

## **BALLICO SCHOOL CODE OF CONDUCT**

The main purpose of the Ballico-Cressey Conduct Code Handbook is to set forth the standards of behavior established by law and policies of the Board of Education. It describes the various consequences for violations of these standards of behavior. Other helpful information has been included also.

We sincerely hope that all who use this Handbook do so realizing the equal importance of the student's responsibility for acceptable behavior and the protection of a student's rights to due process and fair and just treatment. The basis for these policies is the Education Code for the State of California.

We look forward to a good school year. We ask your cooperation to ensure that our students have a good school environment that promotes the educational process. Ballico-Cressey School District Board of Education.

### **DUE PROCESS**

An essential element of ensuring school safety and implementation of appropriate school discipline is strong due process protections that generate trust and ensure fair and just results in discipline proceedings.

Providing strong procedural protections, such as legally required parental notification, discipline hearings, and appeals processes, can go a long way to building a trusting and engaged school community. Due process protections also help to ensure fair and equitable discipline and to prevent denial of a student's fundamental right to education.

### **DISCIPLINE POLICY PHILOSOPHY STATEMENT**

The Ballico-Cressey School District believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. The district shall foster a learning environment which reinforces the concepts of self-discipline and the acceptance of personal responsibility. Students are expected to progress from being adult-directed to self-directed with minimal application of disciplinary measures. In order to maintain an environment conducive to attaining the highest quality of education in the district, there must exist certain disciplinary policies and regulations relating to student conduct which delineate acceptable behavior and provides the basis for sound disciplinary practices within each school in the district. These policies and regulations will be enforced fairly and uniformly and consistently without regard to race, color, religion, ancestry, national origin, disability, gender or sexual orientation. The administration, teachers and classified staff share the mutual responsibility for student conduct and safety and the enforcement of district policies and regulations. The Board shall give all reasonable support and assistance to all employees with respect to student discipline.

### **GOALS**

The Ballico-Cressey School District's Philosophy of Education describes the purposes of education, which can also be applied to the goals of discipline. These are to develop in each individual:

- Respect for themselves and the capacity to maintain their individuality and respect the same rights of others
- Self-discipline, self-understanding, self-awareness, and self-worth;
- Personal responsibility for their own actions;
- Cooperative attitude toward living and working together;
- Knowledge and appreciation of the rights and privileges of the individual in our society; and
- Readiness for the responsibilities and benefits of citizenship

## **A WORD TO STUDENTS**

It is important that every child has the opportunity to achieve to his or her greatest potential. School is a place to belong, to make and keep friends, and to learn about yourself and others. School is a place where all persons should feel safe. For this to happen, our schools will not allow threats of any kind. This includes put-downs, racial slurs, and name calling. These are words used to pick on, make fun of, threaten, harass, insult, hurt or leave out another person because of their color, religion, race, disability, sexual orientation, national origin, or ancestry. Being different is not wrong or funny. It is one of the good things about you. Always be careful of what you say. No one wants his or her feelings hurt. It is hard to take back mean, hurtful, or embarrassing words or actions. All students deserve to be respected. Saying that you are just kidding or playing around will not excuse you. You must be responsible for your own actions. Following the crowd does not make something right. Not following takes courage. Be a leader. If you see others doing the wrong thing, speak up and speak out. All school staff will take acts or rumors of violence, bias or harassment seriously. Appropriate disciplinary action will be taken. We are dedicated to promoting tolerance and respect in every aspect of school life.

## **IMPORTANT NOTICE**

1. (E.C. 48900) No pupil shall be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:
  - A. While on school ground.
  - B. While going to or coming from school.
  - C. During the lunch period whether on or off the campus.
  - D. During or while going to or coming from, a school-sponsored activity.
2. Students accumulating 20 days of suspension, in one school year, are subject to involuntary transfer to an alternative program or to the School Board for possible expulsion.
3. Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this Student Conduct Code.
4. In addition to those sections enumerated in E.C. 48900 (a through r) and 48915 (a, c & e), a student may be suspended or expelled from school for violation of school/classroom rules.

