect for children and adults.
- Attend school in an academic and social climate that is free from fear and violence.

Responsibilities of students

- **BE SAFE**
 - Personally responsible for being safe at school and all school activities.
 - I will follow appropriate standards of dressing and/or grooming during school.
 - I will report any known safety hazards or concerns.
 - I will help maintain a clean and safe campus that is free of graffiti, weapons, and drugs.
 - I will report any bullying or harassment.
 - I will avoid conflicts and physical or verbal violence
 - I will not trespass on other school campuses while school is in session.
- **BE RESPECTFUL**
 - I will treat others the way I want to be treated.
 - I will respect school authority.
 - I will treat people fairly and respect their rights.
 - I will respect private and public property.
 - I will be honest with myself and with others.
 - I will avoid spreading rumors or gossip verbally or electronically.
 - I will respect each person's right to be different and I will look for the good in others.
- **BE RESPONSIBLE**
 - I will take responsibility for my actions.
 - I will choose how I respond to others.
 - I will give my best in everything I do.
 - I will come to school regularly and on time, ready to learn.
 - I will help to create a positive school environment.
 - I will use electronic devices and school computers safely, respectfully, and responsibly.
 - I will return what I borrow to the same person, in the same condition.

All students are entitled to due process. This means there are certain procedures that school officials must follow prior to taking appropriate disciplinary action. There are also procedures students and parents/guardians must follow if they do not agree with the school's action. If a student does become involved in a situation in which a suspension or expulsion might result, both the student and his/her parents/guardian will be given a more detailed description of the due process procedures and rights. Challenges or objections to suspensions may be addressed directly to the school-site principal. Students who are recommended for expulsion have a right to an expulsion hearing (EC 48900, 48915).

Rights of Parents

- To be informed of District policy and school rules and regulations related to their children.
- To visit school and upon request to participate in conferences with teachers or counselors regarding academic and behavioral status of their children.
- To inspect their child's school records with the assistance of a certificated staff member for proper explanation.
- To be informed of significant facts and school actions related to their student's behavior and academic progress.

Responsibilities of Parents

- To make sure their children attend school regularly and on time, have adequate sleep and nutrition, practice proper personal hygiene and wear appropriate clothing.
- To be familiar with District policy and school rules and regulations.
- To provide the school with a current emergency telephone number and email address where a parent/guardian or a responsible adult may be reached at all times.
- To actively participate in efforts to improve student's behavior when necessary by assisting school personnel in planning and implementing a prescriptive program.
- To cooperate with the school in bringing about improvements designed to enhance the educational program offered students.
- To make provisions for off-campus care for the student in case of suspension, illness or accident.
- To ensure all school materials (textbooks, electronic devices, supplies, etc) are used and cared for appropriately at home including but not limited to: charging devices, using devices for educational purposes only, monitored and returned to school each day).

Rights of Teachers and School Staff

- To expect students to behave in a manner which will not interfere with education for themselves and for other students.
- To teach with interruptions held to a minimum.
- To teach in an environment that is conducive to learning.
- To receive parental support related to academic and social progress of students.
- To be informed of a student's record of behavior that may affect classroom teaching objectives.
- To receive administrative support when enforcing rules designed to provide appropriate school and classroom climate.

Responsibilities of Teachers and School Staff

- To consider the personal worth of each individual student as a single, unique, important human being.
- To equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To engage students in learning and foster a growth mindset.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased manner.
- To set a positive role model for students to follow.
- To initiate, post, and enforce a set of classroom regulations consistent with school and District policy.
- To hold students accountable for their conduct while at school or school-sponsored activities beyond the regular school day for which the teacher has directed or assigned supervisory responsibility.
- To immediately document in the student database system and inform parents/guardians when behavior, attendance or academic problems arise that cannot be dealt with in a routine manner at school. Including informing parents/guardians when a student's grades have dropped or they are in danger of failing.
- To maintain a growth mindset through reflective practice that is responsive to student learning.

Rights of Administrators

- To initiate such measures as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail.
- To make decisions regarding school issues based on what is best for the students.
- To expect that all school employees recognize and fulfill their responsibilities.
- To expect students to behave in a manner which will not interfere with the educational programs and related student activities offered by the school.
- To receive support from all school employees and parents/guardians in maintaining a positive school environment.
- To request assistance from the District's support services and community agencies.

Responsibilities of Administrators

- To provide leadership that will establish, encourage, and promote good teaching and an effective learning environment.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
- To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.

- To grant access to pupil records by parent/guardian or others with proper authorization.
- To provide a positive role model and leadership in developing and implementing school rules and regulations including attendance reporting to parents/guardians.
- To hold students accountable for their conduct and attendance and to take prompt, appropriate, actions towards those students who misbehave, are excessively absent, or are truant.
- To hold teachers and staff accountable for their conduct.
- To support staff members in enforcing school and district rules and regulations including due process timelines.

Rights of the School Board

- To expect school personnel to implement and enforce all district policies.
- To be kept informed of current rules and regulations, and educational issues by the superintendent.

Responsibilities of the School Board

- To support the establishment of a safe and productive learning environment.
- To utilize District personnel to provide leadership in resolving educational issues and concerns.

NOTE: Nothing in this policy statement shall be construed to prohibit a teacher, administrator or other district employee from protecting himself/herself or others or school property by restraining a student, confiscating a weapon or turning over a lawbreaker to appropriate law enforcement agencies.

II. BEHAVIOR: CODE OF CONDUCT VIOLATIONS

Minor Offenses

A failure to demonstrate universally defined expectations, school-wide expectations, social skills, or procedures. All staff must be equipped to address Minor Offenses in the location where they occur (on the spot). The adult who witnesses a minor offense is expected to intervene “on the spot” (i.e. immediately or as soon as possible) within the environment.

Failure to:

Follow instructions	Wait your turn	Be on-time	Stay on task
Listen effectively	Stay in designated areas	Communicate respectfully	Resist peer pressure
Properly dispose of trash	Accept feedback and/or criticism appropriately	Ask for help	Properly use materials
Dress for Physical Education	Accept “No” for an answer	Comply to district dress code	Disagree appropriately
Ask permission	Work with others	Respect personal space	Enter the classroom appropriately

A school may have additional rules unique to its site as long as they do not conflict with the student Conduct Code. (E.C. 35291.5)

Other Means of Correction (OMC)

The following is a list of possible alternatives to suspension and/or expulsion that may be utilized by administrators. The list is not comprehensive, but provides examples of the other means of correction that can be used as alternatives to suspension. These types of OMC may vary from site to site.

Severity Level 1	Severity Level 2	Severity Level 3
Campus Projects	Community Service/Referral	Community Service/Referral
Check and Connect	Check In and Check Out	Assign School Staff Mentor
Class Meeting	Provide Corrective Feedback	Reteach/Practice/Identify Behavior Skills
Informal Behavior Contract	Behavior Contract	Behavior Intervention Plan
Site Intervention Team Referral	Site Intervention Team Referral	Site Intervention Team Referral
Counseling Referral	Counseling Referral	Counseling Referral
Informal Student Conference	Parent/Teacher/Administrator Conference	Administrator Conference
Attendance Student Study Team	District Attendance Review Team	School Attendance Review Board
Conflict Resolution	Play/Unstructured Time Plan	Assign Adult Mentor
Parent Contact	Parent Escorts Student to and From School	Parent Shadows in Class
Peer Mentoring/ Conflict Resolution	Student Study Team Meeting	Student Study Team Meeting
Removal from Privilege or Activity	Removal from Privilege or Activity	Removal from Privilege or Activity
Exclude from Extracurricular Activity	Exclude from Extracurricular Activity Indefinitely	Remove from Extracurricular Activity
Reflective Activity to Deepen Understanding of Appropriate Behavior	Reflective Activity to Deepen Understanding of Appropriate Behavior	Reflective Activity to Deepen Understanding of Appropriate Behavior
Structured Choice	Detention	In School Suspension
Letter of Apology	Restorative Intervention	Restitution
Teacher Replacement Behavior	Class Suspension	Modified Schedule
Student Created Plan of Improvement	Student Created Plan of Improvement	Involuntary Transfer/Administrative Placement

Major Infractions

Violation(s) of the CA Education Code - Sections 48900 and 48915. Education Code 48915 a1, a2, a3, a4, a5 and c1, c2, c3,c4, c5 are Serious Safety Violations. Suspension shall include the requirement to check in with an administrator upon return.

