



CAPISTRANO UNIFIED SCHOOL DISTRICT

**ELEMENTARY SCHOOL DISCIPLINARY
POLICIES AND PROCEDURES**

2023-2024

**33122 VALLE ROAD
SAN JUAN CAPISTRANO, CA 92675
949-234-9200**

CAPISTRANO UNIFIED SCHOOL DISTRICT

33122 Valle Road

San Juan Capistrano, CA 92675

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Uniform Complaint Procedures

Please utilize the current Uniform Complaint process according to Capistrano Unified School District's [Board Policy 1312.3](#) for all discrimination complaints, including Title IX concerns. The District is in the process of revising these in accordance with the 2020 changes.

How to File a Complaint:

1. Utilize the Uniform Complaint Procedures: [English](#) | [Spanish](#)
2. Complete the Uniform Complaint Form: [English](#) | [Spanish](#)
3. Send or deliver to the office of Laura Lyon

Nondiscrimination Program, Activity, and Club Statement:

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, unlawful discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

Non-Discrimination Statement

The Capistrano Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. For questions or complaints, contact Equity Compliance Officer: Laura Lyon, Assistant Superintendent, Human Resource Services, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9373, lllyon@capousd.org ; Title IX Coordinator: Laura Lyon, Assistant Superintendent, Human Resource Services, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9373, lllyon@capousd.org and Section 504 Coordinator: Refugio "Cuco" Gracian, Executive Director, Cultural Proficiency, Equity, Access, SEL, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9250, ccgracian@capousd.org.

CAPISTRANO UNIFIED SCHOOL DISTRICT

Elementary School Policies and Procedures

The Capistrano Unified School District (CUSD) is committed to providing a safe and orderly setting in which students enjoy a positive academic and social environment. Students who comply with basic discipline guidelines and work diligently on academics will reap a variety of rewards.

With your student, please review the CUSD School Policies regarding:

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ACADEMIC INTEGRITY

CUSD students, teachers, administrators, and parents are encouraged to base relationships on a fundamental notion of trust. With trust comes the ability to establish productive staff-student-parent relationships. Therefore, academic dishonesty (“cheating”), in any form (including students working together in pairs or groups unless specifically directed to do so by the teacher) will not be tolerated. Cheating undermines the academic process, destroys students’ integrity, and shatters the trust necessary for productive relationships. This Academic Integrity Policy applies in all academic environments including Online Learning and In-Person learning programs.

Cheating may include, but is not limited to, the following:

- Copying another student’s homework
- Copying another student’s answers on a test or quiz
- Using an unauthorized prompt sheet
- Using unauthorized technology (including a calculator) during a test or quiz
- Making homework available to another student so the student may copy the answers
- Plagiarizing another’s work
- Cutting and pasting passages from the Internet into an assignment without notation for the author
- Forged notes (student signing parents’ name)

Electronic Devices:

Electronic devices include, but are not limited to cell phones, calculators, wearable technology, tablets, computers, e-reader, pagers, and cameras. While students may bring electronic devices on campus, these devices must be turned off during school hours unless approved by the teacher. Misuse of electronic devices may cause devices to be confiscated and held for parent/guardian to pick up. outside of emergency situations, parents shall refrain from interacting with their children via electronic device during the school day.

The school is not responsible for damage or loss of electronic devices.

Having visible access to a cellular phone or any other electronic device during a quiz or test will be considered a violation of the school academic integrity policy.

CUSD CHROMEBOOKS

CUSD has provided Chromebook devices to all students in grades PK through 12 as part of the 1 to 1 Chromebook program. Students in grades 2 through 12 will be responsible for bringing their Chromebook to school and home, like a textbook. Chromebooks for students in TK, K, and 1 will remain in classroom carts. Students are expected to use the device for school purposes only.

It is the responsibility of the student to maintain a charged Chromebook and its accessories (power cord) in good working order, and they will not willfully dismantle or damage the device. This includes but is not limited to the removal of keys, cracked screens, or damaged plastics.

Students will also refrain from accessing any website, such as a proxy site, that wilfully bypasses the district filtering.

Loss or damage to a district Chromebook or Chromebook accessories will be the financial responsibility of the student and parent/guardian.

Intentional damage of Chromebooks and/or accessories may result in disciplinary consequences.

Technology:

All students will follow all rules, regulations, and guidelines in the Student Acceptable Use of Technology Administrative Regulation 6.7, which can be found on the District webpage. This includes whether the student is using District-provided technology (e.g., a Chromebook) or student-owned technology (e.g., personal devices).