## **ATTENDANCE**

Regular attendance is essential for academic and social success. Parents are responsible for making sure their children are at school on time daily. The California Education Code (Sec. 48200) requires that all children between the ages of six and eighteen attend school. Any student who is absent without a valid excuse for more than three days, or who is similarly tardy beyond thirty minutes for more than two days is termed a habitual truant. Habitually truant students, and students with excessive absences, regardless of reason, will be referred to the Merced County District Attorney's Office. Students who miss an excessive number of days of school days without communication from parents may be dropped from the school roster. Students who must miss more than five days of school should apply for independent study.

Students who are tardy to school 5 or more times or are absent for 10% or more days per quarter will be ineligible to participate in extracurricular trips regardless of meeting all of the requirements for the trips.

Students may attend Academic Saturday Schools or Academic make up days to make up days they have missed in order to achieve perfect attendance or in order to become eligible for extracurricular trips.

## **RIGHTS AND RESPONSIBILITIES**

### **Rights of students**

- To attend school unless removed under due process as specified in the Education Code.
- To attend a safe, clean, properly maintained school with a social climate free of fear and violence.
- To enjoy the full benefit of their teachers' efforts, undiluted by the disruptive student.
- To be fully informed of school rules and regulations.

### **Responsibilities of students**

- To attend school and classes regularly and on time.
- To be prepared for class with the appropriate materials and work.
- To know and obey school rules and regulations.
- To respect the rights of school personnel, fellow students, and the public in general.
- To demonstrate pride in the appearance of school buildings and grounds.
- To dress and act in a manner conducive to a positive learning environment.
- To communicate with parents regarding after school activities, etc., prior to the school day to eliminate classroom interruptions.

### **Rights of Parents**

- To expect that their children will spend their time at school in a safe, wholesome, stimulating atmosphere engaged in productive activities under the care and direction of a dedicated staff.
- To be informed of district policies, regulations, and school rules.
- To review their child's record with a designated staff member by prior arrangement.

### **Responsibilities of Parents**

- To visit school periodically to participate in conferences with teachers, administrators, or other school personnel regarding the academic and behavioral status of their children.
- To provide supportive action by making sure that children have enough sleep, adequate nutrition and appropriate clothing before coming to school.
- To maintain consistent and adequate control over their children and to support reasonable control measures as applied by school personnel.
- To cooperate with the school in bringing about improvements designed to enhance the educational program offered students.
- To provide the school with current information, or changes, regarding legal address, phone, medical data, and other facts which may help the school to serve their children.
- To become familiar with district policies, school rules, and regulations.
- To communicate with your child regarding appointments prior to the school day to eliminate classroom interruptions.

### **Rights of Teachers**

- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative support when enforcing rules designated to provide an optimum learning climate.
- To teach with interruptions held to an absolute minimum.
- To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

### **Responsibilities of Teachers**

- To consider the personal worth of each individual student as a single, unique, important human being.
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To hold students accountable for their actions at all times.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced,

unbiased manner.

- To keep parents and students informed with timely and periodic reports, including all pertinent data related to the student's school experience.
- To consistently critique their own performance with the objective of an ever growing professional stature.
- To initiate and enforce individual classroom rules consistent with school and district policies.

### **Rights of Administrators**

- To initiate such measures as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail.
- To make decisions regarding school issues based on what is best for the students.
- To hold students accountable for their conduct and to take prompt and appropriate action.
- To expect that all school employees recognize and fulfill their responsibilities.

### **Responsibilities of Administrators**

- To provide leadership that will establish, encourage, and promote good teaching and effective learning.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
- To request assistance from the district's support services, community agencies, and all other available resources in cases indicating such actions.
- To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.

## **CONSEQUENCES OF DISRUPTIVE BEHAVIOR AND DEFINITIONS**

The Board of Trustees and staff of the Ballico-Cressey School District believe that all students are accountable for their behavior and conduct while attending school and school-sponsored activities. Repeated offenses may result in a maximum consequence of expulsion.

In so much as it is safe and reasonable; teachers will apply the steps of their classroom management procedures to address most student misbehavior prior to referring a student to the office for disciplinary action. Final decisions regarding disciplinary measures for misbehavior will be administered at the discretion of the site administrator.

Violation of the rules and regulations set forth may cause one or more of the following consequences.

