

**2019/2020 Discipline Plan  
Las Plumas HS & Oroville HS**

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Abridged Version of OUHSD Discipline Policies

### **Guidelines and Responsibilities for Student Behavior**

The Oroville Union High School District (OUHSD) Board of Trustees in collaboration with parents, teachers, students, and school administrators developed the following discipline plan to maintain a safe, secure, and an attractive learning environment for all students, staff, and the community. In order for the district to facilitate this objective, we expect the following:

1. Leave electronic devices turned off during class and at any other time directed by a district employee (EC48901.5(a))
2. Comply with requests of teachers and staff members (EC48908).
3. Behave as law-abiding citizens.
4. Students shall respect the individual rights of all students and staff.
5. Practice integrity in all areas of school life. Do not cheat or act dishonestly in the classroom or on the playing field.
6. Show respect for and pride in the school by helping to keep it clean and free of vandalism.
7. Behave in an appropriate way on campus and during class by avoiding horseplay or excessive displays of affection.
8. Students shall make a concentrated effort to maintain books, equipment, facilities, and property that are entrusted to them.
9. Remain on campus for your entire school day unless first cleared through the attendance office to leave. If planning to leave during the school day, secure an off-campus pass from the attendance office when you arrive at school in the morning.
10. Students shall assume a sense of pride, responsibility and **accountability** in the schools they attend.

### **Attendance Policy**

Students are expected to attend all classes and to be on time unless properly excused. **Legitimate excused-absence reasons** include:

1. Illness
2. Visitation to a medical office, clinic, doctor or dentist
3. Funeral of an immediate family member
4. Quarantine of the home

### **Verifying Absences by Notes**

A student absent from school is responsible for verifying the reason for his/her absence either with a note or a telephone call from a parent/guardian. Students are to submit their absence note to the attendance office before school, at break, during lunch or after school. **Students must clear the absence within three days (72 hours) or receive truancy (cut).** Only a parent, legal guardian, or person(s) listed on a student's contact list in AERIES can excuse a student's absence.

### **Illness**

The district permits a parent/guardian to excuse his/her student's absence up to ten days without verification of illness from a medical professional. Students too ill to attend after reaching the ten day limit must submit verification of illness from a medical professional upon their return to school. **Anytime your student has a doctor's appointment and/or documentation requiring them to stay home from school, this documentation must be turned in immediately when your student returns to school. These absences will be recorded verified and not count toward the ten-day parent/guardian excused limit.** If your child is under the regular care of a physician for a serious or chronic condition, or they are directed to stay home by a medical professional before the ten days are reached, you should provide verification at that time. Absences for illnesses not verified after ten days will be marked unexcused and subject the student and/or parents to compulsory education law guidelines.

Recommended Minimum: Administration shall assign detention, community service, or Saturday School.

### **Tardies**

Consequences for tardies will be at the discretion of the administration including detention, community service and Saturday School.

### **On-Campus Illness**

If a student becomes ill during school, he/she must report to the attendance office.

### **Off-Campus Passes**

The attendance office will issue an off-campus pass when a student must leave school during the school day for a verifiable reason, such as a healthcare appointment, family emergency, etc. Regardless of a student's age, the attendance office has the right to verify the reason(s) or destination(s) requiring an off-campus pass. To obtain an off-campus pass, the parent/guardian may submit a note to the attendance office **before school begins**. Parents/guardians may also phone to request their student be issued an off-campus pass. Requests are to be submitted in advance to allow the attendance office to obtain verification and/or contact the student.

### **Saturday School, 8:00 a.m. to 12:00 p.m.**

Concerning truancy, Saturday School will serve as a deterrent and consequence for students who are truant or have unverified period absences. Attendance of one Saturday School would remove six unverified period absences. Assignment to Saturday School will be at the discretion of administration. Failure to attend Saturday school may result in detentions, community service, or Saturday School being rescheduled. Students who do not serve Saturday school assignments in a timely manner may forfeit participation in extracurricular activities such as dances, field trips, and other school sponsored events as determined by school administration.

## **Cut or Truancy Policy**

A student who is absent without permission or verification, skips class, or cuts class is truant. A truant student does not have the right to demand make-up work or turn in any tests, quizzes, reports, homework, class assignment, etc., due on the day or period he/she received a "Cut"/Truancy. Any student found off-campus, cutting, or on-campus out of class without a proper hall or off-campus pass may be assigned a detention, community service or Saturday School immediately. School discipline is as follows:

Recommended Minimum: Detention, Community Service, period(s) of ISS and Saturday School

Parents are contacted when Saturday School is assigned via automated caller. Students receive a reminder on the Friday prior to their assigned Saturday School

## **Unexcused Absences**

In order to provide a reasonable opportunity for the student or the student's parent/guardian to explain the absences, the student or parent/guardian have three (3) school days to explain the absence to the Attendance Office.

**To implement this Board Policy, the Oroville Union High School District will follow these procedures:**

- Send a letter or phone home to parent/guardian and the Child Welfare & Attendance Office when a student has accumulated three (3) days of unexcused absences in the same classes in a year.
- Send a letter home to parent/guardian and the Child Welfare & Attendance Office when a student has accumulated five (5) days of unexcused absences in the same classes in a year.
- Students who have accumulated ten (10) or more absences in the same period will receive a letter home advising parent/guardian the student has been deemed a habitual truant by the State of California. The parent/guardian will then be scheduled to meet with site administration and sign a truancy contract. If truancy continues, the student may be referred to Butte County Probation for truancy mediation. Student may also be referred to an alternative education program within OUHSD. Board Policy AR 5113 (b) Unexcused Absences Education Code 48260 – 48262

## **Truancy Mediation**

### **What does the law say?**

California Law states: "Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to full-time compulsory education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full time day school or continuation school or classes for the full time designated as the length of the school day by the governing board of the school district in which the residence of either parent or legal guardian is located. Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum school day established by law."

### **What happens if you are truant?**

- Schools will send letters notifying the student and parent of the unexcused absences or tardies
- The attendance office will schedule an appointment with the student and parent to meet with the school administrator to discuss the attendance problem
- The student will be referred to the Student Attendance and Achievement Review Team (SAART).

