

# **Student Conduct Code**

**2016-2017**



**HANFORD ELEMENTARY  
SCHOOL DISTRICT**



***STUDENT CONDUCT CODE***

**Grades K-8**

**Superintendent**

Joy C. Gabler

**Board of Trustees**

Jeff Garner

Robert A. Garcia

Lupe Hernandez

Tawny M. Robinson

Tim Revious

Hanford Elementary School District  
714 N. White Street  
Hanford, CA 93230  
(559) 585-3600



## **THE BOARD OF TRUSTEES AND STUDENT BEHAVIOR**

The Board of Trustees believes that all students have the right to be educated in a safe positive learning environment free from disruptions. To maintain such an environment, students, parents, guardians, staff and the Board must all understand and fulfill their responsibilities related to student conduct.

The Board of Trustees 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 respect for others, self-discipline and the acceptance of personal responsibility.

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 delineates acceptable behavior and provides the basis for sound disciplinary practices within each school in the district.

The Board of Trustees takes this responsibility seriously. School personnel have been charged by the Board to carry out these rules in a fair, firm, and supportive manner in order to safeguard each student's right to the finest education we can provide, to hold distracting forces to a minimum, and to eliminate behavior that disrupts the learning process. This will benefit all students by allowing them to go to schools free from unnecessary interruption.

This publication contains the rights and responsibilities, legal basis, and rationale for which our policies are founded. It is important that you read and discuss this Student Conduct Code with your son or daughter.

We look forward to a good school year. We ask your cooperation to ensure that our students have a school environment that promotes teaching and learning.

Jeff Garner

Robert A. Garcia

Lupe Hernandez

Tawny M. Robinson

Tim Revious

# **STUDENT CONDUCT CODE TABLE OF CONTENTS**

<b>SCHOOL SITE RULES and BEHAVIORAL EXPECTATIONS .....</b>	<b>6</b>
--	----------

<b>SCHOOL SAFETY TIP LINE .....</b>	<b>8</b>
-------------------------------------	----------

## **STUDENT DISCIPLINE RULES AND REGULATIONS**

A. Disciplinary and Non Disciplinary Measures Used to Modify Behavior	9
B. Student Citations and Consequences .....	10
C. Student Dress Code Regulations .....	20
D. Gang Policy .....	23
E. Closed Campus .....	23
F. Student's Personal Property.....	24
G. Possession/Use Mobile Communications Device.....	24
H. Possession/Use Cellular Phones .....	24
I. Computer/Internet Usage.....	25
J. Skating on School Property .....	26
K. Video Camera Surveillance .....	26
L. Questioning, Apprehension, Search and Seizure .....	27
M. Bullying/Cyber Bulling .....	27
N. Sexual Harassment Policy .....	28
O. School Bus Rules.....	30

## **SUSPENSION/EXPULSION/READMISSION AND LAW ENFORCEMENT**

A. Suspension Procedures .....	32
B. Expulsion Procedures .....	33
C. Due Process .....	33
D. Readmission following expulsion.....	34
E. Notification to Law Enforcement .....	35
F. District Level Referrals to Community Day School .....	35

## **Student Attendance**

A. School Attendance Review Board (SARB) .....	36
B. Definitions .....	37
-Chronic Absentee .....	37
-Truant .....	37
- Habitual Truant.....	37
- Chronic Truant .....	37
C. Consequences for Truancy .....	37
D. Tardies .....	38
E. Excessive Absences for illness.....	38