### **Alternatives to Suspension:**

(Not limited to the following)

- Citations
- Parent Conferences (with or without Administration)
- Behavior Contracts
- Behavior Workshops
- Alternative Work Environments
- Adjustments to Class Schedules
- School Service
- Restitution
- Lunch Detention / Missing Recess
- Ineligibility to participate in extracurricular (athletics, reward and incentive trips, dances, etc.) activities
- Referral to community agencies
- Referral to alternative program

### **Suspensions and Expulsions**

- Suspension from School
- Expulsion

## **ELEMENTARY DISCIPLINE**

Phone calls to parents/guardians will be made by staff members for warranted misbehavior at the Elementary Level within the classroom and outside on the school yard. The student may be asked to write a letter home explaining why they got into trouble and what they should have done differently. Letters need to be signed by the parent/guardian and returned to the staff member who issued it. Students may also be asked to write a letter to a staff member or a fellow student apologizing for their actions. Students may miss their whole or partial recess as a consequence of their actions. Twelve documented offenses within a trimester will cause the student to be ineligible for all extra-curricular trips that trimester. These extra-curricular activities include but not limited to academic incentive trips and grade level field trips that are not tied to curricular studies. Students will still be allowed to attend co-curricular activities and trips that further the student's advancement and understanding of the grade level curriculum.

## **CITATIONS JUNIOR HIGH ONLY**

Citations will be issued as a discipline consequence for inappropriate student behavior. Phone calls will be made to the parent or guardian the day the citation is issued to the student by the staff member who issued it.

## CONSEQUENCES FOR EXCESSIVE CITATIONS

For every 3 citations issued to a student, the student will serve a lunch detention. Students receiving 9 or more citations and/or 3 or more detentions within a trimester will be ineligible for all extra-curricular trips that trimester. These extra-curricular activities include but are not limited to academic incentive trips and grade level field trips that are not tied to curricular studies. Students will still be allowed to attend co-curricular activities and trips that further the student's advancement and understanding of the grade level curriculum.

## DEFINITIONS

**Informal Conference:** An informal conference is conducted between a student and a staff member. Informal conferences may not constitute a parent contact. Documentation of the conference will be posted in the school's Student Information System (AERIES).

**Formal Conference:** A formal conference is conducted between the student, his/her parents or guardian, appropriate school personnel, and other appropriate personnel as designated by the school or parents. Documentation of the conference will be posted in the school's Student Information System (AERIES).

**Lunch Detention:** A detention served during the student's lunch. All students serving a lunch time detention will be taken to the cafeteria to pick up their lunch and then the students will return to the classroom where detention is being held. Lunch detention will be monitored by a credentialed staff member.

**Suspension:** A student is removed for disciplinary reasons from the classroom by administrative or teacher action. A principal may suspend for up to five days, a teacher may suspend for the remainder of the teacher's class in which the misbehavior occurred and the teacher's class the day after. As soon as possible, the teacher shall ask the parent/guardian of the pupil to attend a parent-teacher conference regarding the suspension. If an in-person conference cannot be arranged, a telephone conference may be substituted. A school administrator shall attend the conference if the teacher or parent/guardian so requests. The pupil shall not be returned to the class during the period of suspension. A suspension may be extended when an expulsion hearing is pending. There are two kinds of suspension, on-campus suspension and at-home suspension. (E.C. 48925, E.C. 48911)

**Definition of 1 day suspension:** A one-day suspension means remainder of the school day plus 1 day.

**Definition of school authority:** All school employees, including administrators, teachers, instructional aides, yard duty and campus supervisors, cafeteria personnel, custodians, after school program staff, and office staff.

**Expulsion:** The Board of Education has the authority to expel a student for serious and/or repeated offenses. Both the student and the student's parents or guardian shall receive appropriate notices and be informed of the procedures for hearings or expulsions. Expulsion hearings are formal and legal in nature. (E.C. 48915)

**Hazing:** A method of initiation or preinitiation 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 this purposes, "hazing" does not include athletic events or school-sanctioned events. (E.C. 48900 q)

**Bullying:** Is 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 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. (E.C. 48900 r1)

(2)(A) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, a 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:

Posting to or creating a burn page. "Burn Page" means an Internet Website created for the purpose of having one or more of the effects listed in paragraph (1). 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.