**If the student continues to be truant, a referral may be made to the District Attorney's office for a Truancy Mediation Hearing:**

- A Truancy Mediation Hearing will be held with the District Attorney's office
- The legal consequences of continued truancy will be reviewed
- A contract will be developed and signed by the student, parent, school representative, and Deputy District Attorney. Monthly reviews will be held

**Possible consequences if the student continues to have unexcused absences include:**

### **Penalties against Parents (Education Code 48290-48293)**

- Welfare monies will be lowered by the amount equal to the child's share or equal to the parent(s)/caretaker relative's share of the grant
- A citation by law enforcement for Educational Code 48293 infraction
  - ❖ Court appearance
  - ❖ First time offenders - \$100 fine, second time - \$250 fine, third time - \$500 fine. In addition, court costs assessed.
- Parent education classes and counseling
- Penal Code 272, a misdemeanor filed by the District Attorney's office for "contributing to the delinquency of a minor"
  - ❖ Court appearance:
  - ❖ Up to a \$2,500 fine and/or up to one year of county jail time or up to five years of probation

**Possible Penalties against the Student imposed by Truancy Court are as follows:**

- Attendance at a court-approved truancy prevention program
- Court approved community service
- Work permit revoked
- Driver's license revoked or delayed for up to 4 years
- Community service hours
- Monthly fines \$100

### **Involuntary Transfer**

A student may be assigned to a Community Day School (CDS) only upon meeting one or more of the following conditions: (Education Code Section 48662)

1. The student is expelled for any reason; including those students who have their expulsions suspended and are assigned to the Community Day School program.
2. The student is probation-referred pursuant to Welfare and Institutions Code Sections 300 and 602.
3. The student is referred by a SAART team / District Attorney Truancy mediation process or the district referral process. The District referral process is defined as follows:
  - The student has been deemed a habitual truant by the school sites when the student has received three letters from the school sites as outlined in the District SAART / Truancy Mediation process and still is not attending school on a regular basis;
  - Site administrator/designee will meet with the parents/guardians of the student and the student to develop an attendance contract;
  - If the student fails to sign the contract or does not show up for the meeting with the site administrator/designee or does not fulfill the terms and conditions of their attendance contract, the student will be referred to the Oroville Union High School District Community Day School to continue their education.

### **Progressive Discipline Procedure**

The OUHSD Discipline Procedure is a progressive application of consequences based on the OUHSD Discipline Plan. The focus of the procedure is to establish and maintain a safe and secure learning environment with minimal disruption for the benefit of both students and staff. With clear boundaries, students will know where they stand and will be more motivated to exercise self-control. The first 4 discipline issues in the classroom are dealt with under the OUHSD Interventions and Supports plan. Discipline issues beyond the intervention plan are dealt with and documented by site administration. Possible administrative consequences are listed below.

- Two detentions
- Two to four detentions (2 hours)
- Four detentions (2 hours) or Community Service (48900.6)
- Saturday School and/or Community Service and notification to parents by phone.
- One (1) to five (5) days suspension and notification to parents by phone.
- Three (3) to five (5) days suspension and notification to parents by phone.
- Five (5) days suspension and recommendation of expulsion to the superintendent per 48915(b) or (e); Other means of correction are not feasible or have reportedly failed to bring about proper conduct.

Suspension from school means removal of a student from ongoing instruction for adjustment purpose. A principal or the principal's designee may suspend a pupil from the school (not more than five consecutive school days) for any of the reasons in the Education Code, Section 48900, upon a first offense if the principal or designee determines that the pupil violated Educational Code 48900, or that pupil's presence causes a danger to persons or property, or threatens to disrupt the educational process. OUHSD Students assigned in-school suspension (ISS) must serve the ISS assigned days before they will be allowed back on the comprehensive campus.

### **Grounds for Suspension/Expulsion**

**EC 48900(s)** A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil 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:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

### **Aeries #**

### **Education Codes**

#### **1 Inflicted or Threatened Physical Injury**

**EC 48900(a)(1)** Caused, attempted to cause, or threatened to cause physical injury to another person.

Recommended Minimum: Three to five days suspension and referral to law enforcement

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

#### **2 Used Force or Violence**

**EC 48900(a)(2)** Willfully used force or violence upon the person of another, except in self-defense.

**Any student who engages in or is involved in a group fight, a violation of 48900(a) of the Education Code, may be recommended for expulsion on the first offense.**

Recommended Minimum: Three to five days suspension and referral to law enforcement

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

**The second offense within a four-year period is an automatic recommendation for expulsion.**

## Education Codes (continued)

### **3 Possessed Dangerous Objects**

**EC 48900(b)** Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

**OUHSD:** Weapons, including pepper spray, are not permitted on campus or at any school functions at any time. The principal or designee is required to notify law enforcement when a student possesses a firearm or explosive, or sells or furnishes a firearm at school.

Recommended Minimum: Five days suspension and referral to law enforcement

Recommended Maximum: Suspension pending expulsion and referral to law enforcement

### **4 Possessed Drugs or Alcohol**

**EC 48900(c)** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (**OUHSD-** students may not be in possession of cannabidiol or any other derivatives of cannabis)

Recommended Minimum: Three to five days suspension, referral to law enforcement, and mandatory completion of district approved drug/alcohol program

Recommended Maximum: Five days suspension pending expulsion, and referral to law enforcement.

**The second offense within a four-year period is an automatic recommendation for expulsion.**

### **5 Sold Drugs/Alcohol or Look Alike Substance**

**EC 48900(d)** Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Sec. 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

Recommended Minimum: Five days suspension, referral to law enforcement, and referral to a district-approved drug and alcohol counseling program for first offense

Recommended Maximum: Expulsion from school district and arrest/citation by local law enforcement

**The second offense within a four-year period is an automatic recommendation for expulsion.**

### **6 Committed Robbery/Extortion**

**EC 48900(e)** Committed or attempted to commit robbery or extortion.

Recommended: 5 days suspension pending expulsion, and Referral to law enforcement.

### **7 Caused Damage to Property**

**EC 48900(f)** Caused or attempted to cause damage to school property or private property.

**OUHSD:** Damaging school property includes defacing or destroying such property and is cause for suspension or expulsion. In addition, the parent or guardian may be held liable for damage.

Recommended Minimum: One to three days suspension and referral to law enforcement and/or Community Service

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

### **8 Committed Theft**

**EC 48900(g)** Stole or attempted to steal school property or private property.

Recommended Minimum: Three to five day suspension and referral to law enforcement

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

### **9 Possessed/Used Tobacco**

**EC 48900(h)** Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

**OUHSD:** Any pupil, regardless of age, cannot possess or use tobacco or any products containing tobacco or nicotine products including but not limited to vaping and electronic cigarettes while on campus or at any school sponsored activity.