<b>EXTRA-CURRICULAR and Co-CURRICULAR ACTIVITIES.....</b>	<b>38</b>
---	-----------

## SCHOOL SITE RULES AND BEHAVIORAL EXPECTATIONS

AREAS	BE SAFE	BE RESPECTFUL	BE RESPONSIBLE
<b>ALL COMMON AREAS</b>	<ul style="list-style-type: none"> <li>• Walk facing forward</li> <li>• Keep hands, feet and objects to self</li> <li>• Stay in areas designated for students</li> <li>• Remain in designated area until dismissed</li> <li>• No drugs, alcohol or weapons</li> <li>• Follow dress code rules</li> </ul>	<ul style="list-style-type: none"> <li>• Use kind words and actions</li> <li>• Wait for your turn</li> <li>• Be honest</li> <li>• Follow adult directions</li> </ul>	<ul style="list-style-type: none"> <li>• Follow school rules</li> <li>• Take proper care of personal belongings and school equipment</li> <li>• Clean up after yourself</li> <li>• Leave toys, personal and unsafe items at home</li> <li>• Eat food and drinks in cafeteria and designated areas only</li> <li>• No gum</li> </ul>
<b>ARRIVAL AND DISMISSAL TIMES</b>	<ul style="list-style-type: none"> <li>• Use bike lane and bike racks</li> <li>• Use sidewalks and crosswalks</li> <li>• Wait in designated areas</li> <li>• Walk while on campus</li> <li>• Keep hands and feet to self in line at bus stop</li> </ul>	<ul style="list-style-type: none"> <li>• Follow adult directions</li> </ul>	<ul style="list-style-type: none"> <li>• Arrive on time</li> <li>• Leave on time</li> </ul>
<b>CLASSROOMS</b>	<ul style="list-style-type: none"> <li>• Use equipment and classroom materials appropriately</li> <li>• Sit with both feet on the floor</li> </ul>	<ul style="list-style-type: none"> <li>• Raise hand to ask questions</li> <li>• Follow adult directions</li> <li>• Enter class quietly</li> </ul>	Come to class on time and prepared to work <ul style="list-style-type: none"> <li>• Take proper care of textbooks and instructional materials</li> <li>• Clean up after yourself</li> </ul>
<b>CAFETERIA</b>	<ul style="list-style-type: none"> <li>• Keep all food to self</li> <li>• Sit with feet on the floor</li> <li>• Keep hands and feet to self</li> <li>• Wait in line patiently; no cuts</li> </ul>	<ul style="list-style-type: none"> <li>• Use quiet voices</li> <li>• Follow adult directions</li> <li>• Use good manners</li> </ul>	<ul style="list-style-type: none"> <li>• Clean up after yourself</li> <li>• Purchase food for yourself only</li> <li>• Raise hand and wait to be excused</li> </ul>
<b>OFFICE AREA</b>	<ul style="list-style-type: none"> <li>• Keep hands and feet to self</li> <li>• Use chairs and tables appropriately</li> </ul>	<ul style="list-style-type: none"> <li>• Use kind words and actions</li> <li>• Seek assistance at Student Services window</li> </ul>	<ul style="list-style-type: none"> <li>• State purpose politely</li> <li>• Ask permission to use phone</li> <li>• No food, drinks or gum</li> </ul>
<b>YARD PASSING AREAS HALLS BREEZEWAYS SIDEWALKS</b>	<ul style="list-style-type: none"> <li>• Walk to and from the yard</li> <li>• Stay within boundaries</li> <li>• Be aware of activities and games around you</li> <li>• No play fighting, pushing, hitting, etc.</li> <li>• Play safely on swings, bars, rings, etc.</li> <li>• Play sports in designated areas</li> </ul>	<ul style="list-style-type: none"> <li>• Play fairly</li> <li>• Share equipment</li> <li>• Include everyone</li> <li>• Follow adult directions</li> <li>• Seek adult help when needed</li> <li>• Show respect for nature (insects, animals, plants)</li> <li>• Use kind words and actions</li> </ul>	<ul style="list-style-type: none"> <li>• Request pass to go to office</li> <li>• Return borrowed school equipment to designated place or person</li> <li>• Return to class or line on time</li> <li>• Place all trash in trash cans</li> </ul>

<b>RESTROOMS</b>	<ul style="list-style-type: none"> <li>• Keep hands and feet to self</li> <li>• Keep water in the sink</li> <li>• Wash hands</li> <li>• Put towels in trash can</li> </ul>	<ul style="list-style-type: none"> <li>• Give people privacy</li> <li>• Use quiet voices</li> </ul>	<ul style="list-style-type: none"> <li>• Flush toilet after use Return to room promptly</li> <li>• Use a bathroom pass</li> <li>• Leave bathroom clean after use</li> <li>• Inform adults of vandalism</li> </ul>
<b>SPECIAL EVENTS AND ASSEMBLIES</b>	<ul style="list-style-type: none"> <li>• Line up and enter quietly</li> <li>• Keep hands and feet to self</li> <li>• Sit properly on bleachers, seats or floor</li> <li>• Wait for dismissal instructions</li> </ul>	<ul style="list-style-type: none"> <li>• Use audience manners</li> <li>• Follow adult directions</li> </ul>	<ul style="list-style-type: none"> <li>• Follow school rules</li> <li>• Focus on presentation</li> </ul>

**Some variations from school to school may apply.**



All students have the right to attend schools which are safe, secure and peaceful and to be educated in a positive learning environment free from disruption. School authorities will supervise the conduct of students and enforce discipline rules and regulations necessary for their protection and to assure that a proper climate is maintained.

### **School Safety Tip Line**

A school safety Tip Line is provided for students and parents to report issues that affect education or safety. Please call or go online to report: bullying, harassment, sexual harassment, intimidation, discrimination, hacking, cyber crimes, suspicious behavior, theft, threats (bomb, physical, other), vandalism, violence, weapons, and dangerous objects. The School Safety Tip Line does not take the place of reporting an event that warrants the attention of the police department.

If possible, please leave your name and phone number so we may contact you, if needed. If you want to remain anonymous, we will keep all information provided on this line in strict confidence, unless required to disclose by law or for safety reasons.

Online: [www.hesd.k12.ca.us](http://www.hesd.k12.ca.us)

Safety Tip Line: 585-3696

### **STUDENT DISCIPLINE RULES AND REGULATIONS**

Any behavior, even if not specifically listed in this document, which creates a safety concern, tends to distract from the educational process or causes disturbances among other students will not be allowed.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co curricular activities.

Students also may be subject to discipline for any off-campus conduct during non school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts the educational program of the district or any other district in accordance with law, Board Policy or administrative regulation.

Disciplinary and non-disciplinary measures are used as methods to correct inappropriate behavior. Consequences for inappropriate behavior will vary depending on the severity of the offense. State law and HESD regulations prohibit the use of corporal punishment.