ATTENDANCE/TARDY

Attendance

As parents, you have the responsibility to make school a #1 priority for your child. **An average absence rate of more than one day per month is considered excessive.** By making sure your child is in school every day, you ensure the student's opportunity to learn. Research indicates that when parents actively participate in their child's education, the quality of learning improves. Such participation also improves student test scores and creates an atmosphere that enhances student success.

Regular attendance at school is critical to the success of *all* students. It is also legally required. Please call or email the school's absence line to report your child's absence each day and provide the following information:

- **The date(s) of the absence**
- **The person calling**
- **Your child's full name**
- **The reason for the absence**

If you do not call in or email regarding your child's absence, your child must have a note with your signature indicating the above information for the day(s) the student was absent from school. If you do not contact the office by 10:00 a.m. on the day of the absence, an automated calling and/or e-mail system will contact you regarding your child's absence. All absences must be cleared within 72 hours or they will be marked as an unexcused truancy.

Excused Absences may include: illness, medical or dental appointments, death or serious illness in immediate family, religious holidays, quarantine, or immunization exclusion. If your child will be out of school for 3 school days or more, you can request an Independent Study Contract.

When a student has had 14 absences in the school year that qualify for illness, any further absence for illness shall be verified by a physician via a written note.

Truants/Unexcused Absences: If a student is more than 30 minutes late, the student is truant. Also, those students who stay home without permission from a parent/guardian, or have an absence that remains unexcused after 72 hours, will be recorded as truant.

Unexcused absences include all absences or truancies which may include but are not limited to: traffic, vacations, shopping, staying home to visit with friends or family, transportation breakdown, working, missing the bus, negligence, truancy, too tired, etc.

A total of 3 days of unexcused absences or truancies can trigger the **School Attendance Review Board (SARB)** process. Parents will be sent a letter notifying them that their child is habitually absent/ truant. Subsequent absences can trigger a second and (possibly) third SARB letter. The third letter will prompt a mandatory meeting with the District Attorney's office and potential prosecution.

Tardy-Late to School: A student is tardy when a student is not in a seat in class or in line when the second bell rings to begin class. Once roll is taken, any student who arrives late to school must check in to the attendance office to get a pass to enter class. Students who arrive to class late create a disruption, regardless of the reason, and will be marked tardy. After 15 minutes tardy, parents must escort their child into the office to sign them in. California State law excuses tardies for illness and medical appointments; unfortunately, we are unable to excuse tardies for traffic, rain, car difficulties, or any other circumstance not listed under "Excused." *A tardy is recorded as truancy if a student is more than 30 minutes late to class.

Early Out, Dismissal for Medical, Dental, or Personal Appointments: A parent or guardian must come into the office to sign the student out before the student may leave campus. You will be asked for photo ID. Your child may not leave campus in the custody of anyone other than a parent, guardian, or person authorized on the emergency card. This is for your child's protection. When a student is signed out early from school, it is recorded as an early out tardy. Unexcused early outs are recorded as tardies and may result in disciplinary action.

Arrival to / Departure from School: Students may use bicycles, scooters or skateboards to come to or leave school, under the following conditions:

1. Bicycles, including properly rated e-Bikes, scooters, and skateboards may be ridden to and from school by 3rd through 5th grade students only.
2. Walk your bicycles, scooters, or skateboards at all times on campus sidewalks and blacktops.
3. Keep your bicycle, scooters, or skateboards locked in the designated lock up area.
4. Helmets are mandatory when riding any properly rated bicycles, scooters, or skateboards. If a student arrives at school without a helmet, the parent/guardian will be contacted for further action.
5. The school is not responsible for any damage, theft, or personal injury.

Use of hoverboards, motorized bicycles, and any other motorized vehicle are prohibited on campus by students.

Failure to comply with these processes will result in the loss of privilege of keeping items on campus (e.g., if a student demonstrates the inability to demonstrate safe use of a bicycle, the student will not be

permitted to keep a bicycle on campus), and thus, the student will need to find an alternative way to arrive on campus.

Protecting Instructional Time: The more time students are focused, engaged and on-topic means more time learning and growing. To ensure that all students receive quality, uninterrupted instructional time, school staff will not interrupt class time.

During school hours, visitors are required to check-in at the main office upon arrival to campus according to Board Policy 1250, *Visitors/Outsiders*. If parents deliver items such as lunch money, homework, or instruments, the items should be left at the front counter. Students may stop by the office to pick up the item at recess or lunch. Staff will not interrupt instructional time to drop off non-essential items in classrooms (e.g., birthday celebrations, bringing lunches during class, flower deliveries, etc.).