Recommended Minimum: Community Service and/or brief intervention counseling Recommended

Maximum: One to five days suspension and completion of brief intervention counseling.

### **10 Committed Obscenity/Profanity/Vulgarity**

**EC 48900(i)** Committed an obscene act or engaged in habitual profanity or vulgarity.

Recommended Minimum: One day suspension

Recommended Maximum: Three days suspension and the possibility of referral to an alternative educational program

**Education Codes (continued)**

**11 Possessed or Sold Drug Paraphernalia**

**EC 48900(j)** Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

Recommended Minimum: Three to five days suspension, referral to law enforcement, and referral to a district-approved drug and alcohol counseling program for first offense

Recommended Maximum: Expulsion from school district and arrest/citation by local law enforcement

**The second offense within a four-year period is an automatic recommendation for expulsion.**

**12 Disrupted or Defied School Staff**

**EC 48900(k)** Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

**OUHSD:** Detention is mandatory, and failing to serve is defiance.

Recommended Minimum: Detention, Community Service, Saturday School or suspension depending on circumstances

Recommended Maximum: One to five days suspension and the possibility of referral to an alternative educational program.

**13 Received Stolen Property**

**EC 48900(l)** Knowingly received stolen school property or private property.

Recommended Minimum: Three to five days suspension and referral to law enforcement

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

**14 Possessed Imitation Firearm**

**EC 48900(m)** Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a 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.

Recommended: Five days suspension pending expulsion and referral to law enforcement

**15 Committed Sexual Assault**

**EC 48900(n)** Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

Recommended: Five days suspension pending expulsion and Referral to law enforcement

**16 Harassed, Threatened or Intimidated a Student Witness**

**EC 48900(o)** Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

Recommended Minimum: Three days suspension

Recommended Maximum: Five days suspension pending expulsion

**17 Sold Prescription Drug Soma**

**EC 48900(p)** Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Recommended: Five days suspension pending expulsion

**18 Committed Hazing**

**EC 48900(q)** Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

Recommended Minimum: Detention, Community Service and/or Saturday School

Recommended Maximum: Five days suspension pending expulsion

## Education Codes (continued)

### 61 **Bullied**

**EC 48900(r)** Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- (i) A message, text, sound, or image.
- (ii) A post on a social network Internet Web site including, but not limited to:
  - (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
  - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

**OUHSD:** District administrators may discipline a student for off-campus conduct that is brought to the attention of school officials when the conduct causes, or is likely to cause, a "substantial disruption" of school activities which is more than embarrassment or personality conflicts typical in schools.

Recommended Minimum: Warning, Detention, Community Service and/or Saturday School

Recommended Maximum: Three to five days suspension

Any violation of school policy and rules may result in loss of school-provided access to technology. When and where applicable, law enforcement agencies may be involved.

### 30 **Grounds for Suspension/Expulsion**

**EC 48900(s)** A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

### 19 **Aided or Abetted Physical Injury**

**EC 48900(t)** A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

Recommended Minimum: Three days suspension and referral to law enforcement

Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement

### **School Property**

**EC 48900(u)** As used in this section, "school property" includes, but is not limited to, electronic files and databases.

### 71 **Referral to Counseling**

**EC 48900(v)** For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

## Education Codes (continued)

### **Alternative to Suspension or Expulsion**

**EC 48900(w)** It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

### **20 Committed Sexual Harassment**

**EC 48900.2** In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

**Section 212.5** "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Recommended Minimum: Warning, Community Service and/or Saturday School

Recommended Maximum: Three to five days suspension pending expulsion

### **21 Committed an Act of Hate Violence**

**EC 48900.3** In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

Recommended Minimum: One to five days suspension Recommended

Maximum: Five days suspension pending expulsion

### **22 Harassed or Intimidated**

**EC 48900.4** In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

Any Offense: One to five days suspension, Referral to law enforcement, and possible expulsion. More serious or repeated violations could lead to placement in an alternative educational program.

### **26 Violation Eligible for Community Service**

**EC 48900.6** As part of or instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, the superintendent of schools, or the governing board may require a pupil to perform community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's non-school hours. For the purposes of this section, "community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending expulsion, pursuant to Section 48915. However, this section applies if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action.

**OUHSD:** Failure to attend Community Service will result in normal school disciplinary action. See **48900(k)**.



**Education Codes (continued)**

- 23**     **Made Terrorist Threats**  
**EC 48900.7(a)** In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.  
**EC 48900.7(b)** For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.  
      Recommended Minimum: Three days suspension and referral to law enforcement  
      Recommended Maximum: Five days suspension pending expulsion and referral to law enforcement
- 24**     **Prohibited Use of Electronic Device**  
**EC 48901.5(a)** The governing board of each school district, or its designee, may regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school district while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees.  
**EC 48901.5(b)** No pupil shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the pupil and use of which is limited to purposes related to the health of the pupil.  
**OUHSD:** Permitted devices shall be turned off during class time and at any other time directed by a district employee; not disrupt the educational program or school activity; and may not be used to violate a student or district employee's right to privacy. Permission must be granted prior to taking a picture or video of another student or a district employee. Taking of pictures or videos of inappropriate subject matter, as determined by district administration, is prohibited. Laser pointers are not permitted on campus.  
      First Offense:                     Student sent to the office where the phone will be confiscated until the end of the day. It can be picked up after school AND an administrative detention assigned.  
      Subsequent Offenses:             The student will be sent to the office where the phone will be confiscated. The student' parent must pick it up AND an administrative detention will be assigned.
- Any violation of school policy and rules may result in loss of school-provided access to technology. When and where applicable, law enforcement agencies will be involved.
- 46**     **Suspension Violation**  
**EC 48903(a)** Except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a pupil may be suspended from school shall not exceed 20 school days in any school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of schooldays for which the pupil may be suspended shall not exceed 30 days in any school year.  
**EC 48903(b)** For the purposes of this section, a school district may count suspensions that occur while a pupil is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.
- 74**     **Used Prohibited Speech/Press**  
**EC 48907(a)** Pupils of the public schools, including charter schools, shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities, except that expression shall be prohibited which is obscene, libelous, or slanderous. Also prohibited shall be material that so incites pupils as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school.  
**OUHSD:** Racially divisive symbols and written material are prohibited on school grounds.  
      Recommended Minimum: Confiscation of material, Detention, Community Service, Saturday School or suspension depending on circumstances  
      Recommended Maximum: Five days suspension pending expulsion

## Education Codes (continued)

### 75 **Teacher Suspension**

**EC 48910 (a)** A teacher may suspend any pupil from class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or the designee of the principal for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the governing board of the school district. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. If practicable, a school counselor or a school psychologist may attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.

