

## Merced Union High School District-wide Policies

### Guidance Services

The *team* concept in guidance means that counselors, guidance staff, teachers, administrators and parents work together to meet the needs of students. The goal of the guidance team is to help students develop and work toward their educational, personal, and career goals.

The following are the guidance services for the Merced Union High School District.

#### Guidance personnel shall:

- Counsel students regarding educational progress.
- Make scheduling and program adjustments as warranted.
- Serve students with special needs.
- Be available for limited personal and social counseling.
- Assist with various achievement testing. Interpret assessment results to students, parents, and staff.
- Arrange parent/student/teacher conferences as requested and/or as needed.
- Be available for consultation with staff.
- Arrange Student Study Teams (SST) for students and determine need for special education consideration.
- Identify at-risk students and facilitate effective academic and behavioral response to intervention services.
- Provide referrals to district and community resources.
- Recommend in-service for staff and parents on identifying students with drug and/or personal problems.
- Provide information about colleges, vocational schools, and career opportunities. Encourage students to explore and refine career goals.
- Update a personalized six-year educational plan with students.
- Evaluate each student's progress toward graduation. Send written notice and schedule conferences with parents and students regarding graduation deficiencies.
- Register new and continuing students.
- Be available informally to students and staff.
- Support students and their families in the areas of discipline and attendance.

Guidance personnel shall provide the following services for students at each grade level indicated:

#### Ninth Grade

- Develop a 6-year educational plan utilizing prior academic results and other data provided by feeder schools
- Provide academic and behavioral interventions as needed

#### Tenth Grade

- Continue to develop 6 year educational/careers plan
- Conduct academic, social, and personal growth project and interview
- Develop knowledge of A-G college admission requirements

#### Eleventh Grade

- Provide information regarding college admission and testing requirements
- Conduct career research activities and interviews

#### Twelfth Grade

- Assist with high school goals interview project
- Review progress toward graduation requirements and college admission requirements
- Provide all seniors and their parents with a graduation status report
- Assist students with college and vocational, scholarships, and financial aid applications

#### Program Changes

Students and parents should work with school personnel and make a special effort to select a program of classes carefully so that a minimum number of schedule changes will be required following their initial selection. Program changes may be initiated by school personnel based upon students' academic and/or behavioral need.

**Students may only request schedule changes during the first 2 weeks of school and only under the following circumstances:**

- There will be an attempt to correct program errors and improper placement within the first 3 weeks
- Students presenting a valid need to change their program by dropping one course and adding another will be allowed to on a space available basis. A "Request for Change of Program" will not be honored unless an irresolvable conflict or personal issue persists after efforts at resolution have failed.
- Students who withdraw or are dropped from classes after the 30<sup>th</sup> school day will not be allowed to enroll in another class for credit.
- Second semester course changes are granted on a space available basis. Requests for change of program for the second semester should be completed and turned in to the Counseling Office during the last three weeks of the first semester.

#### Grade Reporting Calendar

Listed below is the Grade Report Calendar for the 2015-2016 school year. Report cards will be mailed home one to two weeks following the end of the first semester, 3rd quarter, and the end of the semester. Current grades are available on-line.

Oct. 14, 2016	End of 1st Quarter
Dec. 15, 2016	End of 1st Semester
Mar. 10, 2017	End of 3rd Quarter
June 1, 2017	End of 2nd Semester

**Holidays/Recesses**

September 5	Labor Day
November 11	Veteran's Day Recess
November 21 - 25	Thanksgiving Break
December 19 - January 2	Winter Recess
January 16	M.L. King Jr. Day
February 13	Lincoln's Birthday
February 20	Presidents' Day
April 14 - 21	Spring Recess
May 29	Memorial Day

**District Safety Measures**

**Student Procedures for Reporting Concerns**

Students who need to report a problem with a student, teacher, school issue or who have information regarding a potential problem may ask to see a counselor, associate principal or school resource officer. If the problem is urgent and the student feels threatened, harassed or intimidated, students are encouraged to reach out for assistance from any staff member. An investigation of the problem will be conducted and all efforts will be made to achieve a resolution.

**Students and/or parents may also use the school's automated tip-line to report concerns and communicate with trusted staff members. In addition, tips can be sent to school administration via anonymous text message by dialing TIP411 (847411) and including the school's "keyword" in the text message. Keywords will to be made available to all students at the beginning of each school year.**

**Search and Seizure**

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or district property under their control, and may seize illegal, unsafe and prohibited items. No student shall possess, place, keep or maintain any article or material that is prohibited by law or District Policy in lockers, vehicles, desks, bags, or other items assigned to them or under their control while on District property or at a District sponsored event. The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled and has taken measures to prevent such from occurring.

**School Lockers**

Lockers are available to students for storage of their books and personal property. These lockers are school property provided to students as a convenience only and may be searched periodically for disciplinary, health or safety reasons. Any items contained in a locker shall be considered to be the property of the student(s) to whom the locker was assigned. The school cannot guarantee the safety of the items and assumes no responsibility for the theft of or damage to items stored in these lockers.

Students may not decorate or paint lockers and may be held liable for damages which occur from such. Students may not put an additional/personal lock on their locker or the lock may be removed by school officials.