Elementary school is designed to nurture students, yet provide logical consequences that improve academic behaviors and teach responsibility. The good work and study habits that your child develops now will prove to be invaluable in future academic endeavors and beyond. In an effort to minimize disruptions in the classroom, we ask that students arrive on time and that early checkouts be reserved for emergency situations only. Please plan to make all doctor appointments, etc. after school hours. It is imperative that other students' instruction is not interrupted by tardies and early checkouts. Early pick-ups are very disruptive, are a chronic problem, and are recorded in the student's permanent record.

Illness at School: If your child becomes ill at school, he/she is to request permission from his or her teacher to report to the office. If the child is too ill to continue his/her day at school, the health office will call the parent or guardian to pick up the child. **UNDER NO CIRCUMSTANCES** is a child to call/text his/her parents/guardians to pick him/her up and leave the premises without the school personnel being notified. A student must be fever free without medication, no rash, no vomiting/diarrhea for 24 hours in order to return to school.

Independent Study Contract (ISC): Students who will be away from school for 3 or more days, other than illness, may be able to receive class work and remain up-to-date. To *request* an ISC, please notify the office **AT LEAST 10 SCHOOL DAYS PRIOR TO THE FIRST DAY OF ABSENCE** so that the request can be reviewed, and if approved, class assignments may be organized. This process helps students to keep up with schoolwork, but there is no substitute for teacher instruction and class interaction. Please schedule vacations appropriately. Board Policy 6158(a).

*NOTES:

ISC is granted on a case-by-case basis and may be denied for several reasons, as these are voluntary contracts. Reasons for denial include, but are not limited to requests made within 5 days of the grading period, during CAASPP testing, during finals as well due to low grades and/or poor attendance.

For students who have an IEP or a Section 504 plan, an ISC may result in a change of FAPE offer, please discuss any change of FAPE offers within the confines of an IEP team meeting or a Section 504 team meeting.

STUDENT CONDUCT

General Student Conduct Infractions

As consistent with the CUSD positive behavior intervention and supports (PBIS) model, during the first week of school, all students review the expected behaviors acceptable in a school environment. Additionally, all students attend a discipline assembly. All students will be held accountable for infractions that include, but not limited to:

- Academic Dishonesty/Plagiarism
- Assembly Misconduct

- Inappropriate Bus Behavior
- Unauthorized Cell Phone Use
- Classroom Disruption
- Disrespect Of Teacher
- Defiance Of Authority
- Detention/Intervention Defiance
- Dress Code Violation
- Drug Or Alcohol Use/Possession
- Drug Selling/Furnishing
- Unauthorized Use Of Electronic Devices
- Extortion
- False Fire Alarm
- Fighting/Assault
- Encouraging A Fight
- Fighting In A Group
- Fireworks/Incendiary Devices/Matches/Cigarette Lighters Etc.
- Food Out Of Bounds
- Fraudulent Written Material
- Gang Related Activity
- General Misconduct
- Gum
- Harassment/Bullying/Intimidation/Provoking
- Imitation Tobacco, Drugs, Alcohol, Or Imitating Tobacco, Drug Or Alcohol Use
- Littering/Throwing Food/Spitting
- Obstruction Of Investigation
- Out Of Bounds
- Out Of Class Without A Pass/Hall Pass Abuse
- Play Fighting/Horse Playing
- Profanity/Vulgarity/Obscene Acts or possession or soliciting obscene items or objects
- Profanity Toward Staff
- Public Displays Of Affection
- Racism In Any Form Including “Jokes” And Symbols
- School Disruption, Laser Pointers
- Sexual Harassment: Including ‘Pantsing’, Derogatory Comments, Pictures, Photos, Gestures, And Any Other Inappropriate Actions Of A Sexual Nature
- Riding Skateboards/Scooters/Similar Devices On Campus
- Selling Or Soliciting On Campus
- Tardies
- Technology Violation
- Terrorist Threats
- Theft (Including The Possession Of Stolen Property)
- Threat/Assault Against Staff/Students
- Vaping/Tobacco/E-Cigarettes/Any Materials Related To
- Truancy
- Vandalizing Tools
- Weapons - Including Toys, Imitations Or Anything That Could Be Used Or Was Used In The Fashion Of A Weapon With Or Without Intent Of Injuring Self Or Others

Unauthorized items such as sports equipment, toys, etc. will be confiscated and returned at the end of the school day to a parent. The school is not responsible for lost, damaged or stolen items that a student has brought from home.