**EC 48910 (b)** A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.

**EC 48910(c)** A teacher may also refer a pupil, for any of the acts enumerated in Section 48900, to the principal or the designee of the principal for consideration of a suspension from the school.

## Penal Codes

### 76 **Committed Arson (documented with 48900(f))**

**PC 450, 451 (abbreviated version)** A person is guilty of arson when he or she willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels, or procures the burning of, any structure, forest land, or property.

**OUHSD:** Matches, lighters or other flammable items are not allowed on campus.

Recommended Minimum: Referral to the proper law enforcement authorities

Recommended Maximum: Five days suspension pending expulsion

### 35 **Gambled**

**PC 330 (abbreviated version)** All types of gambling are prohibited on campus.

Recommended Minimum: Detention, or suspension depending on circumstances

Recommended Maximum: Five days suspension or possible referral to an alternative education program

### 77 **Littered/Threw Food (documented with 48900(k))**

**PC 374(a)** Littering means the willful or negligent throwing, dropping, placing, depositing, or sweeping, or causing any such acts, of any waste matter on land or water in other than appropriate storage containers or areas designated for such purposes.

**PC 374(b)** Waste matter means discarded, used, or leftover substance including, but not limited to, a lighted or non-lighted cigarette, cigar, match, or any flaming or glowing material, or any garbage, trash, refuse, paper, container, packaging or construction material, carcass of a dead animal, any nauseous or offensive matter of any kind, or any object likely to injure any person or create a traffic hazard.

**OUHSD:** Throwing food or any items during lunch is prohibited and subject to disciplinary action.

First Offense: Warning, Detention, Community Service and/or Saturday School

Subsequent Offenses: One to two days suspension

### 78 **Entered Campus with Denied Access (documented with 48900(k))**

**PC 626.2** Every student or employee who, after a hearing, has been suspended or dismissed from a community college, a state university, the university, or a public or private school for disrupting the orderly operation of the campus or facility of the institution, and as a condition of the suspension or dismissal has been denied access to the campus or facility, or both, of the institution for the period of the suspension or in the case of dismissal for a period not to exceed one year; who has been served by registered or certified mail, at the last address given by that person, with a written notice of the suspension or dismissal and condition; and who willfully and knowingly enters upon the campus or facility of the institution to which he or she has been denied access, without the express written permission of the chief administrative officer of the campus or facility, is guilty of a misdemeanor and shall be punished accordingly, see (a) through (c).

**OUHSD:** Students on suspension or going through the expulsion process are not allowed on campus and are subject to further disciplinary action if found on campus or a school related activity. Students that have been suspended may be permitted access to faculty and campus facilities with permission of administration.

Any Offense: Two to five days suspension

## California Code of Regulations

- 79 Rode Bicycle/Skateboard/Motorized Vehicle on Campus (documented with 48900(k))**  
**13 CCR 1216** Bicycles, skateboards, or motorized vehicles may not be ridden on campus. Pursuant to 13 CCR 1216, skateboards will no longer be transported on school buses. Skateboards brought to school need to be checked into a teacher or the Assistant Principal's office in the morning and checked out at the end of school. **Students will have until the end of the school year to claim the confiscated item. All unclaimed items will be donated to charity.**  
Recommended Minimum: Confiscation of the item and/or a warning  
Recommended Maximum: Confiscation of the item at the discretion of the administrator and a possible one to two days suspension

### Education Codes for Expulsion

#### **Administration Shall Recommend Expulsion Unless Particular Circumstances Render Inappropriate (Expulsion Expected)**

**EC 48915(a)(1)** Except as provided in subdivisions (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 determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- 62 Caused Serious Physical Injury (EXP)**  
**EC 48915(a)(1)(A)** Causing serious physical injury to another person, except in self-defense.
- 63 Possessed Dangerous Objects (EXP)**  
**EC 48915(a)(1)(B)** Possession of any knife or other dangerous object of no reasonable use to the pupil.
- 64 Possessed Controlled Substance (EXP)**  
**EC 48915(a)(1)(C)** Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:  
(i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.  
(ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- 65 Committed Robbery/Extortion (EXP)**  
**EC 48915(a)(1)(D)** Robbery or extortion.
- 58 Committed Assault/Battery (EXP)**  
**EC 48915(a)(1)(E)** Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

**EC 48915(a)(2)** If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

**EC 48915(b)** Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:

- 56 Other Means Not Feasible: 48900(a-e) (EXP)**  
**EC 48915(b)(1)** Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- 57 Continuing Danger: 48900(a-e) (EXP)**  
**EC 48915(b)(2)** Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or other.

#### **Administration Must Recommend Expulsion (Mandatory)**

**EC 48915(c)** The principal or superintendent of schools shall immediately suspend, pursuant to Section 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 grounds:

- 60 Possessed/Sold/Furnished Firearm (EXP)**  
**EC 48915(c)(1)** Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.

- 66 Brandished Knife (EXP)**  
**EC 48915(c)(2)** Brandishing a knife at another person.
- 67 Sold Controlled Substance (EXP)**  
**EC 48915(c)(3)** Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- 59 Committed Sexual Assault/Battery (EXP)**  
**EC 48915(c)(4)** Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- 68 Possessed Explosive (EXP)**  
**EC 48915(c)(5)** Possession of an explosive.

**EC 48915(d)** The governing board of the school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
- (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
- (3) Is not housed at the school site attended by the pupil at the time of suspension.

**EC 48915(e)** Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of the school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

- 72 Other Means Not Feasible: 48900(f-m, and .2-.4) (EXP)**  
**EC 48915(e)(1)** That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- 73 Continuing Danger: 48900(f-m, and .2-.4) (EXP)**  
**EC 48915(e)(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.

- 69 Referral to Alternative Comprehensive**  
**EC 48915(f)** The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

**Defines a Knife**

**EC 48915(g)** As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

**Defines an Explosive**

**EC 48915(h)** As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

**Other Board Policy Pertaining to Student Conduct**

- 33 Forgery/Altering Documents/Impersonating Parent or Guardian (documented with 48900(k))**  
 Students are not allowed to tamper with school documents of any kind, including but not limited to, hall passes, attendance notes, admit slips, and student progress reports. Students who impersonate a parent or guardian will also be subject to disciplinary action.