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 profile using the likeness or attributes of an actual pupil other 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.

(s) A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent 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.

(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 suffer suspension, but not expulsion, pursuant to the provision of this section.

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

(v) A superintendent or principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management program, for a pupil subject to discipline under this section.

(w) It is the intent of the Legislature that alternatives to suspensions or expulsions be imposed against any pupil who is truant, tardy or otherwise absent from school activities.

**Sexual harassment:** is 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. (E.C 212.5)

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. (E.C. 48900.2)

## BALLICO SCHOOL DISCIPLINE CODE

The Ballico-Cressey School District administration reserves the right to objectively determine consequences based on the seriousness of a particular infraction and discipline history. Facts and other circumstances often require administrative prerogatives. Below is a listing of school infractions along with possible consequences given by the administration. Communication between school and parents will be maintained at all junctures of the discipline process.

<b>Disruption / Defiance - ED Code 48900 (K)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Disruption of the school day	Alternatives to Suspension	Alternatives to Suspension	Parent /Admin Conference
Defiance of school authority		1-3 Day Suspension	5-Day Suspension  *Possible recommendation for expulsion

<b>Profanity - ED Code 48900 (I)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Use of profanity	Alternatives to Suspension	Parent /Admin Conference	Parent /Admin Conference
		Alternatives to Suspension	3-5 Day Suspension
		1-3 Day Suspension	

<b>Violation of Acceptable Use Policy</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Misuse of internet or computer privileges	Alternatives to Suspension	Parent /Admin Conference	Parent /Admin Conference
		1-3 Day Suspension	3-5 Day Suspension
		*Possible loss of digital privileges	Loss of digital privileges

<b>Cafeteria Violations</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Throwing of food in the cafeteria	Alternatives to Suspension	Alternatives to Suspension  1-3 Day Suspension	Parent /Admin Conference  Clean cafeteria  5-Day Suspension

<b>Gum/Seeds/Food Outside of Cafeteria</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Chewing gum, eating seeds, or eating food outside of the cafeteria during breaks *All food needs to be eaten inside the cafeteria or at outside tables during recess and lunch.	Alternatives to Suspension	Alternatives to Suspension	Alternatives to Suspension  1-3 Day Suspension

<b>Hands-Off Policy</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Horseplay or play fighting	Alternatives to Suspension	Alternatives to Suspension  1-3 Day Suspension	Parent /Admin Conference  1-3 Day Suspension
Inappropriate Displays of affection	Alternatives to Suspension	Alternatives to Suspension  1-3 Day Suspension	Parent /Admin Conference  1-3 Day Suspension

<b>Fighting- ED Codes 48900 (A-1)(A-2)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Mutual combat, pushing, or other physical contact, Inciting a fight	Parent /Admin Conference  1-3 Day Suspension	Parent /Admin Conference  3-Day Suspension	Parent /Admin Conference  5-Day Suspension  Recommendation for expulsion

<b>Cheating, Forgery, Falsifying Information or Records</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Copying homework, cheating on test etc.	Alternatives to Suspension	Parent /Admin Conference	Parent /Admin Conference
	*Student will be required to redo the assignment or test	1-Day Suspension *Student will be required to redo the assignment or test	3-Day Suspension *Student will be required to redo the assignment or test
Giving false information to a school official, false signature, forgery	Parent /Admin Conference	Parent /Admin Conference	Parent /Admin Conference
	1-Day Suspension	2-Day Suspension	3-Day Suspension

<b>Abuse of School Personnel</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Physical abuse or attempted abuses of school personnel	Parent /Admin Conference	Parent /Admin Conference	Parent /Admin Conference
	5-Day Suspension	5-Day Suspension	5-Day Suspension
	Recommendation for expulsion	Recommendation for expulsion	Recommendation for expulsion
Profanity or vulgarity toward school authority	Parent /Admin Conference	Parent /Admin Conference	Parent /Admin Conference
	1-3 Day Suspension	5-Day Suspension	5-Day Suspension *Possible recommendation for expulsion