Middle School Discipline Matrix Guidelines

Ed Code	Violation	Severity Level	1st Occurrence Intervention/ Consequence	2nd Occurrence Intervention/ Consequence	Additional Occurrences Intervention/ Consequence
48900(a)(1)	Caused, attempted to cause, or threatened to cause physical injury to another person	3	OMC or 1-5 day out of school suspension, may require administrator/student/parent conference	1-5 day out of school suspension may notify law enforcement	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(a)(2)	Willfully used force or violence upon the person of another, except in self-defense	3	OMC or 1-5 day out of school suspension, may require administrator/student/parent conference, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	3-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified
48900(b)	Possession, sale, or furnishing of any knives, firearms, explosives or other dangerous objects (Knife which is less than 3.5 inches and non-locking blade and some other "dangerous objects" may not require a law enforcement notification)	3	OMC , or 1-5 day out of school suspension *Law enforcement will be notified *Possession of a firearm results in charge of 4815(c)(1) - Mandatory recommendation for expulsion	3-5 day home suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	5 day home suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified
48900(c)	Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance or an intoxicant of any kind	3	OMC , or 1-3 day out of school suspension, may be required to check in with administration upon return *Law enforcement will be notified *Sale of a controlled substance will result in a charge of 48915(c)(3) - Mandatory recommendation for expulsion	OMC , or 3-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	OMC , or 5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified

Ed Code	Violation	Severity Level	1st Occurrence Intervention/ Consequence	2nd Occurrence Intervention/ Consequence	Additional Occurrences Intervention/ Consequence
48900(d)	Offering, arranging, or negotiating to sell drugs, alcohol or any intoxicant and then substituting a look-a-like substance intended to represent drugs, alcohol, or an intoxicant	3	OMC , or 1-3 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified *Sale of a controlled substance will result in a charge of 48915(c)(3) - Mandatory recommendation for expulsion	1-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	3-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified
48900(e)	Committed or attempted to commit robbery or extortion	3	OMC or 1-5 out of school suspension, may require reparation *Law enforcement will be notified *Robbery or extortion will result in a charge of 48915(A)(1)(d)	3-5 day out of school suspension, may require reparation, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified	5 day out of school suspension, may notify law enforcement, may require reparation, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified
48900(f)	Caused or attempted to cause damage to school or private property. <i>(including graffiti/tagging)</i>	2	OMC or 1-5 out of school suspension, may notify law enforcement, may require reparation	1-5 out of school suspension, may notify law enforcement, may require reparation, may require recommendation for expulsion if combined with EC 48915	3-5 out of school suspension, may notify law enforcement, may require reparation, may require recommendation for expulsion if combined with EC 48915
48900(g)	Stealing, or attempting to steal school or private property	2	OMC or 1-3 out of school suspension, may require administrator/student/parent conference, may notify law enforcement, may require reparation	OMC , or 1-5 out of school suspension, may notify law enforcement, may require reparation, may require recommendation for expulsion if combined with EC 48915	3-5 out of school suspension, may notify law enforcement, may require reparation, may require recommendation for expulsion if combined with EC 48915
48900(h)	Tobacco or tobacco products (possessed, used)	1	OMC or 1 day out of school suspension, may require administrator/student/parent conference	OMC or 1-3 day out of school suspension	1-3 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915

Ed Code	Violation	Severity Level	1st Occurrence Intervention/ Consequence	2nd Occurrence Intervention/ Consequence	Additional Occurrences Intervention/ Consequence
48900(i)	Committed an obscene act or engaged in habitual profanity or vulgarity	2	OMC or 1-5 out of school suspension, may require administrator/student/parent conference, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	3-5 out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(j)	Possessed, offered, arranged, or negotiated to sell any drug paraphernalia	2	OMC or 1-3 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	3-5 day out of school suspension, may be required to check in with administration upon return, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(k)	Willful defiance and/or disruption of school activities and/or the learning environment (<i>cheating/plagiarism, forgery, dress code violation, gang affiliation/behavior, gambling, defiance of authority, electronic device violation, closed campus violation, initiating a false fire alarm, inappropriate computer access, trespassing, verbal altercation, other disruptive or defiant behavior</i>)	1	OMC or 1-3 day out of school suspension, may be required to check in with administration upon return, may notify law enforcement	OMC or 3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	OMC or 3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(l)	Knowingly received stolen school or private property	2	OMC or 1-3 out of school suspension, may require reparation, may notify law enforcement	OMC , or 2-4 out of school suspension, may require reparation, may notify law enforcement	3-5 day out of school suspension, may require reparation, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(m)	Possession of an imitation firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm	2	1-3 day out of school suspension, may require recommendation for expulsion if combined with EC 48915	3-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915
Ed Code	Violation	Severity Level	1st Occurrence Intervention/ Consequence	2nd Occurrence Intervention/ Consequence	Additional Occurrences Intervention/ Consequence

48900(n)	Committed sexual assault or battery	3	OMC or 1-3 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified *May result in a charge of 48915(c)(4) - Mandatory recommendation for expulsion	3-5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified *May result in a charge of 48915(c)(4) - Mandatory recommendation for expulsion	5 day out of school suspension, may require recommendation for expulsion if combined with EC 48915 *Law enforcement will be notified *May result in a charge of 48915(c)(4) - Mandatory recommendation for expulsion
48900(o)	Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation of retaliations	3	OMC or 1-2 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	OMC or 2-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(p)	Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma	2	OMC or 1-3 day out of school suspension, may notify law enforcement	3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(q)	Engaged or attempted to engage in an act of hazing initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause bodily danger, physical harm, or personal degradation, or disgrace resulting in physical or mental harm, to any student or other person attending any school.	3	OMC or 1-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	OMC or 3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900(r)	Engaged in an act of bullying, including, but not limited to electronic act, directed toward a pupil or school personnel	2	OMC or 1-3 day out of school suspension, may require administrator/student/parent conference, may require may notify law enforcement	OMC or 3-5 day out of school suspension, may require administrator/student/parent conference, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
Ed Code	Violation	Severity Level	1st Occurrence Intervention/ Consequence	2nd Occurrence Intervention/ Consequence	Additional Occurrences Intervention/ Consequence
48900(t)	Aiding or abetting infliction or attempted infliction of physical injury to another person.	3	OMC or 1-3 day out of school suspension	OMC or 3-5 day out of school suspension, may notify law enforcement, may require	5 day out of school suspension, may notify law enforcement, may require recommendation for

				recommendation for expulsion if combined with EC 48915	expulsion if combined with EC 48915
48900.2	Committed sexual harassment (<i>includes, but not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature</i>)	3	OMC or 1-3 days home suspension and parent conference	OMC and 3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900.3	Caused, attempted to cause, threatened to cause, or participated in any act of, hate violence (<i>including but not limited to: willfully interfering with or threatening another person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation; speech that threatens violence</i>)	1	OMC or 1-3 day out of school suspension,, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	OMC and 3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900.4	Engaged in harassment, threats, or intimidation, directed against school District personnel or pupils, that is sufficiently severe or pervasive, and invading the rights, and creates an intimidating/hostile educational environment	3	OMC or 1-3 days out of school suspension	OMC and 3-5 day home suspension, request for expulsion, unless the principal finds that the expulsion is inappropriate, due to the particular circumstance, possible law enforcement notification	3-5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915
48900.7	Making terroristic threats against students, school officials and/or property	3	OMC or 1-3 day out of school suspension, may notify law enforcement	OMC or 3-5 day out of school suspension, may notify law enforcement	5 day out of school suspension, may notify law enforcement, may require recommendation for expulsion if combined with EC 48915