**Metal Detectors**

In order to deter the presence of weapons and promote safety of all students, staff and visitors, the Merced Union High School District may maintain and use walkthrough metal detectors and hand-held detectors for utilization in schools and at school activities as outlined in the District Policy.

**Contraband Canines**

The district may also utilize the service of non-aggressive trained detection canines to sniff out and alert to the presence of those substances prohibited by law or District policy.

**Automobiles**

Any automobile entering district property is subject to search, with or without cause, and without the consent of the student by school officials or police officers.

**Surveillance Cameras**

Cameras will be used to gather evidence with the hope that the utilization of these types of evidence detection devices may reduce the risk of improper behavior within a school zone and/or the transporting of something harmful inside the school zone. The presence of dangerous items such as weapons and drugs inside our school zone may be reduced and the cameras may serve as a possible deterrent to student misbehavior including fights.

**Use of Tobacco Products**

Students shall not use or possess tobacco products during school hours or at school related activities. School officials will enforce this policy for any infractions on or adjacent to campus or at activities off campus. Students in possession of tobacco products are subject to being cited under Section 308 of the Penal Code.

**Medication**

Students needing to take prescribed and/or over-the-counter medication during the school day are required to register their medication in the Health Office. Trained school personnel will assist with the dispensing of such medication as necessary. The following are required before assistance is given:

- 1) A written statement from the student's physician detailing the method, amount, and time schedule for the taking of the medication
  - 2) A written statement from the student's parent/guardian requesting the school to assist the student in taking the prescribed medication (EC Section 49423)
  - 3) Medication needs to be in its original container
- Students may not carry medication on campus EXCEPT Epi-Pen, Rescue Inhalers and Glucagon (EC Section 48900)

### **Travel Policy**

Members of an activity must go and return in school-provided transportation. The only exception is if a parent or guardian requests permission in writing to the school principal prior to the day of the event/activity. The principal and /or designee must approve the request and inform the coach/advisor that the student is to be released to the parent or guardian. It is the responsibility of the coach/advisor to release the student to the parent.

### **Services to Students In Transition**

The *No Child Left Behind* (NCLB) and the McKinney-Vento Act of 2001 ensure educational rights and protections for children experiencing homelessness. **Students are guaranteed enrollment in school by the federal law, McKinney-Vento Act, if they live:**

- Doubled-up with another family or individual because of financial issues or loss of housing
- In a shelter or transitional housing
- In a motel, hotel, or weekly rate housing
- In an abandoned building, in a car, campground, or on the street
- In substandard housing (without electricity, water or heat)
- **Awaiting** foster care placement
- Unaccompanied Youth
- Migrant students qualify if they are living in circumstances described above

**Under the McKinney-Vento Act, children and youth in homeless situations have the right to:**

- Go to school, no matter where they live or how long they have lived there
- Attend either the local school or the school of origin (based on the best interest of the child)
- Receive transportation assistance to and from school of origin
- Enroll in school immediately, even if missing records, without parent or legal guardian present (Unaccompanied youth), or lack a permanent address
- Have access to the same program and services that are available to all other students
- Automatically qualify for free school breakfast and lunch
- Receive assistance from the Homeless Liaison in regards to enrollment disputes

**If you have questions or believe you qualify please contact the Child and Youth Liaison Norma C. Cardona at (209) 385-8990 or [ncardona@muhsd.org](mailto:ncardona@muhsd.org)**

## **Behavior Guidelines and Discipline**

### **General School Rules**

The Governing Board desires to provide a safe, supportive, and positive school environment conducive to student learning and prepare students for responsible citizenship by fostering self-

discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to disengage from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed (Education Code 48900.5)

### **Definitions**

- A. Home suspension from school means removal of a student from ongoing instruction for adjustment purposes.
- B. Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)
- C. Day means a calendar day unless otherwise specifically provided. (Education Code 48925)
- D. School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)
- E. Student includes a student's parent/guardian or legal counsel. (Education Code 48925)
- F. Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. The names of such persons shall be on file in the principal's office. (Education Code 48911)
- G. School property includes, but is not limited to; books, computers, equipment, lockers, facilities, electronic files and databases. (Education Code 48900(s))
- H. Alternative consequences may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension, Friday/Saturday School, Work Detail, Community Service, Conference with students and their parents/guardians, Use of Study, Guidance, or other intervention-related teams, Participation in a Restorative Justice Programs through Site Intervention Centers, District Opportunity Center (DOC), Anger Management Program (AMP) or alternative educational programs.
- I. Serious Bodily Injury means a serious impairment of physical condition including, but not limited to; loss of consciousness, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement.
- J. Electronic Act means the transmission of a communication, including but not limited to, a message, text, sound, or image by means of

an electronic device, including but not limited to a telephone, wireless (cell) phone, or other wireless communication device, computer, or pager (Education Code 32261)

Students and staff have a right to learn and teach within a positive learning and working environment. Therefore the Board believes in the importance of establishing discipline and maintaining order to provide safe and civil schools. These rules allow each school the discretion to impose minimum consequences to correct an undesirable behavior. Depending on the seriousness of the first or succeeding offenses, a student may be recommended for (1) an alternative to home suspension, (2) home suspension, (3) placement into another school or an alternative educational program, or (4) expulsion from all schools in the district.