<b>Intimidation - ED Code 48900 (O)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Threatening, degrading, disgracing behavior or language  Threatening or intimidating a witness in a school disciplinary proceeding	Alternatives to Suspension	Parent /Admin Conference	Parent /Admin Conference
	*Possible 1-3 day suspension	3-day suspension	5-day Suspension *Possible recommendation for expulsion

**Harassment / Bullying / Sexual Harassment - ED CCode 48900 (N) (Q) (R) (.2) (.3) (.4)**

<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Continued “bothering” that is not invited (verbal or physical)	Parent /Admin Conference	Parent /Admin Conference	Parent /Admin Conference
Bullying or hazing	1-3 Day Suspension	3-5 Day Suspension	5 Day Suspension
Vulgar and/or slang names pertaining to gender, race, ethnicity, or disability	*Possible notification of law enforcement	Recommendation for expulsion *Possible notification of law enforcement	Recommendation for expulsion Notification of law enforcement
“Pantsing”, lifting shirts, snapping undergarments, etc.			
Possession of pornographic material or accessing pornography on the internet			
Committing an obscene act			
Attempted or committed sexual assault or sexual battery	Parent /Admin Conference 5-Day Suspension Recommendation for expulsion and notification of law enforcement		

**Explosives/Setting Fire - Penal Code 457.1**

<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Smoke bombs, incendiary devices, fireworks, etc. *possession, use or sell	3-5 Day Suspension	5-Day Suspension *Possible recommendation for expulsion	5-Day Suspension Recommendation for expulsion
Setting or Attempting to set fire	5 Day Suspension Recommendation for expulsion		

**Fire Alarms- Penal Code 148.4**

<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Tampering with or giving a false alarm	Parent /Admin Conference  5-Day Suspension  *Possible notification of law enforcement	Parent /Admin Conference  5-Day Suspension  *Possible recommendation for expulsion  *Possible notification of law enforcement	Parent /Admin Conference  5-Day Suspension  Recommendation for expulsion notification of law enforcement

**Gambling and/or Wagering**

<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Exchange of objects, items or money	Alternatives to Suspension	Parent /Admin Conference  1-3 Day Suspension	Parent /Admin Conference  3-5 Day Suspension  *Possible recommendation for expulsion

**Vandalism- ED Code 48900 (F)**

<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Book covers, signatures, school work, back packs, on clothing or body.  Destruction of property.	Alternatives to Suspension	Parent /Admin Conference  1-3 Day Suspension	Parent /Admin Conference  3-5 Day Suspension
Defacing books with any writing or drawing and/or gang symbols, names, style of writing or obscenity  Defacing/Damaging school or private property with any writing, drawing, gang symbols, names, or obscenity	Parent /Admin Conference  1-3 Day Suspension Restitution  *Possible notification of law enforcement	Parent /Admin Conference  3-5 Day Suspension  Restitution  Notification of law enforcement  *Possible recommendation for expulsion	Parent /Admin Conference  5 Day Suspension  Restitution  Notification of law enforcement  Recommendation for expulsion

<b>Theft- ED Code 48900 (E) (G) (L)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Stealing, taking, or in possession of another person's or school property	Parent /Admin Conference  Restitution  1-3 Day Suspension  *Possible notification of law enforcement	Parent /Admin Conference  Restitution  3-5 Day Suspension  Notification of law enforcement  *Possible recommendation for expulsion	Parent /Admin Conference  Restitution  5-Day Suspension  Notification of law enforcement  Recommendation for expulsion
Attempting or committing extortion or robbery	Parent /Admin Conference  3-5 Day Suspension  Restitution  Notification of law enforcement  *Possible recommendation for expulsion	Parent /Admin Conference  5-Day Suspension  Restitution  Notification of law enforcement  Recommendation for expulsion	

<b>Gang Affiliation</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Student display, flashing, showing, or drawing gang signs	Parent /Admin Conference  Alternatives to Suspension  *Possible 1-Day suspension  *Possible notification of law enforcement	Parent /Admin Conference  3-5 Day Suspension  Notification of law enforcement	Parent /Admin Conference  5-Day Suspension  Notification of law enforcement  Recommendation for expulsion