Most Serious Major Infraction Addressed by Administrators

<p>Education Code, Section 48915(c) Serious Safety VIOLATIONS (Must Recommend Expulsion - Mandatory, 5 day home suspension & law enforcement notified)</p>	<p>Education Code, Section 48915(a) (Shall recommend Expulsion unless particular circumstances render inappropriate w/ 5 day home suspension & law enforcement notified)</p> <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)].
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48915(c)(1) Possession, selling, or otherwise furnishing a firearm	48915(a)(1)(A) Causing serious physical injury to another person except in self defense
48915(c)(2) Brandishing a knife	48915(a)(1)(B) Possession of any knife, or other dangerous object of no reasonable use to the pupil (Knife which is longer than 3.5 inches and/or locking blade)
48915(c)(3) Unlawfully selling a controlled substance	48915(a)(1)(C) Unlawful possession of any controlled substance except for the first offence possession of not more than one ounce of marijuana
48915(c)(4) Committing or attempting to commit sexual assault or battery	48900(a)(1)(D) Robbery or extortion
48915(c)(5) Possession of an explosive	48915(a)(1)(E) Assault or battery upon a school employee

III. CONDUCT CODE BEHAVIOR EXPECTATIONS AND CONSEQUENCES

A. Definition of Student Misconduct

A student may be disciplined, suspended or expelled for any of the reasons set forth in California Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7 and 48915. **Although this Conduct Code lists various types of inappropriate behavior and the consequences, it does not list them all. Therefore, the District will proceed with disciplinary action permitted by the Education Code for misconduct even if it is not specifically listed in this Student Conduct Code.**

B. Jurisdiction

Students may be disciplined, suspended, or expelled if the conduct is related to school attendance or activity. Jurisdiction for disciplining misconduct, which may occur at any time, includes but is not limited to:

- While on school grounds.
- While going to or coming from school.
- During the lunch period.
- During or while going to or coming from a school sponsored activity.

C. Student Searches

School officials may conduct searches of students and their personal belongings while on school property or at school sponsored events. Personal belongings include, but are not limited to: backpacks, briefcases, bags, vehicles, cell phones, personal iPads/tablets, medical supplies and materials, etc. **Searches of students and personal belongings will be conducted when there is reasonable suspicion that the search will provide evidence that the student is violating the law and/or school regulations.** The scope of the search will be related to the objectives of the search, the age and gender of the student, and the nature of the violation. Refer to District Board Policy for more information. School properties under joint control are also subject to being searched by school officials. These places/items include, but are not limited to lockers, desks, and electronic devices (iPads, chromebooks, etc.) and may be searched at any time. There is NO expectation to privacy. (Board Policy 5145.12)

D. Disciplinary Actions

Students of the Sylvan Union School District are expected to follow and comply with school and District conduct rules. The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations.

Discipline Regarding Tardies

- 1st Tardy: Teacher to discuss with student.
- 2nd Tardy: Tardy letter sent by teacher.
- 3rd Tardy: Tardy letter sent by teacher, one detention issued or other means of correction may be issued (see page 6)
- 4th Tardy: Tardy letter sent by teacher, two detentions issued, other means of correction may be issued (see page 6), assigned a "U" for citizenship.

5th + Tardy: Alternative consequences, loss of extra curricular activities

Eligibility for school activities related to attendance will be based upon an unexcused absence rate of 10% of days enrolled or greater at each Trimester and midpoint of each Trimester. If attendance improves, the student may petition to be removed from the Ineligibility List at the Trimester or midpoint of the Trimester and/or by administrator discretion. Appeals of these decisions made by the school site administration can be made to the Student Services Director within 10 days of the administrative decision. The decision of the Student Services Director is considered binding and not subject to further appeal.

Discipline Regarding Dress Code

- Parent/Guardian conference may be required to discuss the student's behavior and expectations for the future.
- Detention may be assigned to the student where he/she goes to a specific supervised area before/after school or during lunch.
- Student will be asked to change his/her clothes into appropriate dress, or will be provided alternate appropriate dress.

IV. ADDITIONAL CONSIDERATIONS

A. Related to Suspension

- If the nature of the offense makes an alternative placement or an expulsion recommendation appropriate, the student will be suspended for five days for the infraction unless the student will exceed 20 days of suspension.
- For some infractions, the student may be suspended on the first offense if it is determined that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (E.C. 48900.5)
- Gang-related offenses are generally of the nature where the student's presence does pose a danger to persons or property or threatens to disrupt the instructional process. In such cases, the student may be suspended for five days on the first offense as well as recommended for an alternative placement or expulsion. (BP 5136)
- Violation of suspension (student coming on campus or attending school activity while on suspension) may result in additional suspension days as well as a referral to the appropriate law enforcement agency for trespassing.
- No student will be suspended or expelled without being afforded due process. Refer to Board Policy 5144.1 for more information.

B. During the Suspension

- Students on home suspension are prohibited from being on campus unless a prior arrangement has been made with a school administrator to come to the office on official business with parent/guardian.
- Students on suspension are prohibited from attending any school sponsored activity on or off campus including weekends and holidays. These activities include, but are not limited to, promotion ceremonies, field trips, athletic events, dances, child care, Boys and Girls Club, and other after-school sponsored activities.
- Consequences and restrictions for suspensions that overlap into weekends and/or vacation periods will apply.
- Teachers may (but are not required to) provide work for students on suspension. (E.C. 48913) If a student is recommended for expulsion and on an extended suspension, a teacher may provide work pending the outcome of the case.

C. Payment for Damages

If a student's misconduct results in damage to school district property, or private property of any school employee, or injury to a person, the student's parent/guardian is liable for the cost of all damages. The parent/guardian is also responsible for the amount of the reward paid for information leading to the apprehension of the person causing the damage. (E.C. 48904, 48905)

D. Confiscated Property

Any confiscated student property (e.g., radios, skateboards, cell phone, toys, tools, etc.) will be returned to the parent/guardian/adult designee/student at the school's discretion. Items that are illegal to possess will be turned over to the appropriate law enforcement agency.

E. Property Voluntarily Turned in by the Student

If a student finds that he/she has inadvertently brought a dangerous object to school, and he/she immediately turns the object over to a teacher, administrator or other school official, the District may take into consideration the student's corrective action in addition to all the circumstances surrounding the violation.

F. Students with Individual Education Programs (IEPs)

Federal and state laws provide additional requirements for students with IEPs. Questions about District implementation with regard to these laws may be directed to school administration, the school's program specialist, school psychologist, the office of Special Education, or the office of Student Services.