A student may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to any of 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.
4. During, going to, or coming from a school-sponsored activity.

During the suspension, the student is expected to remain home under adult supervision and may not attend school activities or be on or around any school campus. Students shall be allowed to make up assignments and tests missed during the suspension by arrangement of the teacher, as provided in Education Code. Suspended or expelled students shall be denied the privilege of participation in all extracurricular and co-curricular activities during the period of suspension or expulsion.

**Site administrators have primary responsibility for enforcement, however, it shall be the duty of each employee of the school to enforce the rules and procedures for school discipline.**

#### **E-Discipline (Electronic Related)**

Administrators may take appropriate action when information becomes available about student misconduct that originates away from school grounds or school activities that has a direct and detrimental effect on or seriously threatens the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the District. Student conduct originating away from school grounds (including from a home computer, other non-school computer, cell phone or other electronic device), which may be subject to discipline as provided herein includes but is not limited to electronic acts that result in a substantial disruption to the educational

environment, or for which a substantial disruption to **the educational environment is reasonably foreseeable under the circumstances.**

**Students will be allowed to use cell phones and other electronic communication devices on campus during the school day. The exception will be during instructional time. Appropriate use of such devices during instructional time will be at the discretion of, and authorized by, the classroom instructor.**

**Student use of any electronic listening or recording device in any classroom or throughout the school grounds during the school day without prior consent of a teacher and/or administrator of the school given to promote an educational purpose, disrupts and impairs the teaching process and discipline in school, and such use is prohibited. (Education Code 51512)**

**Electronic communication devices may be confiscated by school personnel, and such items may be searched by administration given reasonable suspicion of a rule violation. The school assumes no responsibility for the theft or damage to such items.**

**Obligations: It is the student's responsibility to protect and take care of school property or the property belonging to others and report unsafe conditions or damage to school officials. All textbooks and electronic devices are issued through the library. Students will be required to show their student body card at time of issuance. Students are responsible for the proper care of textbooks and electronic devices issued to them. Book covers and device covers are required. Students are financially responsible for books and devices that are lost, stolen, or damaged.**

It is recommended that book bags not be left with friends, on the ground near classrooms, or in a classroom unattended. It is also advised that students not lend books or their electronic devices to anyone, since the student will be held accountable for these materials.

#### **Notice of Regulations**

**At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. (Education Code 48900.1, 48980) (cf. 5144 - Discipline)**

#### ***Dress Policy***

#### **Philosophy**

The expression of a student's uniqueness and individuality by means of his/her dress is sanctioned by the Board of Trustees as being

consistent with stated purposes of the school. It should be recognized that any apparel, or lack of, which draws undue attention to the wearer, tends to detract from the educational process and is, therefore, inappropriate. Good taste and good grooming are a part of learning. In addition, it is recognized that the school shares with the parents a responsibility for teaching young people appropriateness of dress. It is a mark of maturity when students can freely choose apparel that demonstrates individuality without deviating from the standard appropriateness.

**Restrictions on freedom of student dress will be imposed whenever the mode of dress in question is:**

- Unsafe either for himself/herself or those around him/her.
- Is disruptive of school operations and the educational process in general.
- Is contrary to law.

**Clothing, jewelry and other accessories:**

- All clothing must be worn as to not expose undergarments or midribs standing or sitting. Shorts and skirts must be worn no shorter than the mid-thigh.
- No spandex-type pants or tops which draw attention to the wearer.
- No attire which is sexually suggestive, provocative, or extremely brief, such as low-cut garments, strapless or off the shoulder tops, tube tops, bare midribs, tank tops with straps less than one (1) inch in width, or muscle shirts, sleeveless undershirts, fishnet tops, short shorts or skirts, see through tops, backless tops, etc. Clothes will be sufficient to conceal undergarments at all times.
- No shirts, jackets, etc. displaying profanity, vulgarity, obscene, libelous, slanderous or sexually suggestive language, pictures, or slogans.
- No clothing, accessories, jewelry, etc. that degrades any cultural, religious or ethnic group.
- No clothing, accessories, jewelry, etc. which advertises or encourages the use of illegal drugs, alcohol and/or substances, promotes the use of tobacco or displays weapons.
- No clothing, accessories, jewelry, etc. which designates affiliation with outside groups, organizations, or gangs. This includes, but is not limited to: pants sagging below the hips (whether exposing underwear or not), hanging belts, hair nets, gang related initials or symbols, gang type writing on person, clothing or personal belongings including notebooks and backpacks.
- School administrators have the right to restrict and/or prohibit the color of clothing worn by any student in a documented gang offense. The school also reserves the right to limit dress to no more than one article of clothing known as a gang color i.e. red or blue.
- No chains, spiked collars or bracelets, and rings that could be used as a weapon. Students may wear a single wallet chain having a length of no more than 12 inches and only heavy enough to adequately protect the wallet.
- No bare feet. Appropriate shoes must be worn at all times.

**Headwear**

- No bandannas, doo-rags, or wave caps.