**A. DISCIPLINARY AND NON-DISCIPLINARY MEASURES USED TO MODIFY BEHAVIOR**

- Verbal warnings
- Notices of Unacceptable Behavior
- Advisement and Counseling: Teachers, Student Specialists, school counselors, school administrators, School Psychologists, School Resource Officers
- Parent-Teacher conferences
- Student Study Team meetings
- IEP Assessments
- 504 Accommodations
- Home visits
- Behavior Contracts
- Behavior Intervention Plan (BIP)
- Referrals to site programs (anger management, conflict resolution, peer mediation, bullying training, sexual harassment training)
- Isolation of student within the class
- Loss of privileges such as participation in sports, drama, musical events, study trips, or bus transportation.
- Isolation of student within the class, in other than the regular classroom, or on the school yard.
- Writing lines
- Community Service (outdoor beautification, campus betterment)
- Teacher/Peer assistance
- Detention
- Recess restriction
- Class or school transfer
- Written Citations
- Suspension from class or school
- Expulsion
- Community Day School (Grades K- 8)
- Physical Restraint: **Certificated Employee:** Any certificated employee may exercise the same degree of control over a pupil that a parent would be legally privileged to exercise, but in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils or to maintain proper and appropriate conditions conducive to learning. **Non-certificated staff** can also use physical control in dealing with students in order to prevent/stop a disturbance threatening physical injuries or property damage; for self defense/defense of another; and to obtain possession of a weapon or dangerous object within control of a student.

Disabled students shall be disciplined in accordance with State and Federal Laws.

## **B. STUDENT CITATIONS and CONSEQUENCES**

HESD has divided the offenses under Education Code 48900 and 48915 into four categories: Level A, Level B, Level C-1 and Level C-2. Level A offenses are minor acts of misconduct; Level B offenses are moderate acts of misconduct; Level C-1 offenses are serious acts of misconduct; and Level C-2 offenses are very serious acts of misconduct. Students who fail to comply with discipline rules and regulations will be counseled, reprimanded, cited, suspended and/or expelled. Consequences for citations will vary depending on the severity of the offense.

If a student finds he/she accidentally brought something to school he/she should not have (toys, Swiss army knife, dangerous object, games, etc.) and he/she immediately turns the item in to the nearest adult on campus, there will be no consequences. If, however, the student shows the item to his/her friends or otherwise displays the item for others to see, the student will face disciplinary action.

<b>LEVEL A VIOLATIONS</b>
---------------------------

1. **WILLFUL DISOBEDIENCE**

Description: Disobeying school rules or instructions from a school official

Examples: refusing to report to detention as assigned; refusing to stop talking in class; refusing to follow instructions from a school official

2. **DISRUPTIVE BEHAVIOR**

Description: Minor incidences of interrupting classroom instruction or activities

Examples: Continually getting out of seat in class during instruction, talking in class, bothering others.

3. **PUSHING/HITTING/KICKING**

Description: Making deliberate uninvited physical contact with someone

Examples: Pushing other students while lined up for school activity; deliberately kicking or hitting others; rough play

4. **LYING/CHEATING/PROFANITY**

Description: Lying to adults, spreading rumors, cheating on class work, cursing at others

Examples: not telling the truth when asked by a school official; cheating on answers to a test; using profane language

5. **Bullying (grades K-3)**

Description: Verbal: use words to hurt or humiliate another person, name-calling, insulting, racist comments, and constant teasing.

Relational: try to convince their peers to exclude or reject a certain person or people and cut the victims off from their social connections spreading nasty rumors about others or exclude an ex-friend from a peer group.

Examples: calling a student a name, telling a student they are dumb or stupid, spreading rumors about another student.

6. **OFF LIMITS**

Description: Going into restricted areas on school campus, or being off campus without permission.

Example: leaving campus during lunch hour without permission.

7. **Created Hostile Environment (.4) (grades 4-8)**

Description: 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 reasonable expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

EXAMPLE: flashing gang signs, exhibiting gang paraphernalia, creating fear through intimidation or threats of bodily harm, participating in gangs or groups, repeatedly bullying or harassing students or school staff.

8. **STOLE OR ATTEMPTED TO STEAL SCHOOL/PRIVATE PROPERTY: E.C. 48900 (g)**

Description: Taking any item that does not belong to you.

Examples: Stealing library books or other school property, taking money from someone's wallet, taking someone's personal property. Level A citation issued for first offense of minor thefts.

9. **VIOLATION OF SCHOOL RULES/OTHER**

Description: Disobeying school campus rules or committing other minor infractions

Examples: not following playground, classroom, or cafeteria rules, chewing gum; kissing or showing inappropriate intimacy

**Action and Consequences for Level A Violations**

- Student counseled; citation issued; parent contact
- School site discipline (detention, campus beautification, loss of privileges, etc.)
- 5<sup>th</sup> Citation - Principal conference which may result in suspension. It should be determined at this time, if a Behavior Intervention Plan (BIP) is needed to address behaviors.
- 10<sup>th</sup> Citation - two days of suspension

- 15<sup>th</sup> Citation Referral to Administrative Panel for expulsion or alternative placement