G. Dress Code Violations and Student Attire

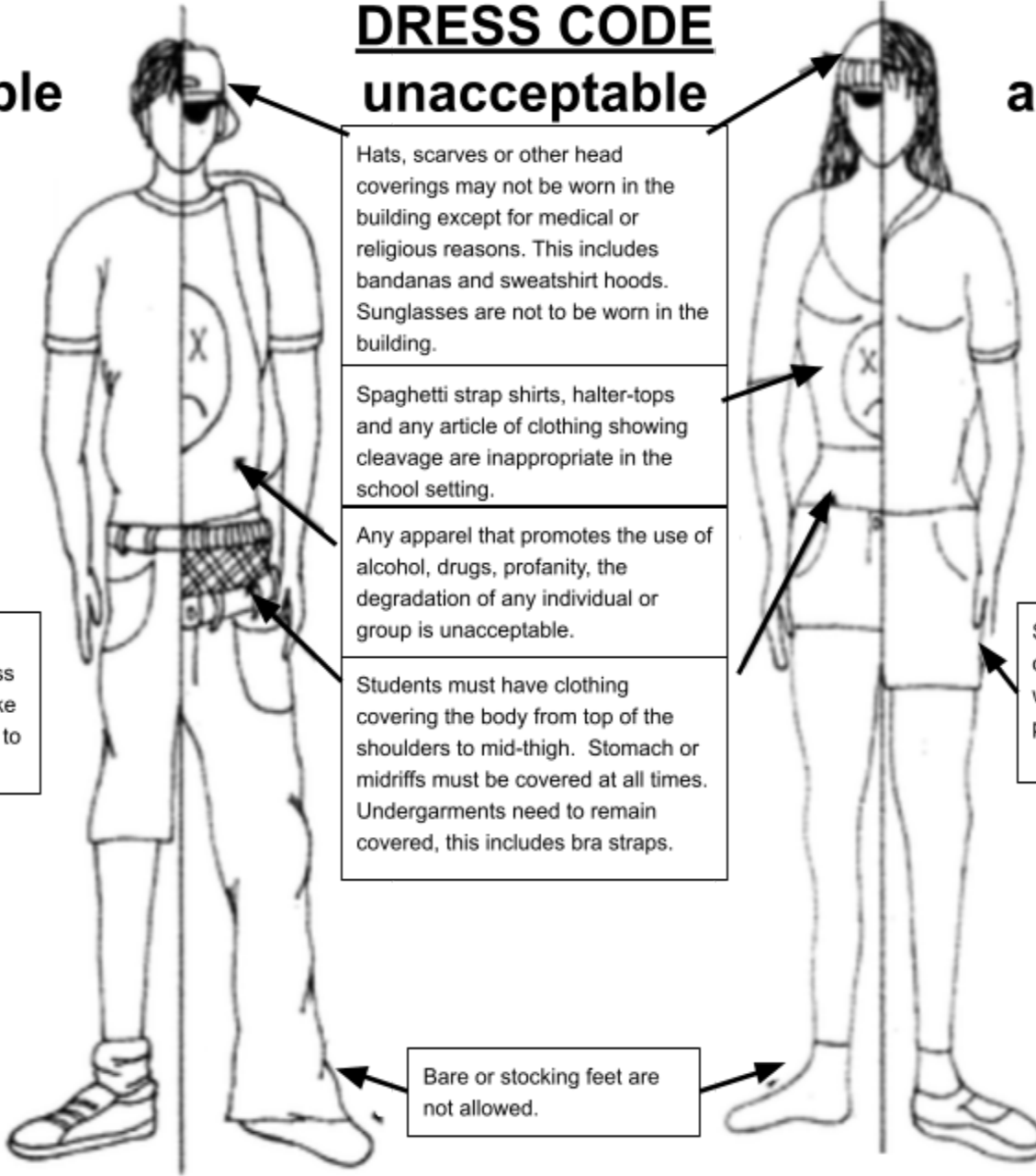
Student's attention to appearance and a student's attitude toward himself/herself and his/her school are related; good taste and good grooming are a part of learning. Students are to be clean and dress in a manner that will permit participation in educational activities. Students are to wear closed-toe-shoes for the school's physical education program to ensure student safety. Any attire, grooming, or appearance that disrupts, or tends to disrupt, the educational process, or affects the health and safety of individuals shall be prohibited (E.C. 48900, BP 5132, AR 5132). Attire that displays or promotes alcohol, controlled substances, drug use, drug paraphernalia, marijuana use, gang activity, gang affiliation (including two or more articles of all red or all blue clothing), gang symbols, weapons, sexual content, inappropriate sexual pictures of sexual likeness, or violence is prohibited by the Sylvan Union School District Board of Trustees. Students wearing items such as halter tops, off-the-shoulder or low-cut tops, bare midriiffs, see-through or fishnet fabrics, oversize/sagging pants or shorts, short shorts, slit tank tops, shoulder straps less than 2 inches wide, uncovered spandex/leggings/exercise/yoga shorts or pants or outfits which expose undergarments are not appropriate for school and are not allowed. Articles of clothing with suggestive, indecent, offensive, or vulgar expressions or logos are not allowed. **The interpretation of the dress code will be at the discretion of the school administration.**

First Violation	Warning, change of clothes and dress code notification given
Second Violation	Parent notification, change of clothes
Third Violation	Parent notification, change of clothes, and detention issued.
Fourth Violation	Parent notification, change of clothes, and other means of correction (see page 6) and/or alternative discipline
Fifth Violation	Parent notification, change of clothes, and other means of correction (see page 6) and/or alternative discipline

acceptable

DRESS CODE **unacceptable**

acceptable



Hats, scarves or other head coverings may not be worn in the building except for medical or religious reasons. This includes bandanas and sweatshirt hoods. Sunglasses are not to be worn in the building.

Spaghetti strap shirts, halter-tops and any article of clothing showing cleavage are inappropriate in the school setting.

Any apparel that promotes the use of alcohol, drugs, profanity, the degradation of any individual or group is unacceptable.

Students must have clothing covering the body from top of the shoulders to mid-thigh. Stomach or midriffs must be covered at all times. Undergarments need to remain covered, this includes bra straps.

Bare or stocking feet are not allowed.

Students wearing items violating the school's dress code will be asked to make changes before returning to class.

Skirts or shorts must be at or below fingertip length when student's arm is placed at her side.

H. Hats, Beanies, Hoodies and and Bandanas

- All Hats, beanies and hoodies must be removed when entering buildings and during physical education classes. A PE teacher may require students to remove hats, hoodies, and/or beanies during class. Only exceptions made are for medical conditions (doctor's note is required) or for religious purposes. With a written request from a parent/guardian and prior approval from by the principal/administrative designee, an administrator may allow a student to wear a hat for physical education classes if it meets the following specification recommended by the American Cancer Society: "The hat must include a 2-3 inch all around brim to protect areas often exposed to the sun, such as the neck, ears, eyes, forehead, nose, and scalp." (E.C. 35183.5) Hats, beanies and hoodies are allowed to be worn outdoors as long as this does not cause a disruption or distraction to the school environment. **Distractions and disruptions will be at the discretion of the administrator.**
- Bandanas are not to be worn inside or outside on school campuses or at school activities.

I. Cell Phones and other Electronic Devices

- Students may possess or use electronic signaling devices, including but not limited to pagers, beepers and cellular/digital telephones, or school issued devices, provided that such devices do not disrupt the educational program or school activity. Electronic signaling devices shall be turned off during school hours and kept in their backpack unless otherwise explicitly stated by their teacher for instructional use during the class period. Students are required to have any electronic signaling devices off while on campus and at any time directed by a District employee. If disruption occurs, the employees may direct the student to turn off the device and/or confiscate the device until the end of the class period, school day or activity.
- No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which are limited to health-related purposes. (Education Code 48901.5)
- Note: The Board of Trustees, the District, its employees and agents shall not be responsible for lost, stolen or damaged devices, including but not limited to financial consequences related to the misuse of cellular phones or other electronic signaling devices.