Recommended Minimum: Saturday school or Community Service  
 Recommended Maximum: One to five days suspension

**81 Scholastic Dishonesty (documented with 48900(k))**

Teachers will assign discipline for instances of cheating on homework and tests. Instances of plagiarism, including using published or intellectual property, including Internet works, not belonging to the student may result in referral for disciplinary action.

Recommended Minimum: Teacher phones parent/guardian and gives no credit on assignment. Saturday school assigned

Recommended Maximum: One to five days suspension

**82 Bus Zone Discipline (documented with 48900(k))**

If a student is waiting in a bus zone area or riding a district bus and violates any directive of the Oroville Union High School District discipline plan, the high school will follow procedures outlined by the bus garage.

Recommended Minimum: One to three days without transportation

Recommended Maximum: Removal of transportation privileges for the remainder of the school year

**Food in Class (documented with 48900(k))**

Food and drink is not permitted in the classrooms and library, except for club meetings and approved educational activities. Exceptions will be at the discretion of the teacher.

Recommended Minimum: Detention, Community Service and/or Saturday School

Recommended Maximum: Two days suspension

**83 Excessive Affection (documented with 48900(k))**

Students are expected to demonstrate appropriate restraint and discretion.

Recommended Minimum: Warning

Recommended Maximum: Community Service and/or Sat. School, or one to five days suspension. Parents contacted

**Pets/Animals**

Animals, pets or otherwise, are not allowed on campus at any time unless the administration gives prior permission for a class project.

**Visitors/Guests**

No student guests are allowed on campus. College Connection and independent-study students may use the library or cafeteria after checking in at the attendance office. All visitors MUST check in at the attendance office before being granted permission to be on campus.

**Completion of Work Missed by a Suspended Pupil**

Teachers shall provide pupils with make-up assignments and tests missed during a suspension.

**Graduation**

Any senior who violates Education Codes 48900 a, b, c, f, or g after the first day of May through the graduation ceremony will not be able to take part in the graduation ceremony. Other 48900 violations may result in the same penalty at the discretion of the site administrators.

**Guidelines for Dancing at School Dances**

1. Dance moves shall not perform or simulate any sexual activity (for example, "grinding")
2. Administrators and chaperones have final say in the matter.
3. Any individual removed from the dance for violating these guidelines or school rules will not receive a refund of their money.
4. Any student not willing to follow the above guidelines should choose not to attend.
5. Any student attending and not following these guidelines will be removed from the dance and will not be allowed to participate in the next dance. In addition, your parent will be contacted before you are allowed to leave. If a student is defiant, the student may be subject to other disciplinary action including, but not limited to, school suspension.
6. Individual schools may require students to have a signed dance contract before being allowed to attend school dances.

**Dress Code**

**Specific Clothing/Accessory Restrictions**

1. Students should maintain a high degree of **cleanliness in personal hygiene and clothing**. California Code of Reg: Title 5, Section 302, Reg. 77.
2. Bib overalls: All straps must be fastened over the shoulder. Buttons on sides near the hips must be fastened.
3. All clothing must be worn right-side out and must have appropriate hems. Clothing that is deemed distracting is not allowed on campus. "Distracting" will be the call of your teachers, administrators and other school staff.
4. Shorts, skirts and dresses must be at appropriate length. Those that are deemed distracting are not allowed on campus.
5. "Distracting" will be the call of your teachers, administrators and other school staff.
6. Hats: School personnel have the authority to confiscate hats and other types of headgear that they deem objectionable, disrespectful, or gang-related. Students wearing hats in classroom is the call of the individual teacher.
7. Sunglasses may not be worn in classrooms.
8. Shoes or sandals must be worn at all times (no bare feet).

## **Dress Code (continued)**

### **Prohibited Clothing and Accessories**

9. Tops: sheer or see-through tops, braless outfits, tube tops, strapless garments, open back tops, camisoles, or open side tops for boys or girls. Excessive cleavage and midriff cannot be displayed. Clothing that is deemed distracting is not allowed on campus. "Distracting" will be the call of your teachers, administrators and other school staff.
10. Sagging or intentionally pulled down clothing and oversized pants without belt at the waist.
11. Bandanas or hairnets of any kind or color. Do-rags must be black or white only.
12. Clothing or accessories considered by school administration or law enforcement to denote gang affiliation are prohibited. This includes gang name or writing (script initialing) on clothing or body. Gang related tattoos must be covered. Since gang attire varies and can consist of more than two items of the same color, this will be the call of the administration.
13. Wearing the hood up on hooded sweatshirts is not allowed in any classroom.
14. Dangerous accessories such as chains, spiked collars, wristbands, jewelry or rings. The teachers, administrators, and other school staff will make the determination if an item is dangerous.
15. Clothing or accessories with sexually suggestive pictures or messages, or messages that promote or symbolize the use of alcohol, tobacco, drugs or violence. Racially divisive symbols are not allowed on clothing or accessories.