## **LEVEL B VIOLATIONS**

1. **POSSESSED AN UNSAFE OBJECT or ITEM: EC 48900 (k)**  
 Description: Any item, object or instrument that could cause injury to persons or property.  
 Examples: Homemade or household items such as tools, chains, matches, lighters, poppers, laser pointers, inhalers (non-prescribed/unauthorized), medicine (over-the-counter), hard bouncy balls.
2. **POSSESSED OR USED TOBACCO: EC 48900 (h)**  
 Description: Any product containing tobacco or nicotine products.  
 Examples: Cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, etc.
3. **DEFIANCE / DISRUPTION OF SCHOOL ACTIVITIES: EC 48900 (k)**  
 Description: 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.  
 Examples: yelling at a school official; disrespectfully talking back to school official; walking off campus when directed to stop; refusing to abide by a Behavior Contract, etc.
4. **STOLE OR ATTEMPTED TO STEAL SCHOOL/PRIVATE PROPERTY: E.C. 48900 (g)**  
 Description: Taking any item that does not belong to you.  
 Examples: Stealing library books or other school property, taking money from someone's wallet, taking someone's personal property. For second offense of of minor thefts or first offense in grades 4-8 if the stolen or damaged item was of substantial monetary value or of substantial sentimental value to the owner.
5. **CAUSED OR ATTEMPTED TO CAUSE DAMAGE TO SCHOOL/PRIVATE PROPERTY: EC 48900 (f)**  
 Description: Any act that could cause damage to school or private property.  
 Examples: Deliberately throwing rocks at windows trying to break them; writing on restroom walls (non-permanent instrument); deliberately plugging up toilets or sinks. School property includes electronic files and databases.
6. **CAUSED, ATTEMPTED/THREATENED TO CAUSE PHYSICAL INJURY TO ANOTHER STUDENT OR STAFF: EC 48900 (a-1)**

Description: Making verbal or written threats of physical injury to another student or getting into a physical fight with another student.

Examples: Punching another person with the intent to hurt them; a mutual fight with another student; telling someone you're going to "beat them up".

**7. ENGAGED IN AN ACT OF BULLYING/CYBER BULLYING: EC 48900 (r) (grades 4-**

Description: Engaged in an act of bullying. For purposes of this section, 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, or
- (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 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/her or her exceptional needs.

8. **SEXUAL HARASSMENT: EC 48900 (.2) (grades 4-8)**

Description: Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature.

Examples: Making comments about someone's body; making sexual remarks or spreading sexual rumors; showing sexual drawings; making sexual gestures; unwanted touching.

9. **HATE VIOLENCE: EC 48900 (.3) (grades 4-8)**

Description: Use of force or threat of force to intimidate a person because of race, age, color, religion, ancestry, national origin, disability, gender, or sexual orientation, actual or perceived sex, ethnic group, physical or mental disability.

Example: Threatening to harm or physically hurting another person because of their race, religion, disability, etc.

10. **WITNESS INTIMIDATION: EC 48900 (o)**

Description: Harassing, threatening, or intimidating 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.

Example: Threatening to hurt someone who is going to testify at an expulsion hearing.

11. **HARASSMENT: EC 48900 (.4) (grades 4-8)**

Description: Engaged in harassment, threats or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading rights of school personnel or student rights by creating an intimidating or hostile educational environment.

Examples: Continual name calling, spreading rumors, agitating, provoking, bullying, cyber bullying, repeatedly making fun of another person, or other deliberate acts that cause emotional suffering or fear

12. **HABITUAL PROFANITY: EC 48900 (i)**

Description: Repeatedly using profane language, swearing, cursing.

13. **Created Hostile Environment: EC 48900 (.4) (grades 4-8)**

Description: 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 reasonable expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

EXAMPLE: flashing gang signs, exhibiting gang paraphernalia, creating fear through intimidation or threats of bodily harm, participating in gangs or groups, repeatedly bullying or harassing students or school staff.

14. **AIDING/ABETTING physical injury to another person EC 48900 (t)**

Description: Encouraging or helping someone cause physical harm to another person.

15. **COMMITTED OBSCENE ACT or ENGAGED IN VULGARITY: EC 48900 (i)**

Description: Acts that depict an offensive sexual conduct; disgusting, immoral gestures or lewd acts that are repulsive to others; lewd or indecent oral or written statements; indecent exposure.

Examples: showing naked private body parts; making vulgar gestures; writing nasty repulsive notes or letters; consensual sexual acts or simulated sexual acts. Depending on the severity of the situation or the age of the student, could be considered Level C-1.

**Action and Consequences for Level B Violations**

- Student counseled; citation issued; parent contact, may result in a gang contract, and/or behavior contract
- May result in one to three days suspension



- Repeated Level B offenses may be cause for referral to an Administrative Panel for expulsion or alternative placement
- Level B offenses may require police contact

<b>LEVEL C-1 VIOLATIONS:</b>
------------------------------

1. **POSSESSED, USED, SOLD, FURNISHED OR UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE, ALCOHOLIC BEVERAGE OR INTOXICANT: EC 48900 (c)**

Description: Controlled substances listed in Chapter 2 (commencing with Section 11053\_ of Division 10 of the Health and Safety Code alcoholic beverages, or intoxicants

Examples: marijuana (less than one ounce), cocaine, opiates, hallucinogenic substances; stimulants, depressants, intoxicants, beer, wine, etc.