Discrimination: The District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person’s actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

Online Learning: All District rules and policies apply during online learning.

Expected School Bus Behavior: For the safety of all students and staff, students will obey the bus driver for all school-related transportation.

Profanity/Vulgarity/Obscene Acts: Students are expected to demonstrate appropriate behavior on campus. This includes refraining from committing obscene acts or engaging in profanity or vulgarity. This includes words, deeds, actions, possession or soliciting of photos, pictures, drawings, videos, recordings, and/or any other materials deemed by CUSD administration to be vulgar, profane or obscene.

Electronic Device: Students will use electronic devices in accordance with the acceptable use policy.

Note:

If a student uses an electronic device to cheat on any test/assignment, the students will be disciplined per “academic integrity.”

If a student uses an electronic device to take, video, view, distribute, and/or any other like behavior with regard to inappropriate material, the student will be disciplined per “obscene behavior/sexual harassment.”

If a student uses an electronic device to bully/harass/intimidate/or any like behavior, the student will be disciplined per bullying and other applicable policy.

The District maintains jurisdiction over any infraction on or off campus that impacts students or the school environment.

Flags: Per Government Code 431, the U.S. Flag and the California flag are displayed at the entrance of each school. A flag is available to each class for the completion of a daily patriotic exercise, as required by Education Code § 52720. However, other than the U.S. Flag and the California flag, no flags are to be flown or displayed on campus absent the written permission of the Superintendent’s designee. All flags displayed on campus must have an instructional purpose (e.g., flying of the French flag in French class).

Bully-Free Environment

CUSD schools proactively construct and maintain a social atmosphere, which addresses all forms of student conflict and bullying through:

- Creating a school wide PBIS system.
- Creating a positive school culture.
- School-wide assemblies, which outlines behavioral expectations including bullying prevention.
- Second step program and instruction that addresses the social and emotional needs of students.
- Ongoing, school-wide student and staff educational opportunities.

CUSD maintains an educational environment in which bullying and cyberbullying in any form are not tolerated. All forms of bullying and cyberbullying by CUSD students are hereby prohibited. Anyone who engages in bullying and cyberbullying in violation of this Board Policy will be subject to appropriate discipline. Students who have been bullied or cyberbullied will promptly report incidents to any staff member. Complaints of bullying and cyberbullying will be investigated promptly and corrective action will be taken when a complaint is verified. Board Policy 5141 prohibits reprisals and retaliation following the submission of a complaint.

Definition of Bullying – Board Policy 5131.2 (a): *Bullying* as defined by California law and Board Policy involves severe or pervasive abusive actions. Cyberbullying includes the electronic creation or transmission of harassing communications or direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage their reputation.

What students should do if bullied:

- Talk to parents or trusted adults. They can help stop the bullying.
- Talk to teacher, school counselor, or an administrator. Telling is not tattling.
- Do not fight back. Do not try to bully those who bully you.
- Try not to show anger or fear. Students who bully like to see that they can upset you.
Calmly tell the student to stop... or say nothing and then walk away.
- Limit the interaction.
- Limit your message to five (5) words or less. Example: “Leave me alone.”

How to Report Bullying?

Students can report any incidents of bullying or harassment, which may include:

- Incident Report Form in the office
- “Bully Box”
- Speak to or email a staff member
- Referral from staff member or bystander who witnessed event

The Site Administrator will investigate the incident.

- Ensure all parties are familiar with Board Policy 5131.2 (a) as it relates to bullying.
- Follow up with the concerned party and share the findings of the investigation.
- Family Educational Rights Privacy Act (FERPA) prevents staff from discussing any disciplinary consequences of another student.

Interventions for Bullying may include, but are not limited to:

- Parent Notification
- Situation logged in discipline file and the student’s permanent school record
- Bullying complaint report completed by an administrator
- Counseling
- Conflict Mediation
- Detention, Suspension, Involuntary Transfer, Expulsion
- Behavior Contract
- Notify School Resource Officer

Racism: We value and encourage students to celebrate their ethnic diversity and cultural differences. However, any form of discrimination or persecution against another student or staff member based on race, whether expressed verbally or in writing, is strictly prohibited and will not be tolerated. Examples of racism include but are not limited to cultural insensitivity remarks or slang phrases, statements that hint at derogatory references to one's race, as well as direct racist statements.