<b>Weapons- ED Code 48900 (B) (M)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Possession of any real or look-alike firearm, knife, explosive or other dangerous object at school or school activity *Penal Code Section 245 and 626.9 and EC 489090	Parent /Admin Conference  5-Day Suspension  *Possible notification of law enforcement  *Possible recommendation for expulsion	Parent /Admin Conference  5-Day Suspension  Notification of law enforcement  Recommendation for expulsion	

<b>Drugs, Alcohol, &amp; Tobacco 48900 (C) (D) (H) (J) (P)</b>			
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>
Tobacco use or possession	Parent /Admin Conference  1-3 Day Suspension	Parent /Admin Conference  3-5 Day Suspension	Parent /Admin Conference  5-Day Suspension  *Possible recommendation for expulsion
Possession, use, or under the influence of any controlled substance  Use of prescription drugs not registered in the office, drugs, alcohol, or intoxicant	Parent /Admin Conference  5-Day Suspension  *Possible recommendation for expulsion or Alt. Ed. program  *Possible notification of law enforcement RAFT	Parent /Admin Conference  5-Day Suspension  Recommendation for expulsion  Notification of law enforcement	
Selling, furnishing, or in the possession for sale, any controlled substance	Parent /Admin Conference  5-Day Suspension  Recommendation for expulsion  *Possible notification of law enforcement		

## **CAUSES FOR MANDATORY EXPULSION**

\*Students will be suspended until expulsion proceedings

\*Appropriate law enforcement agencies will be notified.

1. CAUSED SERIOUS PHYSICAL INJURY to another person, except in self-defense. (E.C. 48915 and 48900, sub-section a). \*Self-defense is defined as the inability otherwise to walk away from a situation.
2. POSSESSED, SOLD, OR OTHERWISE FURNISHED ANY FIREARM, KNIFE, EXPLOSIVE, OR OTHER DANGEROUS OBJECT unless in the case of possession of any such object, 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. (E.C. 48915 and 48900, sub-section b). \*Look alike may be considered objects of a dangerous nature. If the principal deems expulsion inappropriate for this instance of possession of a knife, a report in writing is to be sent to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances. (E.C. 48915)
3. FURNISHED OR SOLD ANY CONTROLLED SUBSTANCE (as defined in section 11053 of the Health and Safety Code), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48900, sub-section c)
4. POSSESSED WITH INTENT TO SELL ANY CONTROLLED SUBSTANCE (as defined in section 11053 of the Health and Safety Code), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48900, sub-section c)
5. POSSESSED, OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE, LOOK-A-LIKES OR IN-LIEU SUBSTANCES. (Section 11053 of the Health and Safety Code, E.C. 48900, sub-section d, E.C. 48915, sub-section a)
6. COMMITTED OR ATTEMPTED TO COMMIT ROBBERY OR EXTORTION (E.C. 48915, and 48900 sub-section e)
7. THREATENED, ATTACKED, OR COMMITTED ASSAULT OR BATTERY ON SCHOOL PERSONNEL (Penal Code Sec. 240 and 242, E.C. 48900, sub-section a, E.C. 48915, sub-section a, and E.C. 44014)
8. ATTEMPTING SEXUAL ASSAULT OR COMMITTING SEXUAL BATTERY is a violation of state (E.C. 48915, sub-section c) and federal law. It is grounds for expulsion.

## **DRESS AND GROOMING**

The parents/guardians of the Ballico-Cressey School District are charged with the responsibility of dressing their children in a neat and clean manner. In addition, under normal circumstances, no student will be sent to school wearing any kind of clothing, costume, and/or hair style which will tend to interrupt, disturb, or interfere with the normal educational program being carried on, either on the campus or in the classroom, or negatively affect the health and safety of individuals. The students must dress in such manner that will conform to good taste. Explicit or implied profanities and/or obscenities will not be acceptable. Any items of clothing, jewelry, foot gear, or headgear which would be injurious or potentially disruptive to the normal education program or to any person or school district property are prohibited. (cf. 6136 Gangs) These guidelines numbered 1-11 shall be in effect at all school related activities except where modified by the site administrator for specific extracurricular activities or specific cases.