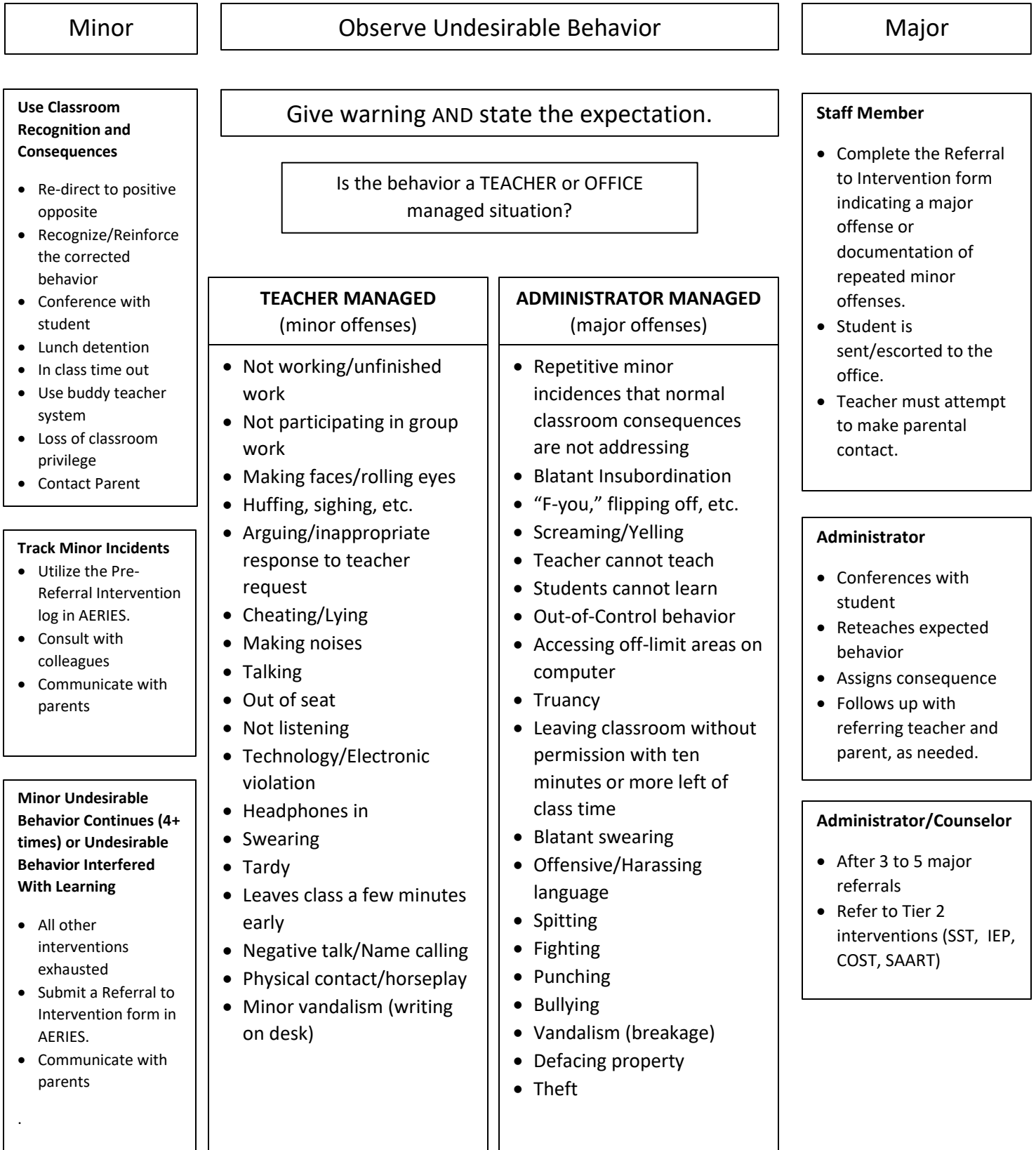
### **Violations of the Student Dress and Grooming Code**

If a student is suspected of violating the dress and grooming code, the violation should be reported to the appropriate administrator. If the administrator or his/her designee determines that the student is in violation, the student shall be asked to remedy the violation by one of the following solutions:

1. Obtain acceptable clothing from the student's PE locker; from those items donated from parent volunteers; or purchase clothes from the student store.
2. Contact parent to bring acceptable clothing to the student (student will wait in administrator's office, and the parent must be forthcoming within a reasonable period of time).
3. Parent may contact the attendance office to obtain an off-campus pass to then allow student to go home and change into acceptable clothing.

If the violation cannot be remedied, the student will remain in the office for the remainder of the school day or until the situation can be remedied. Students habitually violating the dress and grooming code will be subjected to further disciplinary action as stated in the Oroville Union High School District Violations of Discipline Code

## OUHSD INTERVENTIONS AND SUPPORTS FLOWCHART



## Administrator Recommendation of Expulsion Matrix

This matrix is a tool designed to help Administrators decide when expulsion of a student is deemed mandatory, expected, or at administrators discretion.

Must Recommend Expulsion (Mandatory)	Shall Recommend Expulsion Unless Particular Circumstances Render Inappropriate (Expulsion Expected)	May Recommend Expulsion (Discretionary)
<p>EC 48915(c): The principal or superintendent of schools shall immediately suspend, pursuant to Section 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 grounds:</p> <p><b>60 48915(c)(1):</b> Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.</p> <p><b>66 48915(c)(2):</b> Brandishing a knife at another person.</p> <p><b>67 48915(c)(3):</b> Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.</p> <p><b>59 48915(c)(4):</b> Committing or attempting to commit a sexual assault as defined in subdivision (n) of EC 48900 or committing sexual battery as defined in subdivision (n) of 48900.</p> <p><b>68 48915(c)(5):</b> Possession of an explosive.</p>	<p>EC 48915(a)(1): Except as provided in subdivisions (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 determines that expulsion should not be recommended under the circumstances or the an alternative means of correction would address the conduct:</p> <p>If expulsion is found to be inappropriate, such acts are documented in the OUHSD Nine-Step Discipline Procedure.</p> <p><b>62 48915(a)(1)(A):</b> Causing serious physical injury to another person, except in self-defense.</p> <p><b>63 48915(a)(1)(B):</b> Possession of any knife, or other dangerous object of no reasonable use to the pupil.</p> <p><b>64 48915(a)(1)(C):</b> Possession and/or use of any substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the <i>Health and Safety Code</i>, except for either of the following:</p> <p>(i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.</p> <p>(ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.</p> <p><b>65 48915(a)(1)(D):</b> Robbery or extortion.</p> <p><b>58 48915(a)(1)(E):</b> Assault or battery, as defined in Sections 240 and 242 of the Penal Code, on a school employee.</p> <p>PC 240: An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.</p> <p>PC 242: A battery is any willful or unlawful use of force or violence upon the person of another.</p> <p>EC 48915(b): (paraphrased) The recommendation for expulsion shall be based on one or both of the following from 48900(a-e):</p> <p><b>56 48915(b)(1):</b> Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.</p> <p><b>57 48915(b)(2):</b> Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.</p> <p>EC 48915(e): (paraphrased) The recommendation for expulsion shall be based on one or both of the following from 48900(f-m) and 48900.2, 48900.3, 48900.4, and either of the following:</p> <p><b>72 48915(e)(1):</b> Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.</p> <p><b>73 48915(e)(2):</b> Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.</p>	<p>Acts committed at school or school activity or on the way to and from school or school activity including lunch and break. Acts are documented in the OUHSD Nine-Step Discipline Procedure. Students that complete all nine steps may be recommended for expulsion under EC 48915.</p> <p><b>1 48900(a)(1):</b> Inflicted or Threatened Physical Injury †</p> <p><b>2 48900(a)(2):</b> Used Force or Violence</p> <p><b>3 48900(b):</b> Possessed Dangerous Objects</p> <p><b>4 48900(c):</b> Possessed Drugs or Alcohol</p> <p><b>5 48900(d):</b> Sold Drugs/Alcohol or Look Alike Substance</p> <p><b>6 48900(e):</b> Committed Robbery/Extortion</p> <p><b>7 48900(f):</b> Caused Damage to Property‡</p> <p><b>8 48900(g):</b> Committed Theft</p> <p><b>9 48900(h):</b> Possessed/Used Tobacco</p> <p><b>10 48900(i):</b> Committed Obscenity/Profanity/Vulgarity</p> <p><b>11 48900(j):</b> Possessed or Sold Drug Paraphernalia</p> <p><b>12 48900(k):</b> Disrupted or Defied School Staff</p> <p><b>13 48900(l):</b> Received Stolen Property</p> <p><b>14 48900(m):</b> Possessed Imitation Firearm</p> <p><b>15 48900(n):</b> Committed Sexual Assault</p> <p><b>16 48900(o):</b> Harassed, Threatened or Intimidated a Student Witness</p> <p><b>17 48900(p):</b> Sold Prescription Drug Soma</p> <p><b>18 48900(q):</b> Committed Hazing</p> <p><b>61 48900(r):</b> Bullied</p> <p><b>19 48900(t):</b> Aided or Abetted Physical Injury</p> <p><b>20 48900.2:</b> Committed Sexual Harassment</p> <p><b>21 48900.3:</b> Committed an Act of Hate Violence</p> <p><b>22 48900.4:</b> Harassed or Intimidated</p> <p><b>23 48900.7:</b> Made Terrorist Threats</p> <p><b>74 48907(a):</b> Used Prohibited Speech/Press</p> <p><b>76 PC 450/451:</b> Committed Arson (Document under 48900(f))</p> <p>† Section 48900 (s) (Statutes of 2001) states a pupil who aids or abets in infliction of physical injury to another, as defined in <i>Penal Code</i> 31, may suffer suspension, but not expulsion. However, if a student is adjudged by a court to have caused, attempted to cause, or threatened personal injury, the student may be expelled.</p> <p>‡ Section 48900 (t) "school property" includes, but is not limited to, electronic files and databases.</p>