Examples of racism include but are not limited to:

- Racial slurs and derogatory language
- Name calling related to race or ethnicity
- Verbal/nonverbal or written hate language
- Displaying racist symbols
- Derogatory social media posts related to race or ethnicity
- Racially insensitive/inflammatory material
- Physical violence on the basis of race or other listed category hate violence

Steps to take if feeling racially discriminated against:

- Talk to parents or trusted adults for support and intervention.
- Speak with teacher, school counselor, or administrator to address the situation and seek guidance.
- Avoid retaliating with hurtful remarks.
- Stay calm and composed, either calmly ask the person to stop or walk away without responding.
- Minimize interaction with the person involved.

Reporting racism:

- Fill out an Incident Report Form in the office.
- Speak to or email a staff member.
- Seek referral from staff or bystander who witnessed the event.

Possible interventions for racism:

- Violations related to racism may result in disciplinary action.
- Severity of the incident will be considered in determining appropriate disciplinary measures.
- In certain cases, law enforcement notification may be involved.
- Progressive discipline will align with the California Education Code after other corrective methods have proven ineffective.
- Disciplinary measures may be accompanied by restorative actions, counseling, parent resources, and parent meetings.
- The goal is to foster a positive school climate and improve the overall school culture.

Sexual Harassment: Students and staff have a right to feel safe and free from any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, digital, or physical conduct of a sexual nature.

Prohibited sexual harassment includes, but is not limited to, unwelcome advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the educational setting.

Students will not have possession of or solicit pornographic photos/pictures or videos, including photos/pictures or videos on cell phones or electronic devices. (CUSD Board Policy 5183). Reference AR and BP 5183 for definitions of sexual harassment.

Physical Altercations: Students are expected to exhaust every resource to achieve a peaceful resolution to a conflict including but not limited to walking away, conflict resolution, or seek help from a staff member.

Promoting/Encouraging/Planning/Video-Posting: Students will not partake in the planning, encouraging, “cheering on”, arriving at a predetermined place, videoing, posting on social media and/or any other means of acting in the manner of an irresponsible bystander.

Engaging in a Physical Altercation: Any attempt, threat, arriving at a place predetermined to be the place where a fight may occur, and/or direct or indirect involvement of an act of physical aggression is not tolerated.

Even if a student is not the aggressor, all students who engage in physical contact may be considered “mutual combatants” and may receive disciplinary consequences. Any participation considered to be significantly aggressive or egregious or involving a weapon or threat of a weapon could be considered for recommendation for expulsion per Education Code § 48915.

Group Fighting: Students must not participate, promote, plan, or engage in any type of fighting. Students may not use the factor of a group as an act of intimidation. When more than 2 people are involved, it will be considered a group fight. Students are especially expected to stay out of fights that are in progress.

Theft: The intentional taking of property that does not belong to the student.

Vandalism: Students are expected to participate in keeping the campus clean and free from any type of graffiti. Any student involved in the defacing, destroying or damaging of school or personal property, directly or indirectly, is considered to be vandalizing. Any damage incurred will be considered vandalism and subject to restitution.

Vandalism Tools: Students must not bring or have in possession any item that would aid in the vandalism of school property. These items include, but are not limited to, permanent felt tip markers, paint, etching tools, burglary tools, etc. Some tools may be used for academic use under adult supervision.

STUDENT DRESS AND GROOMING STANDARDS

Dress Code Philosophy

Appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which students participate. Sites may choose to adopt a voluntary or mandatory requirement for school uniforms per Board Policy 5141, *Dress and Grooming*. Student dress choices should respect the District's intent to sustain a community that is inclusive of a diverse range of identities. The primary responsibility for a student's attire resides with the student and the student's parent(s) or guardian(s). The District is responsible for ensuring that student attire does not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code enforcement does not reinforce or increase marginalization, shaming, or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, immigration status, disability, or religion.

1. Basic Principle: Certain body parts must be covered for all students at all times.

Clothes must be worn in a way such that genitals, buttocks, breasts, and stomach are fully covered with opaque fabric. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.

0. Students Must Wear*, while following the basic principle of Section 1 above:

- A **Shirt** (with a minimum of a 1 inch wide strap and fabric in the front, back, and on the sides immediately under the armpits), **AND**
- **Pants/jeans or the equivalent** (for example, sweatpants, opaque leggings, or shorts), **OR**
- A **dress or skirt**, **AND**
- **Shoes** (as appropriate for the environment and activity).

**Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but should not focus on covering bodies in a particular way or promoting culturally-specific attire. Activity-specific attire requirements are permitted for extracurricular activities and Physical Education.*

0. Students May Wear, as long as these items do not violate Section 1 above:

- Sun-protective clothing, such as hats and hoods, or wear body or hair protection as necessary as long as the student's face is not obstructed; these items are allowed to be worn outdoors during the school day. The student's face must be visible to staff, and headwear must not interfere with the line of sight of any student or staff.
- Athletic attire, as necessary for athletic activities.

0. Students Cannot Wear:

- Clothing or accessories displaying profanity (including a foreign or slang word or term or a phonetic spelling or mirror image of a word or term regardless of the source), pornography, and violent language or images.
- Clothing or accessories considered unsafe, dangerous, or a health hazard. Images or language depicting drugs or alcohol (or any illegal item or activity).
- Hate speech, images, or language that creates a hostile or intimidating environment based on any protected class or consistently marginalized groups.
- Any clothing that significantly and/or intentionally reveals visible undergarments.

- Swimsuits (except as required in class or athletic practice).
- Any item that obscures the face (except as a religious observance or medical/safety necessity).
- Strapless tops or halter-tops.

The California legislature has determined that gang apparel is hazardous to the health and safety of the school environment and therefore, the wearing of such apparel may be restricted.

0. Dress Code Enforcement

The Board desires to provide an orderly and caring learning environment in which students work diligently on their studies, share responsibility for maintaining a positive school climate, and take pride in their school and their achievements. District staff, per Board Policy 5140, *Positive School Climate*, shall encourage positive student conduct. Staff and students shall encourage attitudes and behaviors that promote mutual respect and harmonious relations. To ensure effective and equitable enforcement of this dress code, school staff shall be properly trained to enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement. Sites will follow progressive discipline as outlined in the discipline handbook.

- Student dress code enforcement should not result in unnecessary barriers to school attendance.
- Inconsistent and/or inequitable discipline should be minimized whenever possible.
- Students will be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Sections 1 and 4 above. Students in violation of Section 1 and/or 4 will be provided 3 options to dress more appropriately during the school day.
- Students will be asked to turn their garment inside out (if feasible) or put on their own alternative clothing, if already available at school, to be dressed more to code for the remainder of the day.
- Students will be provided with temporary school clothing to be dressed more to code for the remainder of the day.
- If necessary, parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be singled out for dress code enforcement because of racial identity, gender identity or expression, sexual orientation, ethnicity, body size/type, cultural or religious identity.
- Students should not be required to display their body in front of others (students, parents, or staff) in school including but not limited to the below actions:
 - Kneeling or bending over to check attire fit;
 - Measuring straps or skirt length;
 - Asking students to account for their attire in the classroom or in hallways in front of others;
 - Calling out students in spaces, in hallways, or in classrooms about perceived dress code violations in front of others or,
 - Accusing students of “distracting” other students with their clothing.

These dress code guidelines shall apply to regular school days and summer school days, as well as any athletic events, performances, and graduation ceremonies.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact a site administrator.

In order to protect the general student body and maintain the integrity of the educational environment, the school/administration reserves the right to amend/modify Dress and Grooming Standards, without notice, and as necessary to maintain a safe and positive school atmosphere. In the event of an infringement of the dress code, parents will be contacted to bring appropriate clothing.

Your child's individual school may have a uniform code or other dress and grooming standards in place. If so, these will be provided to you.

SCHOOL-WIDE STUDENT INTERVENTION PLAN

Our goal is to help each student become a positive and responsible citizen. We know that the majority of students will work toward this goal by respecting the rights of others, respecting personal and school property, and by practicing acceptable behavior. The following rules and regulations are in effect on or near school grounds, off campus during school hours, at school-sponsored functions, bus stops, and while on the way to or from school or school-related activities. Unless otherwise noted, the discipline consequences apply for the entire current school year.

Interventions are intended to review the major infractions and usual consequences; however, CUSD recognizes that some actions not listed below may cause a disruption to the instructional process and/or environment. In those cases, the school administration reserves the right to take disciplinary action at their discretion.

All administrative decisions regarding student behavior and resulting consequence(s) are administered within strict adherence to California State Education Code and CUSD Board Policy.

CUSD is not responsible for damaged, lost, or stolen items that a student has brought from home. Administration and staff will investigate incidents involving these items at their discretion. Parents may be asked to personally retrieve confiscated items.

INTERVENTIONS AND CONSEQUENCES

Progressive Discipline Interventions: CUSD follows a system that includes positive interventions and progressive discipline where the severity of the consequence depends on the severity of the behavior and/or the pattern of behaviors a student exhibits. All interventions are at the discretion of the school administration and take into account individual student needs and the circumstances of each incident.