- All hats must be school sanctioned. Hats may only be school colors and must bear the school logo. Hats may not be worn indoors.
- No garments or headwear that conceals identity are permitted. However, wearing hoods may be authorized by administration given severe weather conditions (i.e. rain, gusty winds)
- School officials may approve the wearing of headwear for special reasons such as athletics, religious practices, theatrical performances, student rallies and activity weeks or health needs.

**Note: The final determination of what constitutes appropriate dress shall be made by the school administration. All borderline cases will be considered a violation.**

***Tardy Policy***

Tardiness is disruptive to the learning process and is the number one reason people are fired from jobs. In order for students to be successful and productive, they must develop habits of punctuality. These habits will contribute not only to academic success, but also to career success in later years. Since tardiness is neither responsible nor productive all MUHSD students will be held accountable for punctuality. Reporting to class on time with books and materials needed for the lesson is the responsibility of the student. Materials include a fully charged device and charging adapter if needed. Tardies will be excused only if the student is tardy for valid reasons verified by school personnel, as described under the site-specific tardiness and attendance policies of this handbook. Tardies due to oversleeping, missing the bus, car trouble, traffic, etc., are unexcused, even with parent verification. All tardy policies are based on **all tardies acquired for all periods.**

Tardiness in excess of thirty (30) minutes is considered truant according to Education Code 48260, and will be treated as truant in accordance with Board Policy (B.P. 5232).

Tardy sweeps will be conducted randomly, throughout the school year. All students will be assigned a Friday/Saturday School if they are outside class without a pass or signed agenda during the sweep, regardless of the step of tardiness. Tardiness may be reflected in the student's citizenship grade.

***Truancy Policy***

Each person between the ages of 6 and 18 years is subject to compulsory full-time education. Students may not be absent from school without a valid excuse. While every effort shall be made by school personnel to work toward a change in behavior of each truant student, it is recognized that consequences for truancy must be firm and clear to parents and students. Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for

more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Ed. Code Sec. 48260).

**First Step** - The student will be advised of the mandatory attendance laws and the school prescribed consequences, and instructed to attend all classes. Parent/guardian contact will be made in the most cost-effective method possible, including e-mail or a telephone call.

- School counseling and intervention by attendance liaison and/or counselor.
- Alternative consequences may be assigned.

**Second Step** - The student's parent/guardian will be informed in the most cost-effective method possible, including e-mail or a telephone call, of their legal responsibilities. The student is again directed to attend all classes and advised of the mandatory attendance laws and the school's prescribed consequences. The student and parents are notified that failure to follow the school's directives shall be treated as "defiance of authority".

- School counseling and intervention by AP and/or counselor.
- Alternative consequences may be assigned.

**Third Step** - Student is now a habitual truant.

Student will be referred to the Associate Principal who, along with the Attendance Supervisor, will arrange for a School Attendance Review (SART) meeting, where a corrective action plan will be developed with parental input. The student will again be directed to attend all classes unless excused for legal reason. The parents or guardians and student will be informed that failure to follow this directive will be considered "defiance of authority" and the next incident may lead to loss of extracurricular and co-curricular eligibility as well as a referral to law enforcement. Alternative programs, including the need for additional counseling will be discussed.

- Referral to SART (Student Attendance Review Team). A corrective action plan will be developed with student and parent to improve attendance.
- Alternative consequences may be assigned.

**Fourth Step** - Student will be referred to the Associate Principal. The student is now a legal habitual truant and may fall under the jurisdiction of the juvenile court. (Education Code Section 48200) The Associate Principal shall call and hold a parent conference. Parents/guardians and students are again informed that failure to follow the school's directive to attend classes will be "defiance of authority" and may be grounds for involuntary transfer to an alternative program.

- Student shall be declared ineligible from extra-curricular and co-curricular activities for nine (9) weeks from the date the conference is held.
- Referral to School Resource Officer for arrest.
- Referral to an Alternative Program may be made.
- Alternative consequences may be assigned.

**Fifth Step** - Student will be referred to the Associate Principal. The parents and the student will be informed that the next incidence of refusal to attend classes upon the direction of school

authorities may result in a referral to the District's Alternative Program Screening Committee. It shall be recorded that the student is again truant.

- Student referred to SARB (School Attendance Review Board).
- Loss of extracurricular and co-curricular privileges for additional 9 weeks.
- Work permit revoked.
- Alternative consequences may be assigned.
- Alternative educational programs may be assigned.

**Sixth Step** - A first class letter shall be sent to the parents/guardians informing them that their student has had additional incidents of truancy since being declared a legal habitual truant (Education Code 48262) and has been in "persistent defiance of authority." A Corrective Action Plan and sanction recommendation may be initiated.

- Student and/or parent may be referred to Merced County District Attorney for prosecution in juvenile and/or adult court.
- Loss of extracurricular and co-curricular privileges for additional 9 weeks.
- Request for suspension or revocation of driving privileges pursuant to Section 13202.7 of the Vehicle Code submitted.