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

Suspension from school means removal of a student from ongoing instruction for adjustment purpose. A principal or the principal's designee may suspend a pupil from the school (not more than five consecutive school days) for any of the reasons in the Education Code, Section 48900, upon a first offense if the principal or designee determines that the pupil violated Educational Code 48900, or that pupil's presence causes a danger to persons or property, or threatens to disrupt the educational process.

**EC 48900(s)** A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil 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:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

### **Abridged Version of OUHSD Discipline Policies**

<b>AERIES</b>	<b>ED CODE</b>	<b>OFFENSE</b>	<b>POSSIBLE CONSEQUENCES</b>
01	48900(a)(1)	<b>Inflicted or Threatened Physical Injury:</b> Caused, Attempted, or Threatened Physical Injury to another person.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
02	48900(a)(2)	<b>Used Force or Violence :</b> Willfully used force or violence upon the person of another, except in self-defense.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
03	48900(b)	<b>Possessed Dangerous Objects:</b> Possessed, sold, or furnished a firearm, knife, explosive, or other dangerous object. OUHSD: Weapons, including pepper spray, are not permitted on campus or at any school functions at any time.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
04	48900(c)	<b>Possessed Drugs or Alcohol:</b> Unlawfully possessed, used, sold or otherwise furnished, or been under the influence of a controlled substance.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• Arrest and citation</li> <li>• mandatory completion of district approved drug/alcohol program</li> <li>• 3 to 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
05	48900(d)	<b>Sold Drugs/Alcohol or Look Alike Substance</b> Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, an intoxicant.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• Arrest and citation</li> <li>• Referral to district approved drug/alcohol program</li> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
06	48900(e)	<b>Committed Robbery/Extortion:</b> Committed or attempted to commit robbery or extortion.	<ul style="list-style-type: none"> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
07	48900(f)	<b>Caused Damage to Property:</b> Caused or attempted to cause damage to school property or private property. OUHSD: Damaging school property includes defacing or destroying such property and is cause for suspension or expulsion. In addition, the parent or guardian may be held liable for damage. Markers are not allowed on campus and must be surrendered to any staff member.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• Community Service</li> <li>• 1-3 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
08	48900(g)	<b>Committed Theft:</b> Stole or attempted to steal school property or private property.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
09	48900(h)	<b>Possessed/Used Tobacco:</b> Possessed or used tobacco or products containing tobacco or nicotine. OUHSD: Any pupil, regardless of age, cannot possess or use tobacco or any products containing tobacco or nicotine products including but not limited to vaping and electronic cigarettes while on campus or at any school sponsored activity.	<ul style="list-style-type: none"> <li>• Assigned Brief Intervention Counseling</li> <li>• Community service</li> <li>• 1-5 days suspension</li> </ul>
10	48900(i)	<b>Committed Obscenity/Profanity/Vulgarity:</b> Committed an obscene act or engaged in habitual profanity or vulgarity.	<ul style="list-style-type: none"> <li>• 1-3 days suspension</li> <li>• Referral to alternative education program</li> </ul>
11	48900(j)	<b>Possessed or Sold Drug Paraphernalia:</b> Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• Arrest and citation</li> <li>• Referral to district approved drug/alcohol program</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>