Interventions:

Warning:	Give a verbal warning and restate expectations/roles.
Positive Reinforcements:	Incentives both verbal and tangible will be used to support students in achieving and exceeding school-wide expectations.
Classroom Interventions:	Teachers assign consequence in accordance with their classroom discipline plan. This may include seat change, loss of privilege, behavior reflection, and other appropriate means of correction.
Counseling:	The student may meet with the school-site counselor, receive a referral for community resources, participate conflict mediation, restorative circles, etc.
Parent Conference:	Meeting with parents, teachers, students and other appropriate personnel will occur, wherein the team discusses student challenges and possible interventions.
Family Partnership Plan (First Step) or Student Success Team	A meeting with parents, teachers, students and other appropriate personnel will occur to create a plan for intervention strategies and supports for student success both behaviorally and academically.

(Second Step):

Other Means of Correction	Other means of correction may include, but are not limited to: conference with student's parents, SST meetings, and other behavioral groups, referrals to a psychologist or other school support service personnel, development and implementation of a behavior plan, enrollment in a restorative justice, anger management, or prosocial behavior program, referral for a comprehensive assessment, including for purposes of creating an IEP or Section 504 plan, positive behavior support with tiered interventions occurring during the school day,
Campus Clean-up:	Students will participate in campus beautification. Personal Protective Equipment will be provided.
Referral:	The student's behavior is reviewed by an administrator. The administrator determines the appropriate intervention based on the student's progressive discipline status.
Detention:	Detentions may take place during the school day.
Class Suspension:	Students will be removed from class and supervised on campus while completing classroom assignments
Behavior Contract:	If a student's behavior pattern continues, administration will place student on a Behavior Contract appropriate to address the student's behavior.
Suspension:	Students are excluded from school and school activities (including afterschool activities and PTA sponsored events) for the duration of the suspension.
Involuntary Transfer:	A recommendation to revoke a School of Choice placement and/or an Inter-District Transfer placement.
Expulsion:	A recommendation that the student is removed from CUSD.

Mandatory Administrative Action: The Board of Trustees and the Superintendent of CUSD have adopted a position that maintains our schools will not tolerate weapons, drugs, or behavior, which threatens the safety of another person. The offenses listed below require mandatory action by the school administration:

- Possession of firearm, when the principal or superintendent and the Board confirm the pupil was in knowing possession of the firearm, and an employee of the District verified such possession; or
- Brandishing a knife at another person; or
- Selling or furnishing a controlled substance; or
- Committing or attempting to commit a sexual assault or committing sexual battery; or
- Possessing an explosive.

The mandatory action for a first time offense of any of the above is an immediate 5-day suspension, a notification of law enforcement, and a recommendation for District expulsion. While a District expulsion hearing is pending, a student's suspension will be extended.

Please Note:

- The school practices a policy of progressive discipline where consequences increase as a result of repeated patterns of behavior or with increasing severity of behavior.
- The school official executing the discipline policies and procedures exercises the right to adapt his/her decision to meet the fair and appropriate consequence that fits each individual situation.
- The school initiates Behavior Contracts when a pattern of disruptive behavior has been established.
- School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the District. Board Policy 5154.
- During investigations, students will be questioned and may be requested to write a “Statement of Facts.” If these statements are used in an expulsion case, parents may utilize an Anonymous Witness Statement form in accordance with California Education Code § 48918. If law enforcement is involved in an investigation, the school will attempt to contact a parent or guardian unless directed not to do so as it may interfere with law enforcement investigation.
- Law enforcement officers have the right to interview students on school premises. If the officer needs to interview the student immediately, the principal or designee shall accommodate the questioning in a way that causes the least possible disruption to the school process and provides the student appropriate privacy. Board Policy 5153.
- Family Educational Rights Privacy Act (FERPA) prevents staff from discussing any disciplinary consequences of another student.

EDUCATION CODE §48900 and §48915

During the suspension, the student is expected to remain at home under adult supervision and may not attend school activities or be on the school campus. The teacher may require the student to complete any assignments and tests missed during the period of suspension.

HOW TO APPEAL DISCIPLINARY INTERVENTIONS

Suspensions and other site interventions

Level 1 –

- Upon receiving a suspension/consequence from the assistant principal the first step in the appeal process is to address the matter with the site principal (Level 1).
- If you are dissatisfied with the Level 1 resolution by the principal, you may file a formal complaint.