#### ***Grounds for Suspension and Expulsion***

**A. Causes for Mandatory Recommendation for Expulsion (Education Code 48915)** Except as provided in subdivision (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

#### **Expulsion Offenses (1-5) - Mandatory**

**Suspension/Mandatory Expulsions** (The Big Five, Most Serious Offenses). Principal shall immediately suspend, pursuant to Education Code 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school ground (Education Code 48915(c)). The Board shall order a pupil expelled upon finding that the pupil committed an act listed in Education Code 48915(c) and shall refer the pupil to an Alternative program of study (Education Code 48915(d)):

- A1. **Possessing, selling, or otherwise furnishing a firearm.** (Education Code 48915 (c)(1), Penal Code 417.8, 626.9, 12001, 12020))
- A2. **Brandishing a knife at another person.** (Education Code 48915 (c)(2))
- A3. **Unlawfully selling a controlled substance listed in Chapter 2** (commencing with Section 11053) of Division 10 of the Health and Safety Code. (Education Code 48915(c)(3))

A4. **Committing or attempting to commit a sexual assault** as defined in subdivision in Education Code 48900(n) **or committing a sexual battery** as defined in Education Code 48900(n). (Education Code 448915(c)(4))

A5. **Possession of an explosive.** (Education Code 48915(c)(5))

NOTE: The known possession of a firearm, loaded or unloaded, brandishing a knife, unlawfully selling a controlled substance, committing a sexual assault or battery, or possession of an explosive at school or a related activity, will result in an immediate suspension and recommendation for expulsion. If the Board upholds an expulsion recommendation after the appropriate expulsion hearing, the student shall be expelled for one calendar year from the date of the offense unless the Board sets an earlier date for readmission, which will be determined on a case by case basis. Referral to an alternative program will be required. (Education Code 48916(a))

**Expulsion Offenses (6-10) – Mandatory Recommendation/Permissive Expulsions** (Very Serious Offenses). Allowance for a Review of Circumstances. For the following offenses, the Principal must recommend expulsion of the pupil unless the Principal finds that expulsion is inappropriate under the circumstances. While the recommendation is mandatory, expulsion is not. A non-expulsion recommendation must be made, in writing to the Board, if the decision is not to recommend expulsion. If the decision is to recommend expulsion, the Board must find that: a) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; and/or b) Due to the nature of the act, the presence of the pupil causes a continuing danger to the safety of the pupil or others. A student may be subject to suspension or expulsion when it is determined that he/she committed one of the following acts:

A6. **Causing serious physical injury to another person except in self defense.** (Education Code 48915 (a) (1), Penal Code 243)

The principal or designee shall, prior to the suspension or expulsion of any pupil, notify the police of any assault with force likely to produce great bodily injury, with or without a weapon. (Education Code 48902 (a), Penal Code 245 (Assault with a deadly weapon))

A7. **Possession of any knife, or other dangerous object of no reasonable use to the pupil.** (Education Code 48915 (a) (2))

**Dangerous Object** - An instrument capable of causing serious physical injury (includes look-alike weapon or imitation firearm that is so substantially similar in physical properties to an

existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m)) This also includes but is not limited to possession, use, and/or sale of destructive/explosive device (bomb), M-80's, cherry bombs, fire-crackers, fireworks and live ammunition.

A8. **Unlawful possession of any controlled substance** listed in Chapter 2, (commencing with 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. (Education Code 48915(a)(3)) First offense for marijuana "spice" or "salvia" requires consequences outlined in B.1.

A9. **Committed robbery or extortion.** (Education Code 48915(a)(4))  
**Robbery** - Taking of property from a person's possession against his/her will by means of force or fear.  
**Extortion** – Obtaining property from another person through use of force or fear.

A10. **Assault or battery upon any school employee,** as defined in Penal Code 240 and 242. (Education Code 48915 (a) (5))

NOTE: Whenever school personnel are threatened by any pupil, it is mandatory for the employee and the employee's supervisor, if the supervisor has knowledge of the incident, to promptly report the incident to law enforcement authorities. (Education Code 44014, Penal Code 71)

NOTE: Any five-day home suspension related to possession, use, sale, or under the influence of any controlled substance as defined in Safety Code section 11007, alcoholic beverage, or intoxicant of any kind will result in a nine-week ineligibility period from extracurricular and co-curricular activities. This includes all senior activities with the exception of the graduation ceremony itself. Seniors serving home suspension on the date of graduation will not participate in the graduation ceremony. (BP 6145)

### **B. Causes for Possible Suspension/Expulsion on the First Offense. (Education Code 48900)**

NOTE: Depending on the seriousness of the act, a five-day suspension and expulsion may be immediately recommended on the 1st offense. Failure to complete an intervention will result in a five-day suspension and/or additional behavioral consequences.

**Suspension/Expulsion Offenses B1 - B19 are classified as Permissive Recommendations for Expulsions** (Education Code 48915(e)) and require a complete investigation of circumstances surrounding the behavioral infraction triggering the recommendation for expulsion. Upon a recommendation by the Principal, the Board may order a pupil expelled upon a finding that the pupil violated Education Code 48900(f) through (r), or Education Code 48900.2 (sexual harassment), Education Code 48900.3 (hate violence), or Education Code 48900.4 (intimidation). With regard to these violations, the additional finding that other means of correction are not feasible or have repeatedly failed to bring about proper conduct and/or that this pupil's continued presence creates a danger to the physical safety of the pupil or others must be made.