12	48900(k)	<b>Disrupted or Defied School Staff:</b> Disrupted school activities or otherwise willfully defied the valid authority of school personnel. OUHSD: Detention is mandatory, and failing to serve is defiance.	<ul style="list-style-type: none"> <li>• Detention</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 1-5 days suspension</li> <li>• Referral to alternative education program</li> </ul>
13	48900(l)	<b>Received Stolen Property:</b> Knowingly received stolen school property or private property.	<ul style="list-style-type: none"> <li>• 3-5 days suspension</li> </ul>
14	48900(m)	<b>Possessed Imitation Firearm:</b> Possessed an imitation firearm.	<ul style="list-style-type: none"> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
15	48900(n)	<b>Committed Sexual Assault:</b> Committed or attempted to commit a sexual assault.	<ul style="list-style-type: none"> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
16	48900(o)	<b>Harassed, Threatened or Intimidated a Student Witness:</b> Harassed, threatened, or intimidated a pupil who is a complaining witness in a school disciplinary proceeding.	<ul style="list-style-type: none"> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
17	48900(p)	<b>Sold Prescription Drug Soma:</b> Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.	<ul style="list-style-type: none"> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
18	48900(q)	<b>Committed Hazing:</b> Engaged in or attempted to engage in hazing.	<ul style="list-style-type: none"> <li>• Detention</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
61	48900(r)	<b>Bullied:</b> "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils and can be reasonably predicted to have the effect of one or more of the following: (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property. (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health. (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance. (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Detention</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 3-5 days suspension</li> </ul> <p>Any violation of school policy and rules may result in loss of school-provided access to technology. When and where applicable, law enforcement agencies may be involved</p>
30	48900(s)	<b>Grounds for Suspension/Expulsion</b>	N/A
19	48900(t)	<b>Aided or Abetted Physical Injury:</b> Aided or abetted the infliction of physical injury to another person.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
71	48900(v)	<b>Referral to Counseling</b>	N/A
20	48900.2	<b>Committed Sexual Harassment:</b> Committed sexual harassment.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 3-5 days suspension</li> <li>• Expulsion</li> </ul>
21	48900.3	<b>Committed an Act of Hate Violence:</b> Caused, attempted to cause, threatened to cause or participate in an act of hate violence.	<ul style="list-style-type: none"> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
22	48900.4	<b>Harassed or Intimidated:</b> Intentionally engaged in harassment, threats, or intimidation.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• Referral to alternative education program</li> <li>• 1-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
26	48900.6	<b>Violation Eligible for Community Service:</b> Require students to perform community service. OUHSD: Failure to attend Community Service will result in normal school disciplinary action.	See <b>48900(k)</b> .
23	48900.7(a)(b)	<b>Made Terrorist Threats:</b> Terrorist threats against school officials or school property, or both.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 3-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
24	48901.5(a)(b)	<b>Prohibited Use of Electronic Device:</b> Use of electronic device while on campus or school-sponsored activities. Laser pointer also not permitted on campus. OUHSD: Permitted devices shall be turned off during class time and at any other time directed by a district employee; not disrupt the educational program or school activity; and may not be used to violate a student or district employee's right to privacy. Permission must be granted prior to taking a picture or video of another student or a district employee.	<ul style="list-style-type: none"> <li>• Confiscated until end of day</li> <li>• Detention</li> <li>• Parent to retrieve. Any violation of school policy and rules may result in loss of school-provided access to technology. When and where applicable, law enforcement agencies may be involved</li> </ul>
46	48903(a)(b)	<b>Suspension Violation:</b> Suspension not to exceed 20 days. In specified cases, 30 days.	N/A

74	48907(a)	<b>Used Prohibited Speech/Press:</b> Obscene, libelous or slanderous speech and/or material that incites pupils to create a clear and present danger of the commission of unlawful acts, or substantial disruption of school. Racially divisive symbols are prohibited. OUHSD: Racially divisive symbols and written material are prohibited on school grounds.	<ul style="list-style-type: none"> <li>• Confiscation of material</li> <li>• 2-5 days suspension</li> <li>• Recommendation for expulsion</li> </ul>
75	48910(a)(b)(c)	<b>Teacher Suspension:</b> Teacher may suspension for 2 days. Teacher to contact parent and request parent-teacher conference. Administrator to attend upon request of teacher or parent.	N/A

AERIES	PENAL CODE	OFFENSE	POSSIBLE CONSEQUENCES
76	PC 450, 451 doc. w/ 48900(f)	<b>Committed Arson:</b> Setting fire on campus or at any related school activity.	<ul style="list-style-type: none"> <li>• Referral to law enforcement</li> <li>• 5 days suspension</li> </ul>
35	PC 330	<b>Gambled:</b> Gambling of any kind.	<ul style="list-style-type: none"> <li>• Detention</li> <li>• Referral to alternative education program</li> <li>• 1-5 days suspension</li> </ul>
77	PC 374(a)(b) doc. w/ 48900(k)	<b>Littered/Threw Food:</b> Littering and throwing food OUHSD: Throwing food or any items during lunch is prohibited and subject to disciplinary action.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Detention</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 1-2 days suspension</li> </ul>
78	PC 626.2 doc. w/ 48900(k)	<b>Entered Campus with Denied Access:</b> Enters on campus or facility to which he or she has been denied access through suspension or expulsion. OUHSD: Students on suspension <b>or going through the expulsion process</b> are not allowed on campus and are subject to further disciplinary action if found on campus or a school related activity. Students that have been suspended may be permitted access to faculty and campus facilities with permission of administration.	<ul style="list-style-type: none"> <li>• 2-5 days suspension</li> <li>• Referral to law enforcement</li> <li>• Charged with misdemeanor, fine or imprisonment</li> </ul>

AERIES	CA CODE OF REGS.	OFFENSE	POSSIBLE CONSEQUENCES
79	13 CCR 1216 doc. w/ 48900(k)	<b>Rode Bicycle/Skateboard/Motorized Vehicle on Campus:</b> Riding bikes, skateboards or motorized vehicles on campus.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Confiscation of the item</li> <li>• 1-2 days suspension</li> </ul>

AERIES	BOARD POLICY	OFFENSE	POSSIBLE CONSEQUENCES
80	doc. w/ 48900(k)	<b>Student ID Card:</b> Must possess a current ID card and present it when requested.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Detention</li> <li>• 1-2 days suspension</li> </ul>
33	doc. w/ 48900(k)	<b>Forgery/Altering Documents/Impersonating Parent or Guardian:</b> Forgery and/or tampering with school documents of any kind. Students who impersonate a parent or guardian will also be subject to disciplinary action.	<ul style="list-style-type: none"> <li>• Community service</li> <li>• Saturday School</li> <li>• 1-5 days suspension</li> </ul>
81	BP 5131(b) doc. w/ 48900(k)	<b>Scholastic Dishonesty:</b> Cheating on school work or tests.	<ul style="list-style-type: none"> <li>• Teacher phones parent/guardian, no credit on assignment</li> <li>• Saturday School</li> <li>• 3-5 days suspension</li> </ul>
82	BP 5131.1(a) doc. w/ 48900(k)	<b>Bus Zone Discipline:</b> Violation of directive while waiting in bus zone or riding a district bus.	<ul style="list-style-type: none"> <li>• Loss of transportation privileges for one to three days</li> <li>• Loss of transportation privileges for remainder of school yr.</li> </ul>
Number not assigned	doc. w/ 48900(k)	<b>Food in Class:</b> Food and drink is not permitted in classrooms or library.	<ul style="list-style-type: none"> <li>• Detention</li> <li>• Community Service</li> <li>• Saturday School</li> <li>• 2 days suspension</li> </ul>
83	doc. w/ 48900(k)	<b>Excessive Affection:</b> Students are expected to demonstrate restraint and discretion.	<ul style="list-style-type: none"> <li>• Warning</li> <li>• Community service</li> <li>• Saturday School</li> <li>• 1-5 days suspension</li> </ul>