First Violation	Warning and parent contact
Second Violation	Confiscated, returned after class/end of school day and parent contact
Third Violation	Parent pick up, discipline consequence
Fourth Violation	Parent pick up, discipline consequence
Fifth Violation	Parent pick up, discipline consequence possible suspension

J. School Issued Technology 1:1 Device

School issued mobile device general policies are written in the Student Mobile Device Agreement. Students are to adhere to the *Cell Phone and other Electronic Device policy* as well as the *Student Mobile Device Agreement*. Listed are the student's responsibilities with the issued mobile device:

- Students are expected to bring their student mobile devices fully charged to school everyday
- Students will log into their student mobile devices with their district-issued Google accounts
- Students are not permitted to create a passcode to login into the mobile device
- Students should never share their school generated password for Google accounts with others unless requested for by an administrator
- Students should not store pirated or otherwise illegal content on their student mobile devices or in SUSD issued accounts.
- Students do not have permission to install apps on iPads
- Students who have multiple occurrences of forgetting their student mobile device or not bringing their student mobile device fully charged may face disciplinary action
- Students are expected to follow all SUSD use policies wherever they use their student mobile devices

It is essential for students to use and care for their student mobile devices. As noted in the *Student Mobile Device Agreement*, "student mobile devices" refers to devices, cases, and power cord/chargers. Students need to observe the device care and use routines outlined in the *Student Mobile Device Agreement*.

Sylvan District will provide a Chromebook and AC adapter to all middle school students for use in class and at home for school related work. Students will have the opportunity to access District adopted digital content, as well as other supplemental content for all subjects. Sylvan District's 1:1 initiative helps prepare the students as they transfer to Modesto City high schools Future Ready Initiative.

Setting Standards for Device Use: While our intent is to make device access available to further the delivery of the curriculum, students may find ways to access inappropriate material. Ultimately, parents and guardians are responsible for setting and conveying the standards that their children should follow when using media and information sources. The Internet is a powerful learning tool, but it should not be used indiscriminately or without supervision. While your child is at school, our staff members make every effort to assure this resource is used appropriately. As the parent/guardian, it is your responsibility to monitor this resource at home, not unlike the manner in which you monitor the use of TV, video games, or the telephone. It is not advisable for children to engage in long hours of unsupervised time on-line.

Parent/Guardian Permission to Use the Device Provided by Sylvan District: By acknowledging receipt of the Conduct Code, both the parent/guardian and student agree that the Chromebook and its components are the sole property of Sylvan Union School District. The device is for educational purposes only. The device and its components are loaned to the student and will be returned when the student leaves the district, completes the school year, or upon request of the school. The device and its components may not be transferred or given to any other student. Please review the fines if the device and its components are lost or damaged.

While the District provides basic Internet content filtering on all District devices both at school and at home, we recommend that you talk with your student about appropriate Internet safety and habits. Given the large number of new websites created every day, it is impossible for web filtering to remain 100% accurate, 100% of the time.

K. Intimate Physical Contact

Physical contact denoting intimacy beyond what is reasonably displayed in a school setting is not permitted. A warning, parent contact and/or other alternative consequence as determined by the site administrator may be enforced.

L. Suspension from Class

A teacher may suspend any pupil from the teacher's class for any violation of E.C. 48900, for that day and the day following.

- The teacher shall send the pupil to the principal/designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision.
- As soon as possible, the teacher shall ask the parent/guardian of the pupil to attend a parent/teacher conference regarding the suspension. If an in-person parent conference cannot be arranged, a telephone conference may be substituted. A school administrator shall attend the conference if the teacher or parent/guardian so requests.
- The pupil shall not be returned to the class during the period of suspension without the concurrence of the teacher and the principal. A pupil suspended from a class shall not be placed in another regular class during the period of suspension. (E.C. 48910)

M. Detention of Students

- Students may be detained after school for up to one hour. This detention requires a reasonable effort to give prior notice to the parent.
- Prior notice to parents must occur in cases where detention will cause a student to miss the school bus.
- Students who fail to serve an assigned detention will be assigned an additional detention and/or given alternative consequences.

N. Interviews and Investigations

CPS, Law Enforcement, and School Officials have the right to conduct student interviews at school without a parent or guardian present. Parents or guardians will be notified by law enforcement or the school site if law enforcement meets with a student on campus. School officials will document such meetings for the record.

V. BUS BEHAVIOR AND PROCEDURES

A. Bus Behavior

- Riders shall follow the instructions and directions of the bus driver at all times. (CF. 3542 – School Bus Drivers)
- Students should arrive at the bus stop no more than five (5) minutes before the arrival time of the bus. Students shall wait at their designated stop in a quiet, orderly fashion.
- Riders shall enter the bus in an orderly manner and go directly to their seats.
- All passengers shall sit facing forward with their arms, feet and legs kept out of the aisle; feet are to be kept off the seats.
- Riders shall remain seated while the bus is in motion and shall not obstruct the aisle with their arms, feet, legs or other objects. While reaching their destination, riders shall remain seated until the bus comes to a complete stop and only then enter the aisle and go directly to the exit.
- Students who have missed the bus or have any questions regarding which bus to ride should immediately report to the school office.
- Riders should be courteous to the driver and to fellow passengers.
- Because serious safety hazards can result from noise or behavior that distracts the driver, loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing and changing seats are prohibited actions which may lead to suspension of riding privileges.
- In no event shall aisles, doors, steps, or emergency exits be blocked. (Large musical items can be stored in the underneath luggage compartment).
- No part of the body, arms or head should be put out of the window. Nothing should be thrown from the bus.
- Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
- No animals shall be allowed on the bus, except for Seeing Eye dogs used by a visually impaired student or staff member.
- Riders shall be alert for traffic when leaving the bus.
- Students who must be escorted across the road shall follow the directions of the driver.
- Students pick-up and drop-off at designated/assigned stop only.
- Depending on the severity of the offense, an automatic denial of bus riding privileges, up to twenty (20) days, may be imposed for the following:
 - Fighting, biting, spitting, slapping, hitting or punching;
 - Obscene language or gestures directed at the bus driver or others;
 - Vandalism to the bus and/or private property;
 - Improperly entering/exiting bus, throwing objects out of window or inside bus;
 - Giving false name or disregarding driver's instruction
 - Defiance/Disruption

Bus drivers shall not deny transportation except as directed by the principal or designee. Section 14103.5 CAC governing pupil transportation states "Pupils transported in a school bus shall be under the authority of and responsible directly to the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. CONTINUED DISORDERLY CONDUCT OR PERSISTENT REFUSAL TO SUBMIT TO THE AUTHORITY OF THE DRIVER SHALL BE SUFFICIENT REASON FOR A PUPIL TO BE DENIED TRANSPORTATION BY THE DISTRICT. A bus driver shall not require any pupil to leave the bus in route between home and school or other destination."

B. Bus Citation Procedure

Once a student has been verbally warned by the bus driver and the misconduct continues, he/she will receive a second copy of these rules. They are to be reviewed, signed and returned by the parent to the bus driver before the child may ride on the bus again.

