

Students

Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment that is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective and positive school and classroom management strategies, full implementation of Culturally-Responsive Positive Behavior Interventions and Supports (CR-PBIS), and parent/guardian/educational representative involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

District discipline rules and procedures shall be consistent with state law and Board policies and administrative regulations and with the district's Statement of Principles, which provides that the district will:

- (a) ensure nondiscrimination in discipline consistent with state and federal law;
- (b) treat all of its students fairly and equitably in the administration of discipline, regardless of any protected characteristic or category;
- (c) ensure consistent and equitable implementation of research-based alternatives to punitive discipline and use exclusionary discipline only as a last resort after exhaustion of alternatives;
- (d) work with students who exhibit behavior issues to ensure that students remain engaged in the district's educational program and are given every opportunity to reach their potential; and
- (e) take effective and prompt steps to prevent, eliminate, and remedy the effects of harassment on students based on any protected characteristic or category.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent positive expectations and consequences for student conduct; ensuring equity and continuous improvement in the implementation of district discipline policies and practices; reducing disproportionality in administration of discipline for any protected group; and using exclusionary discipline as a last resort after exhaustion of alternatives.

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5) For students placed in detention, the district will provide social, emotional, and educational support programming with the goal of increasing student investment and engagement in school, developing stronger teacher-student relationships and school-connectedness, and improving student educational outcomes.

Discipline (Cont.)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

Seclusion and behavioral restraints are prohibited as a means of coercion, discipline, convenience, or retaliation by staff and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 to control behavior that poses a clear and present danger of physical harm to the student or others that cannot be immediately prevented by a less restrictive response, and in accordance with district regulations. (Education Code 49005.2)

The Board, at an open meeting, may review the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5(d))

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior, prioritize alternative means of correction, when permitted or required, and consistently implement CR-PBIS. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, the tools to form strong, cooperative relationships with students and their parents/guardian, social emotional learning, de-escalation, restorative practices, and conflict resolution strategies, and training on bias, including explicit and implicit bias.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning, attendance, achievement, and school climate.

State	Description
5 CCR 307	Participation in school activities until departure of bus
5 CCR 353	Detention after school
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 32280-32289	School safety plans
Ed. Code 35146	Closed sessions
Ed. Code 35291	Rules
Ed. Code 35291.5-35291.7	School-adopted discipline rules
Ed. Code 37223	Weekend classes

OROVILLE UNION HIGH SCHOOL DISTRICT

BP 5144 (c)

Discipline (Cont.)

State

Ed. Code 44807.5
Ed. Code 48900-48926
Ed. Code 48980-48985
Ed. Code 49005-49006.4
Ed. Code 49330-49335
Ed. Code 49550-49564.5
Ed. Code 52060-52077

Description

Restriction from recess
Suspension and expulsion
Notification of parents/guardians
Seclusion and restraint
Injurious objects
Meals for needy students
Local control and accountability plan

Federal

20 USC 1400-1482
29 USC 794
42 USC 1751-1769j
42 USC 1773

Description

Individuals with Disabilities Education Act
Rehabilitation Act of 1973, Section 504
School Lunch Program
School Breakfast Program

Adopted: 4/78

Amended: 3/16/83, 3/7/84, 2/7/01, 2/21/07, 10/19/11, 2/20/13, 11/5/14, 2/28/18, 9/18/19,
5/19/21

Students

Discipline

The district's discipline rules and procedures regarding discipline shall be created at the district level to ensure objective, consistent, and non-discriminatory application to all students. Rules and procedures regarding discipline shall be age-appropriate, culturally responsive to students of diverse backgrounds, and promote equality and dignity.

Staff shall use preventative measures, positive resolution techniques, and alternatives to exclusionary discipline, whenever possible or required. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension or expulsion, shall be imposed only when required by law and when other means of correction have failed. (Education Code 48900.5)

Short and long-term minimum day and shortened day schedules and undocumented and other informal school removals (e.g., a student sent home for portion or all of the day) are prohibited as a disciplinary consequence for a student's behavior.

Annually, district-level discipline rules shall be reviewed by the Superintendent or the Director of Supportive School Climate and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. The district's CR-PBIS team(s) shall be responsible for leading the development of the district-wide discipline rules and procedures.

A copy of the rules shall be incorporated into a district-wide handbook made available to the entire school community. Culturally-Responsive Positive Behavior Interventions and Supports (CR-PBIS) expectations shall be created at each school-site but shall be reviewed by the Director of Supportive School Climate for consistency with CR-PBIS, fairness, and cultural responsiveness prior to implementation.