1. Hair nets or other types of gang related head coverings are not allowed.
2. All clothing, including jackets and shoes, with Old English style or other writings that may be determined to be gang related are not allowed.
3. Students are not permitted to mark on themselves or any clothing on their body.
4. Accessories, such as jewelry, belts, bandanas, purses, and sunglasses which have logos, insignias, color, or writings depicting gang related activities are not allowed.
5. Attire that is worn or altered in such a way as to identify students with gangs is not allowed. This includes, but is not limited to: sagging/baggy pants, cut-off shorts with knee high socks, hanging belts, suspenders off the shoulders, gang related initials on belt buckles.
6. Pants must fit at the waist and not be more than one size too large or one size too small. If belts are worn, they must not be more than one size too large.
7. Attire which is sexually suggestive or extremely brief is not allowed. This includes, but is not limited to: low-cut garments, strapless or off the shoulder tops, straps less than 1 inch, bare midriffs, undershirts, fishnet tops, shorts which are shorter than mid-thigh or fingertip length, and skirts shorter than fingertip length.
8. Attire that advocates or advertises or symbolizes any type of alcohol, drugs, tobacco or acts which are illegal, violent, obscene, or hazardous to one's health is not allowed.
9. Shoes must be worn at all times.
10. Clothing, jewelry, and other accessories which present a safety hazard to the wearer or others are not allowed.
11. Pants with holes or rips cannot expose skin above mid-thigh.
12. Caps, hats, beanies, ski caps, sweatshirt hoods or other head coverings may be worn at school, but shall not be worn inside school buildings unless teachers have given permission otherwise. Hats must be worn facing the front. Doo-rags or any type of bandanas are not allowed.
13. Sun glasses may not be worn in school buildings.
14. No exposed undergarments (bra straps, underwear, or other items that would be considered undergarments).

### **CONSEQUENCES FOR DRESS CODE VIOLATIONS**

1st offense: Warning. Notification of parents. Violation must be corrected before returning to class.

2nd offense: Same as 1st offense, plus a lunch detention.

3rd offense: One day suspension and parent conference

4th offense: Three-day suspension and parent conference

5th offense: Five-day suspension and possible recommendation for expulsion.

*Note: Any dress code violation that is gang related will be photographed and the photograph will remain*

*in their discipline file.*

## **ITEMS NOT ALLOWED IN SCHOOL**

Items that interfere in any way with school procedures, disrupt instruction, or become hazards to the safety of others are not allowed. Such items include but are not limited to: toys, water balloons, poppers, laser lights, etc. Confiscated items, not picked up by a parent, will be held until the end of the school year. Any additional items confiscated for safety or educational reasons are at the discretion of any school official. Students are expected to cooperate fully when school officials ask for these items to be turned in.

\*The school is not responsible for lost or stolen items brought to school.

## **CELL PHONES**

Cell phones are allowed on campus, but **MUST** be turned off and kept in student's backpack as students enter a school bus or school grounds. Students may be allowed to use cellphones in class at teacher discretion. Offenses for misuse of cell phones are listed below.

1st offense: Phone will be confiscated, student will receive citation, phone returned at end of school day.

2nd offense: Phone will be confiscated, student will receive citation, parent must meet with teacher to pick up phone.

3rd offense: Phone will be confiscated. Parent/admin conference to plan future cell phone use at school.

## **BALLICO-CRESSEY SCHOOL DISTRICT Inter-district Student / Parent Responsibilities**

Attendance for a student not in residence in the Ballico-Cressey School District is a **PRIVILEGE** not a right. Therefore:

1. The student must maintain good citizenship in the classroom and on the school grounds.
2. Discipline Policy: The student will be dismissed from the district on the 3rd violation of any infraction from the District's Discipline Policy. The Principal/Superintendent may dismiss the student depending on the severity of any violation.
3. The student must maintain at least a 2.0 grade point average, complete and turn in assignments in a timely fashion.
4. The student must maintain good attendance.
5. Parents/Legal Guardians of the Student accept responsibility for:
  - a. encouraging good citizenship
  - b. overseeing assignments and
  - c. supporting the classroom teacher and school policy

*\*Inter-district requests must be renewed each year*