2. **OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE, ALCOHOLIC BEVERAGE OR INTOXICANT 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: EC 48900 (d)**

Description: Giving or selling a pill or substance or liquid that is not a controlled substance, alcoholic beverage or intoxicant, however, you represented it as a controlled substance, alcoholic beverage or intoxicant.

Examples: Giving or selling someone a white powder and telling them it is cocaine; giving someone field weeds or grass and representing it as marijuana.

3. **ATTEMPTED TO COMMIT EXTORTION OR ROBBERY: EC 48900 (e)**

Description: Attempting to take property of another person by means of force or fear.

Examples: Telling someone you are going to beat them up if they do not give you their money.

4. **POSSESSED, OFFERED, ARRANGED OR NEGOTIATED TO SELL DRUG PARAPHERNALIA: EC 48900 (j)**

Description: Any item that can be identified as drug paraphernalia.

Examples: Roach clips, bongs, cocaine spoons, pipes, cigarette lighter (if found with the drugs) etc.

5. **MADE A TERRORIST THREAT: EC 48900 (.7)**

Description: A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of

\$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. Examples: bomb threats, writing a note or stating that you are going to "kill" a school official, or "blow up" the school.

**6. CAUSED DAMAGE TO SCHOOL OR PRIVATE PROPERTY: EC 48900(f)**

Description: Deliberately damaging school or private property causing complete replacement of the item(s), or significant repair to the item(s).

Examples: Breaking bathroom fixtures, burning school property, extensive graffiti on school property, breaking windows or damaging school equipment.

**7. CAUSED, ATTEMPTED/THREATENED TO CAUSE PHYSICAL INJURY TO A SCHOOL OFFICIAL: EC 48900 (a-1)**

Description: Verbal or written statements threatening to hurt a school official.

Examples: Writing a note or stating that you're going to physically harm a school official; deliberately throwing an object at a school official in an attempt to cause injury.

**8. WILLFULLY USED FORCE OR VIOLENCE UPON ANOTHER PERSON (Battery)**

(except in self-defense) **EC 48900 (a-2)**

Description: Assaulting another person with the intent of physically hurting them.

Examples: Forcefully punching or kicking another person (victim); not a mutual fight.

**9. CAUSED PHYSICAL INJURY: EC 48900 (a-1)**

Description: Causing an injury that requires professional medical attention, but is not considered a serious injury (does not require stitches, casts.)

Examples: Sprains, strains, bumps, bruises and abrasions that require medical attention.

**10. STOLE OR ATTEMPTED TO STEAL SCHOOL/PRIVATE PROPERTY: E.C. 48900 (g)**

Description: Taking any item that does not belong to you.

Examples: Stealing library books or other school property, taking money from someone's wallet, taking someone's personal property. Must have a documented history of theft or the item that was stolen or damaged was of substantial monetary value or of substantial sentimental value to the owner.

**11. COMMITTED OBSCENE ACT or ENGAGED IN VULGARITY: EC 48900 (i)**

Description: Acts that depict an offensive sexual conduct; disgusting, immoral gestures or lewd acts that are repulsive to others; lewd or indecent oral or written statements; indecent exposure.

Examples: showing naked private body parts; making vulgar gestures; writing nasty repulsive notes or letters; consensual sexual acts or simulated sexual acts.

12. **RECEIVED STOLEN PROPERTY: EC 48900 (l)**

Description: Knowingly received stolen school property or private property.

13. **POSSESSED AN IMITATION FIREARM: EC 48900 (m)**

Description: A replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

Examples: B-B gun, a toy gun that looks like a real gun to an adult (air soft gun).

14. **Created Hostile Environment: EC 48900.4 (grades 4-8)**

Description: 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 reasonable expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

Examples: flashing gang signs, exhibiting gang paraphernalia, creating fear through intimidation or threats of bodily harm, participating in a gangs or groups, repeatedly bullying or harassing students or school staff.

15. **ENGAGED IN OR ATTEMPTED TO ENGAGE IN, HAZING: EC 48900 (q)**

Description: Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an education 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 student.

16. **OFFERED, ARRANGED, NEGOTIATED TO SELL, OR SOLD PRESCRIPTION DRUG SOMA: EC 48900(p)**

**Action and Consequences for Level C-1 Violations**

- Student counseled; issuance of citation; parent contact
- Possible Police notification
- Suspension from school one to three days

- Possible referral to the Administrative Panel for expulsion and/or alternative placement

<b>LEVEL C-2 VIOLATIONS:</b>
------------------------------

1. **CAUSED SERIOUS PHYSICAL INJURY: EC 48915 (a) (1)(A) or 48900(a-1)**

Description: Serious injuries are defined as impairment of physical condition including, but not limited to: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

2. **POSSESSED ANY KNIFE OR OTHER DANGEROUS OBJECT: EC 48915 (a)(1)(B) or 48900 (b)**

Description: Weapons/objects that could produce death or great bodily harm.

Examples: Knives (including pocket knives and Swiss army knives), fireworks, B-B gun, Pellet Gun, Brass knuckles, Paint-ball guns, prescription drugs (not listed as controlled substances in Health and Safety Code, ammunition or reloaded ammunition.