1st Incident: Verbal Warning

2nd Incident: Written warning and copy of citation given

3rd Incident: Student will meet with Principal

4th Incident: Student loses bus privileges for 3 days

5th Incident: Student loses bus privileges for 5 days

6th Incident: Student loses bus privileges for remainder of year

VI. CLASSROOM CITIZENSHIP EXPECTATIONS AND CONSEQUENCES

A. Overview

It is one of the school's duties to assist parents in helping students develop responsible attitudes and behavior. This means preparing students for adult citizenship as well as preparing them for jobs and higher education. For this reason it is as important for the school to teach and evaluate citizenship in addition to teaching and evaluating academic work.

B. The Citizenship Mark

Students will receive a citizenship mark each trimester from each of their classroom teachers. The mark will be based solely on the citizenship displayed in each teacher's classroom. Students will receive a mark of "outstanding", "satisfactory", "needs improvement", or "unsatisfactory" based on the "Citizenship Guidelines". The citizenship mark for each class will be shown on the student's report card.

C. Citizenship Guidelines For Students And Parents

- Outstanding citizenship criteria:
 - Has received no disciplinary referrals.
 - Has no parent contacts involving inappropriate classroom behavior.
 - Has never been sent from the classroom for disciplinary reasons.
 - Has been able to demonstrate an ability to work independently.
 - Has come to class with homework and needed materials regularly.
 - Has exercised reasonable care of school property.
 - Has shown respect for others.
 - Has exercised good conduct; doesn't disrupt class.
 - Have had no more than one tardy and no trancies.
- Unsatisfactory citizenship criteria:
 - Has had four or more tardies in that class.
 - Has had one or more incidents of truancy (a class cut). The "U" shall be issued for each class missed as a result of this truancy.
 - Has been suspended from class or school as a result of classroom behavior.
 - Has had four or more documented incidents of inappropriate behavior in class such as gum chewing, eating sunflower seeds or other food, grooming, etc.
 - Has been caught cheating twice in class.

Behavior that is not considered outstanding or unsatisfactory may be marked as satisfactory. Students who do not meet the criteria for a "U" but, have less than satisfactory citizenship may be given an "N" (Needs Improvement). Behavior that does not fall under the parameters of Outstanding or Unsatisfactory will be evaluated by the teacher to determine if the child receives a "Satisfactory" or "Needs Improvement" mark. The following will be considered: disciplinary referrals (severity and frequency), daily behavior, and tardies.

VII. EXTRA-CURRICULAR ACTIVITY ELIGIBILITY

Explanation

It is the goal of the District to work with parents to assist students in becoming self-directed and responsible for their own behavior. When students do not meet the clearly defined and communicated expectations outlined in this Student Conduct Code, the student will not be allowed to participate in extracurricular activities which include the following:

- After school recreation / athletics
- Student government

- Clubs
- Special field trips not a part of regular classroom work
- School dances (Including 8th grade graduation dance)
- Eighth grade graduation trip
- Extra curricular performances of music, dance, drama, and speech

Note: The loss of these privileges shall not apply to class activities.

Summary of Middle School Ineligibility

ACADEMIC	LENGTH OF INELIGIBILITY
<ul style="list-style-type: none"> • Less than a 2.0 GPA • 2 or more Fs on Trimester report card • 2 U's in citizenship on Trimester report card <p>Note: May petition for removal based on process outlined in the Code of Conduct</p> <hr/> <ul style="list-style-type: none"> • Eligibility status for students is based on the previous trimester grades and reassessed at the end of the first, second, and third trimesters for participation in extracurricular activities during the following trimester. Students who receive a trimester report card that fails to maintain academic eligibility will be immediately removed from any extracurricular activities in which they are currently participating. • Students who successfully improve their grades at the halfway point of a trimester may appeal their ineligible status first to the Assistant Principal. Appeals of the Assistant Principal's decision may be filed with the Principal within 10 days of the Assistant Principal's decision. Appeals of these decisions made by the school site administration can be made to the Student Services Director within 10 days of the Principal's decision. The decision of the Student Services Director is considered binding and not subject to further appeal. • A "grading period" does not include any grading period in which the pupil was not in attendance for all or a majority of the grading period because of absences excused by the school for such reasons as illness, injury or approved travel. • Note: The third trimester grade of the previous year shall be the basis for determining the first trimester eligibility for the following year. 	<p>The following trimester.</p>
BEHAVIOR	Length of Ineligibility
<ul style="list-style-type: none"> • 5 day suspension, and/or • 2 suspensions within the same trimester <p>Note: If an additional suspension occurs during the thirteen-week period, the period of ineligibility is to be extended for an additional six weeks effective the date of the subsequent suspension.</p>	<p>13 weeks</p>
ATTENDANCE	Length of Ineligibility

Eligibility for school activities related to attendance will be based upon an unexcused absence rate of 10% of days enrolled or greater at each trimester and midpoint of each trimester. If attendance improves, the student may petition to be removed from the Ineligibility List at the trimester and/or by administrator discretion. His or her decision is considered binding and not subject to further appeal.	Until attendance improves above a 10% unexcused attendance rate.
<ul style="list-style-type: none"> • 5+ Tardies <u>Daily Participation</u> <ul style="list-style-type: none"> • Students may not participate in extracurricular activities for any day that they did not attend over 50% of the school day including the last period. • Students may not participate in school organized sports any day they have been excused from P.E. for medical reasons. 	Loss of extracurricular activities for trimester
CONTROLLED SUBSTANCE:	Length of Ineligibility
Possession, use or under the influence of a controlled substance. <ul style="list-style-type: none"> · 1st offense · 2nd offense · 3rd offense 	<ul style="list-style-type: none"> • 1st - 13 weeks • 2nd - Calendar year from incident date of 2nd incident & graduation ceremony • 3rd - Remainder of school year or a full year, end-of-the-year activities & promotion ceremony
Sell, furnish, or unlawfully offer, arrange, or negotiate to sell a controlled substance (alcohol, tobacco, drugs) <ul style="list-style-type: none"> · 1st offense · 2nd offense 	<ul style="list-style-type: none"> • 1st - Calendar year from the date of the incident. • 2nd - Remainder of school year, end-of-the-year activities & promotion ceremony if infraction occurs in 8th grade year.

Summary of Middle School 8th Grade Promotion Activities Ineligibility

**** 3rd Trimester****

REQUIREMENTS	INELIGIBILITY
Less than a 2.0 Cumulative GPA 1+ incidences of truancy (see below) 2+ "U" Unsatisfactory citizenship marks	All of the LISTED offenses will result in a loss of associated promotion activities including, but not limited to <i>the 8th grade dance, trip, carnival, etc.</i> <i>*Special circumstances may be reviewed by the school site administration.</i>
Less than a 2.0 Cumulative GPA 2+ suspensions One 5 day suspension:	All of the LISTED offenses will result in a loss of ALL promotion activities listed above (but not limited to) AND <i>the Promotion Ceremony.</i>

Any offense involving a controlled substance (see Ineligibility section above) 10+ unexcused absences	<i>*Special circumstances may be reviewed by the school site administration.</i>
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Note to All Students

- The district reserves the right to exclude a student from the promotion ceremony or other activities for a flagrant infraction of the Student Conduct Code irrespective of the student's citizenship status.
- Loss of privilege applies to activities that occur within the calendar year of ineligibility.
- Appeals may be filed with the Principal within 10 days of notification of ineligibility. Appeals of the Principal's decision can be made to the Student Services Director within 10 days of the Principal's decision. The decision of the Student Services Director is considered binding and not subject to further appeal.