- B1. **Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance** as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. Sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. Unlawfully offered, arranged to sell, or sold the prescription drug Soma. (Education Code 48900(c), 48900(d), 48900(p))  
**1st Offense:** Parent/student conference and immediate five-day suspension. Student may attend District Opportunity Center (DOC) in lieu of immediate five-day suspension, loss of eligibility for extracurricular and co-curricular activities for a nine- week period, and notification of appropriate law enforcement agency. Community service may also be required. Student may attend and successfully complete district-approved substance abuse program other than the DOC.  
**2nd Offense:** Parent/student conference, immediate five-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

- B2. **Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia**, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))  
**1st Offense:** Parent/student conference and immediate five-day suspension. Student may attend District Opportunity Center (DOC) in lieu of immediate five-day suspension, loss of eligibility for extracurricular and co-curricular activities for a nine- week period, and

notification of appropriate law enforcement agency. Community service may also be required. Student may attend and successfully complete district-approved substance abuse program other than the DOC.

**2nd Offense:** Parent/student conference, immediate five-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

- B3. **Stole or attempted to steal school property or private property. Knowingly received stolen school property or private property.** (Education Code 48900 (g), 48900 (l), Penal Code 487, 488) Being in possession of another person's property, including computer passwords or files, without permission, is prima facie evidence of theft. Restitution may be a necessary requisite for a satisfactory condition of re-admittance.  
**1st Offense:** Parent/student conference, immediate one to five-day suspension. Alternatives to home suspension may be used. Notification of appropriate law enforcement agency is at the discretion of the administration.  
**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to home suspension may be used. Student may be referred to an alternative educational program.  
**3rd Offense:** Parent/student conference, immediate five-day suspension, and recommendation for expulsion.
- B4. **Caused or attempted to cause damage to school property or private property** - cutting, defacing, tagging, changing information on district servers, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Education Code 48900 (f))  
**1st Offense:** Parent/student conference, immediate one to five-day suspension. Alternatives to home suspension may be used. Notification of appropriate law enforcement agency is at the discretion of the administration.  
**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to home suspension may be used. Student may be referred to an alternative educational program.  
**3rd Offense:** Parent/student conference, immediate five-day suspension and recommendation for expulsion.

NOTE: The parent or guardian will be held responsible for damages to school district property and restitution for damages. The parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage. (Education Code 48904, Penal Code 594, Civil Code 1714.1)

B5. **Fire-setting, attempted fire-setting or bomb threat - including the activation of false alarms or tampering with emergency equipment.** (Penal Code 148.1, 148.4)

**1st Offense:** Parent/student conference, immediate one to five-day suspension. Student and parent to participate in Threat Assessment if administration deems necessary. Alternatives to home suspension may be used. Restitution for damages may be a condition of re-admittance. Notification of appropriate law enforcement agency at the discretion of the administration. May recommend for expulsion.

**2nd Offense:** Immediate five-day suspension. Recommendation for Expulsion

B6. **Made terrorist threats against school officials and/or school property.** (Education Code 48900.7)

"Terrorist 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, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

**1st Offense:** Parent/student conference, immediate one to five-day suspension. Parent and student to participate in threat-assessment, attends and successfully completes social skills training/anger management program. Alternatives to home suspension may be used. Notification of appropriate law enforcement agency.

**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to home suspension may be used. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program. May recommend for expulsion.

NOTE: Threatening school personnel requires mandatory notification of law enforcement authorities. (Education Code 44014, Penal Code 71)

B7. **Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense.**

(Education Code 48900 (a), Penal Code 415, 415.5)

**1st Offense:** Parent/student conference, immediate one to five-day suspension. In lieu of five-day suspension, student may attend and successfully complete social skills training/anger management program. Notification of appropriate law enforcement agency left to the discretion of the administration. Additional alternatives to suspension may be used.

**2nd Offense:** Parent/student conference, immediate five-day suspension. Recommendation for expulsion, and notification of appropriate law enforcement agency.

B8. **Caused, attempted to cause, threatened to cause, or participated in an act of hate violence** as defined in Education Code 233

(e). (Education Code 48900.3) Penal Code 422.6 defines a hate crime as the use of force or threat of force that injures, intimidates, interferes with, oppresses, or threatens a person in the enjoyment of any right because of the person's race or ethnicity, religion, national origin, disability, gender, or sexual orientation or perception thereof. This includes defacing, damaging, or destroying a person's personal property.

**1st Offense:** Parent/student conference, immediate one to five-day suspension. In lieu of suspension, student may attend and successfully complete social skills training/anger management program. Alternatives to home suspension may be used.

**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to home suspension may be used. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program and/or recommend for expulsion.

B9. **Aiding and Abetting the infliction or attempted infliction of physical injury to another person,** as defined in Penal Code 31.

(Education Code 48900 (s), 48915 (b))

**1st Offense:** Parent/student conference, immediate one to five-day suspension. Student may attend and successfully completes social skills training/anger management program in lieu of home-suspension.