3. **POSSESSED ANY CONTROLLED SUBSTANCE or more than one ounce of marijuana: EC 48915 (a)(1)(C) or EC 48900 (c)**

Description: Controlled substances listed in Health and Safety Code 11053-11058.

Examples: Marijuana (more than one ounce), cocaine, opiates, hallucinogenic substances, stimulants, depressants, etc.

4. **COMMITTED OR ATTEMPTED TO COMMIT ROBBERY OR EXTORTION:**

**EC 48915 (a)(1)(D) or 48900 (e)**

Description: Taking personal property in possession or in the immediate presence of another by means of force or fear.

Example: Demanding that a student give you money or else you will hurt them.

5. **COMMITTED ASSAULT OR BATTERY ON SCHOOL OFFICIAL: EC 48915 (a)(1)(E) OR 48900 (n)**

Description: Assault: Unlawful attempt, coupled with a present ability to commit a violent injury on the person of another; Battery: any willful and unlawful use of force or violence on another person.

Examples: Pushing, hitting, punching, kicking, scratching, biting

**Action and Consequences for Level C-2 Violations 1-5**

- Student counseled; issuance of Citation; Parent Contact
- Possible Police Notification

- Suspension from school one to three days; possible suspension pending an expulsion hearing
  - Recommendation for Expulsion (unless particular circumstances render inappropriate)
6. **POSSESSED, SOLD, OR OTHERWISE FURNISHED ANY FIREARM: EC 48915 (c-1)**  
Description: Any firearm that expels a bullet (this does not include B-B or pellet guns)
  7. **BRANDISHED A KNIFE: EC 48915 (c-2)**  
Description: 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 longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.  
Examples: Switchblade knives; razor blades; butcher knife, pocket knives, Swiss Army knives, etc.
  8. **SOLD A CONTROLLED SUBSTANCE: EC 48915 (c-3)**  
Description: Selling any controlled substance listed in Chapter 2 of the Health and Safety Code commencing with section 11053  
Examples: Cocaine, marijuana, opiates, hallucinogenic substances, stimulants, depressants, etc.
  9. **COMMITTED OR ATTEMPTED TO COMMIT SEXUAL ASSAULT OR BATTERY: EC 48915 (c-4) or 48900 (n)**  
Description: Touching an intimate part of another person's body for the purpose of sexual gratification against the will of the person being touched.  
Examples: Touching, fondling intimate parts of another person's body under clothing or through the clothing; forced sexual acts.
  10. **POSSESSION OF EXPLOSIVE: EC 48915 (c-5) or 48900(b)**  
Description: A device containing any substance, or combination of substances, the primary common purpose of which is detonation or rapid combustion.  
Examples: dynamite, nitroglycerin, black powder, propellant explosives, blasting caps, homemade bomb, grenade, fireworks designated as "explosives" according to Fire Marshall.

#### **Action and Consequences for Level C-2 Violations 7-11**

- Student counseled; issuance of Citation; parent contact
- Police Notification (**required**)
- Suspension pending expulsion hearing
- Recommendation for Expulsion (**required**)

### **C. STUDENT DRESS AND GROOMING REGULATIONS**

All students shall comply with the Hanford Elementary Dress and Grooming Regulations as of the first day of school. Dress and grooming standards are in effect during all times at school, on the way to school, on the way home from school, and at any school function or activity regardless of location. **Each administrator reserves the right to determine and enforce appropriate dress at school and at school-sponsored events.**

School officials may prohibit any apparel, accessory, hairstyle or cosmetic, even if not specifically mentioned below, that 1) creates a safety concern; 2) draws undue attention to the wearer; 3) detracts from the learning process; 4) causes disturbances among other students; 5) is considered gang related.

#### **Apparel**

All clothing shall be neat, clean and acceptable in repair and appearance and shall be worn within the bounds of decency and good taste as appropriate for school.

1. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles, etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive; shall not bear drug, alcohol or tobacco company advertising, promotions or likenesses; shall not promote violence, illegal activity, or relate to gang affiliation or activity; and shall not advocate racial, religious, or sexual orientation prejudice.
2. Clothes shall be worn as intended and be sufficient to conceal undergarments, which shall be worn and covered at all times.
3. See-through clothing, clothing that reveals a bare midriff or chest, or clothes that expose the body in a sexually suggestive manner shall not be worn.
4. Articles of clothing which display gang symbols, profanity or products or slogans promoting tobacco, alcohol, drugs or sex; materially interfere with school work; create disorder or disrupt the educational process are not allowed.
5. Any clothing or apparel that a student or group of students wear to identify themselves for the purpose of harassing, threatening, or intimidating others will not be allowed
6. Extreme fashion that draws undue attention to the student will not be allowed. This includes exotic clothing, exotic jewelry, extreme make-up, body piercing, visible tattoos etc.

7. Physical education clothing may not be worn in classes other than physical education
8. Students who participate in nationally recognized youth organizations shall be allowed to wear organization uniforms to school on days when the organization has a scheduled meeting.
9. Clothing and accessories that can be used as a weapon shall be prohibited.

#### Grooming

1. Hair shall be clean and neatly groomed.
2. Hair that causes undue attention to the wearer or is a distraction is not acceptable; i.e., unusual designs, colors, symbols, messages, Mohawks, or “tails” or unusual razor cuts.