Level 2 –

- The school’s family facilitator will contact you, review the complaint, investigate, and advise you of the resolution in a Level 2 response letter.
- If you are unsatisfied with the family facilitator’s resolution, you may appeal to the Level 3 facilitator. The request must be in writing within 10 days of receiving the Level 2 response.

Level 3 –

- The Level 3 facilitator will contact you, review the complaint, investigate, and advise you of the resolution in a Level 3 response letter.
- This is the final decision of the District with the exception of a suspension appeal.

- If your appeal is regarding a suspension and you disagree with the Level 3 facilitator, you may request to take your complaint to Level 4, review by the Board of Trustees. The request must be in writing within 10 days of receiving the Level 3 response.

Level 4 (Suspension appeals only) –

- As part of the review process, the Board of Trustees may determine to invite necessary parties to appeal before the Board regarding the complaint. The decision of the Board of Trustees shall be final.

EDUCATION CODE SECTION 48900

Suspension shall be imposed only when other means of correction fall to bring about proper conduct. However, suspension on the first offense is authorized for 48900 (a) through (e) offenses and/or when the pupil's presence causes a danger to persons. (EC §48900.5) Discretion maybe used to provide alternatives to suspension or expulsion that are age appropriate and designed to address the specific misbehavior (EC §48900 (v)).

- a.1. Caused, attempted to cause, or threatened to cause physical injury.
 - a.2. Willfully used force or violence on another person, except in self-defense.
 - b. Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object.
 - c. Possessed, used, sold, furnished, or been under the influence of any controlled substance, alcohol, or intoxicant
 - d. Offered, arranged, or negotiated to sell a controlled substance, alcohol or intoxicant and then provided a replica substance.
 - e. Attempted or committed robbery or extortion.
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- f. Attempted or caused damage to school or private property.
 - g. Attempted to steal or steal school or private property.
 - h. Possessed, or used a tobacco product or productions containing tobacco or nicotine
 - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. Possessed, offered, arranged, or negotiated to sell drug paraphernalia.
 - k. Disrupted school activities or defied school personnel. (Grades 9-12, suspension only)
 - l. Knowingly received stolen school or private property.
 - m. Possessed an imitation firearm.
 - n. Attempted or committed sexual assault or committed sexual battery.
 - o. Harassed, threatened, or intimidated a student complainant or witness in a school disciplinary matter.
 - p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
 - q. Engaged in, or attempted to engage in, hazing.
 - r. Engaged in an act of bullying, including cyberbullying and *cyber sexual bullying*.
 - t. Aided or abetted in the attempted or infliction of physical injury to another. Expel only when connected to (a)
 - .2 Committed sexual harassment. (Grades 4-12)
 - .3 Attempted, threatened, caused, or participated in hate violence. (Grades 4-12)
 - .4 Harassment, threats or intimidation creating an intimidating or hostile educational environment. (Grades 4-12)
 - .7 Made terroristic threats against school officials or property.

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- s. Act must be related to a school activity or school attendance occurring within a school under the jurisdiction of a district, including but not limited to: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period on or off campus; or 4) during or while going to or from a school sponsored activity.
 - u. School property includes electronic files and databases.
 - w. Alternatives to suspension/expulsion should be applied to students who are truant, tardy or absent from school.

EDUCATION CODE SECTION 48915 -Expulsion

•• Report all offenses in §48900 for jurisdiction consideration••

Principal or Superintendent shall recommend expulsion for offenses which occur at school or at a school activity off school grounds, unless it should not be under the circumstances or an alternative means of correction would address the conduct:

- a.1.(A) Causing serious injury to another person, except in self-defense.
- a.1.(B) Possession of a knife, or other dangerous object of no reasonable use to the pupil.
- a.1.(C) Unlawful possession of any controlled substance except for the first offense for the possession of not more than one avoirdupois (by weight) ounce of marijuana, other than concentrated cannabis.
- a.1.(D) Robbery or extortion.
- a.1.(E) Assault or battery on any school employee.

For expulsion under §48915 (a) or §48900 (a) through (r) or §48900.2, .3, or .7, there must be a finding of either of the following(§48915(b) or (e)):

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



The following offenses require suspension and recommendation for expulsion:

- c.1. Sale, possession or furnishing a firearm. (Exception for imitation firearm)
- c.2. Brandishing a knife at another person. (See also EC§ 48915 (g))
- c.3. Selling a controlled substance.
- c.4. Attempted or committed sexual assault or committed sexual battery.
- c.5. Possession of an explosive.