**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to suspension may be assigned. Notification of appropriate law enforcement agency at the discretion of the administration. May refer the student to an alternative educational program and/or recommend for expulsion.

- B10. **Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.**

(Education Code 48900 (o))

**1st Offense:** Parent/student conference.

Immediate one to five-day suspension. In lieu of five-day suspension, student may attend and successfully complete social skills training/anger management program.

**2nd Offense:** Parent/student conference, immediate five-day suspension. Additional alternatives to suspension may be used. Notification of appropriate law enforcement agency at the discretion of the administration. May refer the student to an alternative educational program and/or recommend for expulsion.

- B11. **Intentionally engaged in harassment, agitation, threats, or intimidation against district personnel or students** that is

sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900 (a), 48900.4, Penal Code 415, 415.5)

**1st Offense:** Parent/student conference.

Immediate one to five-day suspension. In lieu of five-day suspension, student may attend and successfully complete social skills training/anger management program.

**2nd Offense:** Parent/student conference. Immediate five-day suspension. Additional alternatives to suspension may be used. Notification of appropriate law enforcement agency at the discretion of the administration. May refer the student to an alternative educational program. Possible removal from campus or isolation of student.

**3rd Offense:** Parent/student conference. Immediate five-day suspension and recommendation for expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

NOTE: Threatening or intimidating school personnel requires mandatory notification of law enforcement agencies. (Education Code 44014, Penal Code 71)

- B12. **Committed, or attempted to commit, hazing, sexual harassment, or any act that injures, degrades, or disgraces any other person at school.**

(Education Code 32050-32052, 48900.2, 48905, 48900 (q), 212.5, Penal Code 245.6)

**1st Offense:** Parent/student conference.

Immediate one to five-day suspension. In lieu of five-day suspension, student may attend

and successfully complete social skills training/anger management program.

**2nd Offense:** Parent/student conference.

Immediate five-day suspension. Additional alternatives to suspension may be used. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program and/or recommend expulsion.

- B13. **Upbraiding, insulting, or abusing teachers or other school personnel.** (Education Code 48900 (k))

**1st Offense:** Parent/student conference.

Immediate one to five-day suspension. In lieu of five-day suspension, student may attend and successfully complete social skills training/anger management program. (Removal from class is possible)

**2nd Offense:** Parent/student conference.

Immediate five-day suspension. Additional alternatives to suspension may be used. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program. May recommend expulsion.

- B14. **Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261,** directed specifically toward a pupil or school personnel.

**1st Offense:** Parent/student conference.

Immediate one to five-day suspension. In lieu of five day suspension, student may attend and successfully complete social skills training/anger management program.

Removal from class is possible. Failure to remove offensive social-media may result in additional disciplinary consequences.

**2nd Offense:** Parent/student conference.

Immediate five-day suspension. Additional alternatives to suspension may be used. Notification of appropriate law enforcement agency. May refer to an alternative educational program and/or recommend expulsion.

NOTE: Bullying means one or more acts by a student or group of students that constitute: Threats to cause physical injury; Disruption of School Activity; Sexual Harassment; Hate Violence; Harassing, threatening or intimidating a pupil witness in a disciplinary proceeding; Harassment, threats or intimidation of students or staff; Cyberbullying or exclusionary acts of bullying.

Electronic act means the transmission of communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless

communication device, computer or pager. A post on a social network Internet website shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

- B15. **Any act of defiance or disobedience** either in language or in action against school personnel or refusing to comply with the reasonable request or orders of school personnel. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Immediate one to five-day suspension. In lieu of five-day suspension, student may attend and complete social skills training/anger management program. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.
- B16. **Failing to identify oneself or giving false information to school personnel.** (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Immediate one to three-day suspension. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate three to five-day suspension and ~~parent contact~~. Additional alternatives to suspension may be assigned. May refer the student to an alternative educational program.
- B17. **Willful disruption of the school or interfering with the peaceful conduct of the activities of the school,** including district servers, websites, data bases, or other information systems. (Education Code 48900 (k)) This also includes the possession and/or use of stink bombs, pepper spray, tear gas, or mace.  
**1st Offense:** Parent/student conference. Immediate one to five-day suspension. Alternative consequences may be assigned. Notification of appropriate law enforcement agency at the discretion of the administration.  
**2nd Offense:** Parent/student conference. Immediate five-day suspension. May refer the student to an alternative educational program. Notification of appropriate law enforcement agency at the discretion of the administration.

NOTE: Restitution for damages may be a condition of re-admittance.

- B18. **Possessed or used tobacco or any products containing or related to tobacco or nicotine products,** including but not limited to cigars, cigarettes, electronic cigarettes,

miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900 (h), 48900 (k), 48901)

**1st Offense:** Parent/student conference. Immediate one to three-day suspension. Alternative consequences may be assigned including completion of on-line smoking cessation program: ASCENT.  
**2nd Offense:** Parent/student conference. Immediate three-day suspension and parent contact. Additional alternatives to suspension may be assigned. Referral to a smoking cessation program.  
**3rd Offense:** Parent/student conference. Immediate five-day suspension. Additional alternatives to suspension may be assigned including student participation in a smoking cessation program.