### DRESS AND GROOMING REGULATIONS

Garment Type	Requirements	Examples of Prohibited Apparel
<b>Tops</b>	<ul style="list-style-type: none"> <li>Bare stomachs or bare backs may not be exposed</li> <li>Must conceal undergarments at all times</li> </ul>	<ul style="list-style-type: none"> <li>Oversized tops</li> <li>Underwear tops</li> <li>Sleepwear</li> <li>Tank tops /tube tops/ sleeveless tops</li> <li>Tight tops</li> <li>Swimwear/beach wear</li> <li>Fishnet/see-through/revealing tops</li> <li>Bare midriff tops</li> <li>Low-Cut</li> <li>Off the shoulder tops/halter tops</li> <li>Muscle shirts</li> <li>Spaghetti straps</li> </ul>
<b>Bottoms</b>	<ul style="list-style-type: none"> <li>Must fit properly (no sagging or bagging)</li> <li>Pants must be hemmed at least one inch off ground and must be no higher than the ankle</li> <li>Dresses, jumpers, and skirts may not be more than 4 inches above the knee</li> <li>Shorts and skorts may not be more than 4 inches above the top of the knee or longer than one inch below the knee</li> <li>Shorts are to be hemmed and not form fitting</li> </ul>	<ul style="list-style-type: none"> <li>Torn, frayed, or radically altered bottoms</li> <li>Tight, form fitting pants and shorts</li> <li>Oversized, saggy, or baggy</li> <li>Bike shorts (spandex)</li> <li>Wide leg style</li> <li>Sleepwear</li> <li>Stapled, taped, pinned, rubber bands, elastic around bottom of pant leg</li> </ul>
<b>Outer Garments</b>	<ul style="list-style-type: none"> <li>May not be more than one size too large or one size too small</li> </ul>	<ul style="list-style-type: none"> <li>Hoods allowed but may only be worn outside in inclement weather</li> </ul>
<b>Shoes</b>	<ul style="list-style-type: none"> <li>Shoes must be worn at all times</li> <li>Closures must be properly secured</li> <li>Closed toe and heel</li> </ul>	<ul style="list-style-type: none"> <li>Shoes with cleats</li> <li>High heels</li> <li>Sandals</li> <li>Shoes with rollers</li> <li>Military style or steel toed boots</li> <li>Backless shoes</li> <li>Slippers</li> <li>Thongs</li> </ul>
<b>Belts</b>	<ul style="list-style-type: none"> <li>May not hang down</li> <li>Must be worn through belt loops</li> </ul>	
<b>Headwear</b>	<ul style="list-style-type: none"> <li>Hats may be worn outside during inclement weather or for sun protection. Sun protection hats must have a 2 inch brim all the way around.</li> </ul>	<ul style="list-style-type: none"> <li>Hats , caps, visors</li> <li>Sweatbands and head bands (except for participants in sporting events)</li> <li>"Do-rags" and bandannas</li> </ul>
<b>Jewelry/ Tattoos</b>	<ul style="list-style-type: none"> <li>Earrings must be small and worn in the ears</li> <li>No visible tattoos</li> </ul>	<ul style="list-style-type: none"> <li>Body piercing (eyebrows, nose, lips, tongue, etc.) ear plugs, visible tattoos</li> </ul>

**\*\*Also Refer to your individual school site policy for prohibited gang apparel**

#### **Consequences for Dress Code Violations:**

First Violation: Home contact; student may be sent home to change clothing, hairstyle, or cosmetic

Second Violation: Home contact; student may be sent home to change; student shall be issued a Level A Citation for willful disobedience

Third Violation: Student shall be issued a Level B Citation for Defiance of Authority



## **D. GANG POLICY (BP/AR 5136)**

All forms of gang-related or gang behavior, speech, or activity are prohibited at school, on the way to school, on the way home from school and at school sponsored activities. Any verbal or non-verbal communication that denotes or connotes gangs, gang activity, or gang-related behavior will not be tolerated. Students engaging in such activity or behavior will be subject to disciplinary action up to and including a recommendation for expulsion from school.

Prohibited behavior, possessions include, but are not limited to:

1. Any gang-related writings, drawings, graffiti, etc. including any depictions of images, symbols, or writings that are considered gang-related. This includes writing on binders, desks, books as well as on visible areas of the skin, or individual property and paper that the student brings to school or has in her/her possession.
2. Any clothing or dress that depicts gang images, symbols, or writing. This includes writing on belts or belt buckles and the display of specific colors for attention.
3. Any use of signaling or communication that can be considered gang-related, such as hand signs, whistling, posturing or use of beepers.
4. Any speech or action that is gang-related or suggests gang-activity, including discussing who is in a gang or asking questions such as "What do you claim?" Initiating any gang-related conversation or discussing colors as related to gangs.
5. Any behavior that creates or has the potential to create a hostile environment or negative presence, such as moving across campus in a group in a manner that causes or has the potential to cause intimidation or harassment.

### **Prohibited Gang Apparel**

Students at schools that have a dress code prohibiting gang-related apparel at school or school activities will receive a list of prohibited gang-apparel on the first day of school or upon enrollment.