XIII. RIGHT OF APPEAL AND DUE PROCESS

A. Suspension

1. Suspension by the principal/designee, or the superintendent/designee, shall be preceded by an informal conference which is conducted by the principal or his/her designee with the pupil, and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal. At the conference the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his/her defense. (E.C. 48911, sub-section b)
2. A principal/designee, or the superintendent/designee, may suspend a pupil without affording the pupil an opportunity for a conference only if the principal or his/her designee determines that an "emergency situation" exists. If a pupil is suspended without a conference prior to a suspension, both the parent and pupil shall be notified of the pupil's right to such a conference and the pupil's right to return to school for such purpose. The conference shall be held within two (2) school days, unless the pupil waives his right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference. (E.C. 48911, sub-section c)
3. At the time of suspension, a school employee shall make a reasonable effort to contact the parent or guardian of the pupil in person or by telephone. (E.C. 48911, sub-section d)
4. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension. (E.C. 48911, sub-section d)
5. The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his/her child's behavior. (E.C. 48911, sub-section f)
6. The pupil or pupil's parent or guardian has the right to appeal the suspension with the school site's principal. A meeting with the principal must be requested within ten (10) school days following the first day of suspension.

Suspension Appealed to Principal

- Parent/guardian contacts the principal to appeal the suspension.
- Principal reviews the incident with the administration team.
- Student serves the suspension as the appeal is processed in a timely manner.

Principal's Decision

After reviewing facts of the incident and affirming that student's due process rights were or were not violated, the principal can either: 1) uphold the suspension, 2) modify the suspension, or 3) rescind the suspension, and either meet with, email, or phone the parent/guardian to advise of the appeal disposition.

B. Appeal of Citizenship Mark

1. Students and parents have the right to appeal citizenship marks which they feel are in error or unjustified.
2. The first appeal will be to the classroom teacher who gave the mark. If the questions are not resolved, a meeting must be requested within two weeks of receiving the citizenship grade on the report card, with the school administrator (or designee) and teacher.
3. A student who has lost privileges remains in this status pending resolution of the appeal.

IX. SCHOOL ATTENDANCE

Education is an opportunity and a right. If students do not exercise their right to attend school, they have limited their opportunity for the basic education necessary to become mature, knowledgeable, and productive members of society. Absenteeism has a direct negative effect on student achievement, promotion, behavior, and employment potential. Regular attendance is a key factor in the success a student achieves at school. For the sake of your child's education, and the financial stability of the Sylvan Union School District, please avoid absences whenever possible.

A. Excused Absences:

Absences listed below are excused when verified in accordance with Board Policy:

- Illness
- Quarantine directed by county or city health officers.
- Medical, dental, mental health counseling, and optometric appointments. Students are encouraged to make medical appointments after school hours whenever possible. Students will be released for and receive excused absences for appointments only with the written approval of parents or guardians.
- Attending funeral services of a member of the pupil's immediate family, for not more than one day for services conducted in California and not more than three days for services conducted outside of California. (Education Code 48205) Upon request, additional days may be allowed at the discretion of the principal.
- Appearance in court.
- A religious observance of a holiday or ceremony.
- For the purpose of participating in a cultural ceremony or event.
- Absence for the benefit of the pupil's mental or behavioral health.
- Attendance at religious retreats not to exceed four (4) hours per trimester.
- Short Term Independent Study – must be requested 5 days in advance of the absence; must be for a minimum of 5 days in accordance with Board Policy 6158. All work must be completed and returned on the day the student returns to school.

It is highly encouraged that all absences are cleared immediately with the school attendance clerk. After two weeks the unverified absences will be considered a truancy.

B. Missed Assignments

Students shall be permitted to make up missed school assignments for excused absences. One day shall be allowed for each excused day of absence to make up the work. The time for make-up may be extended by the teacher. Additional time may be requested based on hardship. Responsibility for requesting missed work lies with the student and parent.

C. Truancy, Excessive Absenteeism, Tardies

(E.C. 48260-48263, 48900, 49164, E.C. 37228)

Students may not be absent from school without verified approval of parent/guardian or school. The following represents the procedures that will be followed when a student is absent from school without a valid excuse or is tardy without the school's approval in excess of 30 minutes. Incident = unexcused tardy of 30 minutes in one or more periods in a day or absent without a valid excuse (unexcused) and verified by a parent or guardian.

- *First / Second Incident:*
The student and parents will be informed of the mandatory attendance laws and the District's policy and procedures. The student will be instructed to attend all classes. Failure to do so shall be treated as "defiance of authority." The student will receive an "unsatisfactory" in each class he/she was truant, and may be assigned to Responsibility School and/or other alternative consequences.
- *Third Incident:*
Students will be referred to a school administrator/designee. The student is now a legal truant (absent from school without a valid excuse more than three days or tardy in excess of 30 minutes on each of four or more days). E.C. 48260.5 (a) The pupil is a truant. A letter shall be sent to the parents/guardians informing them that their student is a legal habitual truant (E.C. 48262) and has been in "persistent defiance of authority." The parent or guardians is obligated to compel the attendance of the

pupil at school. The parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of chapter 2 of Part 27.

Parents/guardians and student are again informed that failure to follow the school's directive to attend classes will be "defiance of authority" and will be grounds for referral to the District Attendance Review Team (DART), School Attendance Review Board (SARB) and/or involuntary transfer to an alternative education program. The school administrator shall call and hold a Student Study Team meeting. The pupil may be subject to prosecution under Section 48264. It is recommended that a parent or guardian accompany the pupil to school and attend classes with the pupil for a day, if appropriate. Further incidents of truancy will be reported as appropriate. For any truancy, alternative consequences may be assigned such as detention, responsibility school, in-school suspension, referral to the District Attendance Review Team (DART) or referral to the School Attendance Review Board (SARB).

D. Excessive Absenteeism

Good attendance is important to the success of students. Absences, whether excused or unexcused, are detrimental to the learning process. In addition, regular attendance develops habits that are essential for success in the world of work. A school administrator or designee may hold a Student Study Team (SST) or parent meeting after (10) days of absence to discuss placing the student on Attendance Supervision. In addition, students who are absent fifteen (15) days in one school year may be placed on Attendance Supervision which imposes the requirement that a licensed medical practitioner must verify future additional absences. (CAC Title 5 sec. 421 b). If the parent/guardian cannot be contacted, the administrator/designee will hold a conference with the student and a certified letter shall be sent informing the parent/guardian that the student is placed on Attendance Supervision and the pertinent provisions of the excessive absence policy. A student who is absent five (5) or more times without the required parent verification: May be referred to the School Attendance Review Board (SARB) or the District Administrative Hearing Panel. Eighth grade students who have ten or more unexcused absences during the third trimester may not be included in promotion ceremonies or related activities. Being absent 6 periods equals one full-day and counts toward total absences

E. School Attendance Review Board (SARB)

(E.C. 448320-48324, 48292-48293)

The Education Code provides for the establishment of School Attendance Review Boards (SARB) to meet the special needs of pupils with school attendance problems or school behavior problems. In addition, Sylvan Union School District may utilize a District Attendance Review Team to address attendance problems. Recommendations may include that parents and students take certain measures to correct inappropriate behavior, refer the pupil to community agencies for assistance, or suggest adjustments to the school assignment.

X. GUIDELINES FOR EXPULSION

General Information

In a case where expulsion is being processed by the governing board, the superintendent/designee may extend the suspension until such time as the governing board has rendered a decision, provided that the superintendent/designee has determined that the presence of the pupil at the school or in a Sylvan Union School District alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. (E.C. 48911, subsection g)

SYLVAN UNION SCHOOL DISTRICT NOTIFICATION OF STUDENT'S RIGHTS REGARDING EXPULSION

If your child has been recommended for expulsion, he or she has the following rights:

- The student is entitled to a hearing to determine whether he or she should be expelled. The hearing must be held within thirty (30) school days after a school administrator determines the student has committed an expellable offense. The student, parent/guardian or representative may request, in writing, that the hearing be postponed. That request should be sent to the Director of Student Services: Sylvan Union School District, 605 Sylvan Ave., Modesto, CA 95350. The student is entitled to at least one (1) postponement of the expulsion hearing for a period of not more than thirty (30) calendar days.