At the school-site level, CR-PBIS team meetings shall be held within the school's existing resources, during non-classroom hours, and on normal schooldays. Such team(s) shall include at least one representative of each of the following groups that reflects the diversity of the school community: (Education Code 35291.5(a))

1. Parents/guardians;
2. Teachers;
3. School administrators;
4. Classified personnel;
5. School security personnel, if any; and
6. For junior high and high schools, students enrolled in the school.

Rules shall be communicated to students clearly and in a positive and age-appropriate manner.

Discipline (Cont.)

It shall be the duty of each employee of the school to fairly and equitably enforce the school rules and procedures on student discipline, including exhausting and documenting other means of correction consistent with the law. (Education Code 35291.5, 48900.5)

Disciplinary Strategies: Culturally-Responsive Positive Behavior Interventions and Supports and Other Means of Correction

The District will implement CR-PBIS and restorative justice and practices, as a tier one and two strategy, at all schools. District rules and procedures related to discipline shall be nondiscriminatory and equitable.

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when the student's presence causes a danger to others; or the student has committed an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct.

Alternative or other means of corrections may include, but are not limited to:

1. a conference between school staff, the student's parent or guardian, and the student;
2. teaching, re-teaching, and reinforcing appropriate behaviors;
3. home visits;
4. referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling;
5. convening of study teams, guidance teams, resource panel teams, or other intervention-related teams to assess the behavior and develop and implement individualized plans to address the behavior in partnership with the student and their parent/guardian;
6. when applicable, referral for comprehensive psychological or psychoeducational assessment, including for the purpose of creating an individualized education program, or plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a));
7. enrollment in a program for teaching prosocial behavior or anger management;
8. participation in a restorative justice program or restorative practices;
9. a culturally-responsive positive behavior support approach with tiered interventions that occur during the school day on campus;
10. after-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups;

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11. participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably;
12. participation in a program that is sensitive to the traumas experienced by students, focuses on a student's behavioral needs, and addresses those needs in a proactive manner;
13. community service as provided in the section below entitled "Community Service;" and
14. conflict resolution strategies.

Other disciplinary strategies available in lieu of suspension may be used after the exhaustion of other means of correction and consistent with state law and board policies. These include:

1. Detention after school hours as provided in the section below entitled "Detention After School."
2. In accordance with board policy and administrative regulation, and if such an action will not interfere with the student's classroom activities and is related to the conduct violation, restriction or disqualification from participation in extracurricular activities.

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

Suspension, including supervised suspension, and expulsion are a means of last resort, are governed by BP and AR 5144.1: Suspension and Expulsion/Due Process, and can only be used in accordance with state law.

Recess and Lunch Restriction Prohibited

A student shall not be required to remain in class during the noon intermission, or during any break. (5 CCR 352)

School personnel and volunteers cannot allow any disciplinary action against a student that denies or delays a meal. (Education Code 49557.5)

Detention After School

Although school staff are highly encouraged to use non-exclusionary disciplinary methods, school staff may use after-school detention for disciplinary reasons. After-school detention is limited to not more than one hour at the end of the school day. (5 CCR 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian. If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify the parent or guardian of the detention at least one day in advance so that alternative transportation arrangements can be made.

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In cases where the school bus departs more than one hour after the end of the school day, students may be detained only until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention. Students may be offered the choice of serving their detention on Saturday rather than after school.

During detention, the district shall provide social-emotional learning and educational support programming that meets the district's goal of increasing student investment and engagement in school, developing stronger teacher-student relationships and school-connectedness, and improving educational outcomes.

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may require a student to perform community service during non-school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds, during non-school hours. Such service may include, but is not limited to, community or school outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

The Board encourages and expects this approach to be combined with a restorative justice/practices approach, such as a voluntary conference during which the student and other affected members of the school community delineate the harm done, develop a plan to promote future positive behavior and address the harm, and reintegrate the student to the school and classroom.

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended by stipulation or other administrative action, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

In addition, at the beginning of each school year, the principal or designee shall notify students and parents/guardians, in writing, regarding any separate school rules related to discipline. (Education Code 35291.5)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district. (Education Code 35291.5)

Discipline (Cont.)