- B19. **Forgery, falsifying, or altering school correspondence, passes, or absence vouchers,** including any records on district servers, websites, data bases, or other information systems contained on the school network. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Immediate one to three-day suspension. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate three-day suspension. Additional alternatives to suspension may be assigned.  
**3rd Offense:** Parent/student conference. Immediate five-day suspension. Additional alternatives to suspension may be assigned and may refer the student to an alternative educational program.

### **C. Causes for Less Than Suspension on the First Offense. (1-12) (Education Code 48900)**

Alternative consequences may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension, Intervention Center, Day Reporting Center, Anger Management/Social Skills Program, Saturday School, Work Detail, Community Service, Intervention Groups, or Alternative Educational Programs. (Education Code 48900.1, 48900.5, 48900.6, 48910, 48911)

- C1. **Committed an obscene act or engaged in habitual profanity or vulgarity** either verbally or in writing including all electronic transmissions. (Education Code 48900 (i), 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension to Intervention Center.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension to intervention center. May refer the student to an alternative educational program.  
**4<sup>th</sup> Offense:** Parent/student conference. Immediate one to five day suspension.

- C2. **Leaving the campus without authorization.** (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned.
- C3. **Tampering with property** of the school district or belongings of any other person. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. May refer to an alternative educational program.
- C4. **Being in a parking lot or out of bounds** without proper authorization. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.
- C5. **Gambling and wagering** or habitually being present where such acts are taking place. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.
- C6. **Interfering with the peaceful conduct of the campus or classroom** causing class or campus disruption of a minor but annoying nature. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.
- 3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.
- C7. **Loitering on campus without any apparent lawful purpose.** (Education Code 48900 (k), Penal Code 647b and 653b)  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.
- C8. **Violations of district dress code - mandatory sections.** (Education Code 48900 (k)) The wearing and/or carrying of symbols, paraphernalia which symbolizes gang membership or advocating racial, ethnic, sexual, religious group prejudice or tends to detract from the educational process is not permitted.  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned. Student may be sent home to dress properly, or change into a school issued loaner clothing.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used.
- C9. **Misconduct on a school bus.** (Education Code 48900 (k) and Title 5 Admin Code 14103)  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned. If incident is serious, student may be suspended from bus and/or school.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used. Immediate one to five-day suspension of transportation privileges.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. Possible loss of transportation privileges not to exceed one semester.

NOTE: 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. 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. It shall be the responsibility of the parents of students, in cases of suspension of transportation privileges, to provide transportation to and from school during the period of suspension.

- C10. **Possession of unauthorized articles/items on campus**, i.e. laser pointers, dice, computer/server hacking tools, implements of graffiti including but not limited to marking pens, spray paint, paint tips, etc., and water toys including but not limited to squirt guns and water balloons, and any other items of no educational purpose or value at school. Electronic signaling devices used by the pupil which are authorized by a licensed physician shall be permitted. (Education Code 48900 (k), 48901.5)  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned. The object may be confiscated for up to one week.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned. The object may be confiscated for up to two weeks. Parent must pick up confiscated item.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. The object may be confiscated for up to three weeks. Parent must pick up confiscated item.
- C11. **Unauthorized, improper or unsafe use of electronic communication devices** within the jurisdiction of the District: (Education 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned. The device may be confiscated for up to one week.  
**2nd Offense:** Parent/student conference with A.P. Alternative consequences may be assigned. Device may be confiscated for up to two weeks.  
**3rd Offense:** Parent/student conference with A.P. Alternative consequences may be assigned. The device may be confiscated for up to three weeks.
- C12. **Improper or unsafe use of:** bicycles, mopeds, motorcycles, roller skates, in-line skates, scooters, or skateboards on campus. (Education Code 48900 (k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned. The object may be confiscated for up to one week.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used. The

object may be confiscated for up to two weeks.

**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. The object may be confiscated for up to three weeks. Additional alternatives to suspension may be assigned.

NOTE: The school cannot guarantee the safety of the items confiscated and assumes no responsibility for the theft of or damage to such articles. Parents may be required to pick up articles from school officials.

- C13. **Cheating or plagiarizing** on assignments or tests, including the use of electronic devices (Education Code 48900(k))  
**1st Offense:** Parent/student conference. Alternative consequences may be assigned.  
**2nd Offense:** Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned.  
**3rd Offense:** Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. May result in removal from class with a withdrawal F grade.

### School Safety "Tip" Lines You can leave an anonymous tip regarding any safety concern at:

Atwater High School: 325 -  
Buhach Colony High School: 325 - (8477)  
El Capitan High School: 325 -  
Golden Valley High School: 325 -  
Independence High School: 325 -  
Livingston High School: 394-TIPS (8477)  
Merced High School: 325 -  
Sequoia High School: 325 -  
Yosemite High School: 325 -

### District Phone Numbers

Superintendent: 325 -  
Business Office: 325 -  
Child Welfare & Attendance Office: 325 - 2710  
Educational Services: 325 -  
Human Resources: 325 -  
Maintenance: 325 -  
Nutritional Services: 325 -  
Transportation: 325 -

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