- If the student wants an additional postponement, the student or parent/guardian must make another request, in writing, to the Director of Student Services. The additional postponement may be granted at the discretion of the governing board.
- The Director of Student Services may extend the time period for holding the expulsion hearing for an additional five (5) school days if she or he determines it is impracticable to hold the hearing within thirty (30) school days and the reasons for the extension of time are stated on the record during the hearing.
- Written notice of the hearing shall be forwarded to the student at least ten (10) calendar days prior to the date of the hearing by certified mail. The notice must include:
 - The date and place of the hearing.
 - A statement of specific facts and charges upon which the proposed expulsion is based.
 - A copy of the disciplinary rules of the District that relate to the alleged violation(s).
 - A notice of the student's and parent/guardian's obligation to notify another school district if the student is expelled and seeks admission in another school district.
 - Notice that the student and the student's parent/guardian(s) may be represented by legal counsel or by a non-attorney advisor, inspect and obtain copies of all documents to be used at the hearing, confront and question all witnesses who testify at the hearing, question all other evidence presented and present oral and documentary evidence on the student's behalf, including witnesses. Parents shall inform the District that the student will be represented by legal counsel five (5) days prior to the hearing date.
 - This means if there are written documents, or witnesses, or letters, or records of any kind which the student and his or her parent believe will help their case, they may present that information for consideration at the hearing. The student and the parent may bring their own witnesses, including student witnesses, who may have knowledge concerning the events in question. The student may testify. You should take time in advance of your hearing to plan how you will present your case and what witnesses and written documents you wish to use.
- The student's hearing will be in a session closed to the public unless the student requests, in writing, at least five (5) days prior to the date of the hearing that the hearing be conducted at a public meeting.
- An administrative panel will conduct the student's expulsion hearing. Within three (3) school days after the hearing, the panel will determine whether to recommend the expulsion of the student to the governing board. The parent/guardian may call 209-574-5000, on the third day, for a verbal notification of the panel's recommendation. If the panel decides not to recommend expulsion, the proceedings will be terminated, and the student will immediately be permitted to commence whatever education program may be designated by the superintendent or his/her designee. A decision, by the panel, not to recommend expulsion is final.
- If the panel decides to recommend expulsion, findings of fact in support of the recommendation will be prepared and submitted to the governing board. All findings of fact recommendations shall be based solely on the evidence admitted at the hearing. The governing board will determine whether to accept the recommendation based on the review of the findings of fact and recommendations of the panel or upon the results of any supplementary hearing which the board may order to be conducted.
- The board will make its determination, whether the student will be expelled, within forty (40) school days of the date when the pupil was first removed from school for the incident, which caused the expulsion recommendation.
- The evidence presented at the hearing shall be the kind of evidence upon which reasonable persons are accustomed to rely on in the conduct of serious affairs. In order to support a recommendation for expulsion, there must be substantial evidence showing that the student committed an expellable offense. A decision to expel shall not be based solely upon hearsay evidence, but hearsay evidence is admissible and may be considered to corroborate non-hearsay evidence. An admission by the student is an exception to this rule. The admission, testified to by the person to whom the admission was made, may be sufficient evidence to support an expulsion.
- The panel may determine that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to an unreasonable risk of harm. If this determination is made, the testimony of that witness may be presented at the hearing in the form of a sworn declaration. The identity of the witness may be withheld from the student who has been recommended for expulsion.

The District's Board Policy (BP 5144.1(a)(b)(c)(d) and Administrative Regulations regarding suspension and expulsion due process can be located on the District's web page: www.sylvan.k12.ca.us.)

Definitions

- *Suspension*: is the removal of a student from the classroom for disciplinary reasons for a defined period of time. A principal or designee may suspend a student for up to five days. A suspension may be extended under certain conditions. There are two kinds of suspension, on-campus suspension and home suspension. Students placed on home suspension are not permitted on or near the school campus, nor are they allowed to participate in any school activities during suspension.
- *Expulsion*: as ordered by the Board of Education, is the removal of a student from all schools in the Sylvan Union School District for violating the California Education Code. The expulsion is for a defined period of time not to exceed one calendar year.
- *Brandishing*: is to wave a weapon menacingly or display thus creating fear in another.
- *Assault*: is an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another.
- *Battery*: is any willful and unlawful use of force or violence upon the person of another.

- *Serious bodily injury*: means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; transportation to the hospital for treatment, and serious disfigurement.
- *Injury*: means any physical impairment that requires professional medical treatment.
- *Self-defense*: to establish defense, the person must be free from fault or provocation, must have no means of escape or retreat, and therefore must be in impending peril.
- *Extortion*: the use, or the express or implicit threat of the use, of violence or other criminal means to cause harm to a person, his/her reputation, or property as a means to obtain property from someone else with or without his consent. USC 18. This may also include taking advantage of an individual with a developmental delay for the purpose of any of the actions above.
- *Profanity*: vulgar or obscene language or behavior.
- *Robbery*: theft under the threat of force or actual act of force.
- *Truancy*: not being in your assigned area at the appropriate place or time.
- *Excessive Absenteeism*: missing 10 or more school days in a single school year (excused and/or unexcused).
- *Terroristic threat*: shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$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.
- *Bullying*: Any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in 48900.2, 48900.3, and 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - Placing a reasonable pupil(s) in fear of harm to the pupil's (or pupils') person or property,
 - Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health,
 - Causing a reasonable pupil to experience substantial interference with his or her academic performance,
 - Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school
- *Bullying by Electronic Act*: Transmission, 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, any of the following: message, text, sound, image, post on social network, Internet web site including but not limited to: posting or creating a burn page, credible impersonation of another actual pupil for the purpose of having one or more of the effects listed under the bullying section above; credible impersonation means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated. Also, creating a false profile for the purpose of having one or more of the effects listed above under the bullying tab.
- *Electronic Act*: Creation and transmission originated on or off the school site by means of an electronic device; including by not limited to, a telephone, wireless telephone, or other wireless communication device, computer, pager, of a communication, including but not limited any of the following:
 - A message, text, sound, or image.
 - A post on a social network Internet Web site, including but not limited to:
 - posting to or creating a burn page, "burn page" means an Internet Web site created for the purpose of harassing, bullying, and/or intimidation of students that may include the credible impersonation or a false profile of a student with or without his or her consent.
- *Other means of correction*, Education Code 48900.5: Other means of correction include but are not limited to those stated on page 7.
- *Education Code 212.5. Sexual harassment*: means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:
 - Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
 - Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
 - The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
 - Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

2022-2023

PLEASE READ THE INFORMATION CONTAINED IN THIS BOOKLET AND DISCUSS IT WITH YOUR CHILD.

IF YOU HAVE QUESTIONS ABOUT ANY OF THE INFORMATION, PLEASE CONTACT YOUR SCHOOL PRINCIPAL.

SIGN AND RETURN THIS PAGE TO THE SCHOOL.

*****By marking "I Understand" during the Aeries Data Confirmation Process the parent and child are stating understanding of this document. It is understood by the parent that it has the same legal effect and can be enforced in the same way as a written signature.***

I have read the Sylvan Union School District Student Code of Conduct and have discussed it with my child.

Parent/Guardian Signature _____

Student Signature _____

Print Student's Name _____ Grade: _____ Date: _____