Corporal Punishment (Physical Punishment)

No student shall be subject to the infliction of corporal punishment by any person employed by or engaged in the public schools of the district. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49000, 49001)

An employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons from physical injury, or prevent damage to property, or to obtain possession of weapons or other dangerous objects from within the control of the student, is not corporal punishment. (Education Code 49001)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain an electronic data system to track implementation of other/alternative means of correction, CR-PBIS, and meetings held to review and revise supports for students prior to suspension. The aforementioned data shall include:

1. student test scores;
2. annual climate surveys;
3. student attendance;
4. student class rank, if available;
5. alternative/other means of correction;
6. teacher, office, and law enforcement referrals and dispositions related to the same;
7. suspensions, including teacher, in-school, Saturday, and out-of-school suspensions, and days of suspensions per incident;
8. transfers to Community Day, Continuation, and independent study; and
9. expulsions.

Each of these data elements shall be disaggregated by all categories required by state and federal law, including but not limited to those required for CalPads reporting.

The Superintendent or designee shall disaggregate such data for review of district-level and school-site-level outcomes. Culturally Responsive Positive Behavior Supports and Interventions teams (CR-PBIS teams) shall review the data on a monthly basis at the district- and school-site level. During each monthly CR-PBIS team meeting, the team shall discuss ways to address areas in the school where safety issues are arising or patterns of behavior violations are occurring, identify whether implementation of other means of correction/alternatives, interventions, and supports has been consistent and effective, and assess and address disproportionality in discipline, if any, for particular groups of students based on any protected characteristic.

Discipline (Cont.)

On a quarterly basis, each school-site will share the data described above with school staff as part of a discussion focused on: (a) addressing the root causes of discrimination in discipline; (b) consistently implementing other/alternative means of correction, reviewing effectiveness, and engaging in continuous quality improvement efforts to ensure student engagement and success and school safety; and (c) assessing whether the district and school are implementing student discipline policies, practices, and procedures in a nondiscriminatory manner.

The Superintendent or designee shall also maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1. Information about this requirement is found in AR and BP 5144.1.

State	Description
CCP. 1985-1997	Production of evidence; means of production
Civ. Code 47	Privileged communication
Civ. Code 48.8	Defamation liability
Ed. Code 17292.5	Program for expelled students
Ed. Code 1981-1981.5	Enrollment of students in community school
Ed. Code 212.5	Sexual harassment
Ed. Code 233	Hate violence
Ed. Code 32261	Interagency School Safety Demonstration Act of 1985
Ed. Code 35145	Open board meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35291	Rules (for government and discipline of schools)
Ed. Code 35291.5	Rules and procedures on school discipline
Ed. Code 48645.5	Readmission; contact with juvenile justice system
Ed. Code 48660-48666	Community day schools
Ed. Code 48853.5	Foster youth
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parental notifications
Ed. Code 49073-49079	Privacy of student records
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 64000-64001	Consolidated application
Ed. Code 8239.1	Prohibition against expulsion of preschool student
Gov. Code 11455.20	Contempt
Gov. Code 54950-54963	The Ralph M. Brown Act
H&S Code 11014.5	Drug paraphernalia
H&S Code 11053-11058	Standards and schedules
Lab. Code 230.7	Employee time off to appear in school on behalf of a child
Pen. Code 240	Assault defined
Pen. Code 241.2	Assault fines
Pen. Code 242	Battery defined
Pen. Code 243.2	Battery on school property
Pen. Code 243.4	Sexual battery
Pen. Code 245	Assault with deadly weapon
Pen. Code 245.6	Hazing
Pen. Code 261	Rape defined
Pen. Code 266c	Unlawful sexual intercourse
Pen. Code 286	Sodomy defined
Pen. Code 288	Lewd or lascivious acts with child under age 14
Pen. Code 288a	Oral copulation
Pen. Code 289	Penetration of genital or anal openings

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AR 5144 (g)

Discipline (Cont.)

State

Pen. Code 31
Pen. Code 417.27
Pen. Code 422.55
Pen. Code 422.6
Pen. Code 422.7
Pen. Code 422.75
Pen. Code 626.10
Pen. Code 626.2

Pen. Code 626.9
Pen. Code 868.5
W&I Code 729.6

Description

Principal of a crime, defined
Laser pointers
Definition of hate crime
Interference with exercise of civil rights
Aggravating factors for punishment
Enhanced penalties for hate crimes
Dirks, daggers, knives, razors, or stun guns
Entry upon campus after written notice of suspension or dismissal without permission
Gun-Free School Zone Act of 1995
Supporting person; attendance during testimony of witness
Counseling

Federal

18 USC 921
20 USC 1415(K)
20 USC 7961
42 USC 11432-11435

Description

Definitions, firearm
Placement in alternative educational setting
Gun-free schools
Education of homeless children and youths

Adopted: 4/78

Amended: 3/7/84, 2/7/01, 2/21/07, 10/19/11, 2/20/13, 11/5/14, 2/28/18, 9/18/19, 5/19/21