## **E. CLOSED CAMPUS POLICY**

Students shall not leave the school grounds at any time during the school day without written permission of their parent or guardian and school authorities. Student's whose parents give permission for their child to come home for lunch must go directly to and from home. Students may not go to stores, fast food restaurants or to any other place other than their own home unless the student is accompanied by an adult. Students who violate the Closed Campus Policy may have their privilege of going home for lunch rescinded. In addition, students who leave campus without authorization shall be considered truant and subject to disciplinary action.

## **F. Student's Personal Property**

Personal items of value (cell phones, iPods, cameras, electronic games, radios, CD players and computers, etc) should not be brought to school since loss, theft, or damage is possible. Such items can be distracting to the educational process and may be confiscated by school personnel. Students bringing any personal property to school are doing so at their own risk. The District is not responsible for lost or stolen items (including those in lockers.)

## **G. Possession/Use of Mobile Communications Devices**

Students shall not possess or use on school campus personal mobile communications devices such as iPods, digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers. Students bringing any Mobile Communications Devices to school are doing so at their own risk. The District is not responsible for lost or stolen items (including those in lockers.)

## **H. Possession/Use of Cellular Phones and Electronic Signaling Devices**

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which are limited to health-related purposes. (Education Code 48901.5)

Students are prohibited from the use of cellular phones, or any electronic signaling devices while on school campus during normal school hours, on a school bus going to and from school, and during the READY afterschool program. Electronic signaling devices include but are not limited to, pagers, cellular/digital telephones, digital imaging, or text messaging. Students are permitted to possess cellular phones, pagers, or electronic signaling devices on campus provided that any such device shall remain "off" upon entering the campus and stored in a locker, backpack, purse, pocket, or other place where it is not visible and not audible during normal school hours. Students bringing cellular phones or other electronic signaling devices are doing so at their own risk. The District is not responsible for lost or stolen items (including those in lockers).

If a cellular phone or other electronic/mobile signaling devices is seen or heard, school personnel will confiscate the device until it is redeemed by a parent/guardian.

In accordance with the Board's policy and administrative regulation on

search and seizure, a school official may search a student's cell phone, electronic signaling and/or mobile communication devices, including but not limited to, reviewing messages or viewing pictures and video.

A student who violates this policy may be prohibited from possessing a cell phone or other electronic signaling device at school or school-related events and/or may be subject to further discipline in accordance with the Board Policy and administrative regulation.

## **I. COMPUTER/INTERNET USAGE**

Students are authorized to use the district's on-line network services in accordance with user obligations and responsibilities specified below and in accordance with Board Policy and Administrative Regulation 6163.4 and the district's Acceptable Use Agreement.

Conditions and rules include:

1. The student in whose name a network access account is issued is responsible for its proper use at all times. Students will not have access to email, chat room, social media or other forms of direct electronic communication through the Internet. Students are not to disclose personal identification information about themselves or others by other means to individuals located through the Internet. Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.
2. The district's system shall be used only for purposes related to educational objectives of the district. Commercial, political and/or personal use unrelated to an educational purpose is strictly prohibited.
3. The district reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account may be monitored or read by district officials.
4. The use of the district's system is a privilege, not a right, and inappropriate use shall result in cancellation of those privileges, disciplinary action and/or legal action in accordance with law and Board Policy.
5. Students are prohibited from accessing, posting, submitting, publishing or displaying harmful matter or material that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national

origin, sex, sexual orientation, age, disability, religion or political beliefs.

6. Users shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law or district policy.
7. Copyrighted material may not be placed on computer and network systems without the author's permission. Users may download copyrighted material for their own use only. Students shall not violate copyright laws or plagiarize documents.
8. Vandalism will result in the cancellation of user privileges. Vandalism includes the intentional uploading, downloading, or creating computer viruses and/or any malicious attempt to harm or destroy district equipment or materials or data of any other user.
9. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to delete, copy, modify or forge other users' mail.
10. Users shall not attempt to circumvent or otherwise bypass any of the District's network security or content filtering safeguards in an effort to access blocked content and/or files.
11. Users shall report any security problem or misuse of the services to the teacher or principal.

The principal or designee shall make all decisions regarding whether or not a user has violated these regulations and may deny, revoke or suspend a user's access at any time and if warranted, may result in a suspension or expulsion from school. The decision of the principal or designee shall be final. Any unauthorized access, attempted access, or use of any state computing and/or network system is a violation of Section 504 of the California Penal Code and may be subject to criminal prosecution and/or civil liability.

## **J. SKATING ON SCHOOL PROPERTY**

The use or operation of skateboards, common roller skates, or in-line skates is prohibited on all HESD property. Students who fail to abide by the District's rules and regulations shall be issued a Level A Citation for willful disobedience the first violation; and a Level B Citation for Defiance of Authority and suspension from school for any additional violations.

## **K. VIDEO CAMERA SURVEILLANCE**

The monitoring of public places by video surveillance cameras may be necessary to determine reasonable suspicion of incidents which may violate laws, school rules or cause disruptions. The Superintendent or designee shall authorize and supervise the use and maintenance of video cameras in public areas on school campuses and school buses. Video recordings may be used in student disciplinary hearings. (See AR 3515)

#### **L. QUESTIONING AND APPREHENSION, SEARCH and SEIZURE**

School officials have the authority to stop, question and search students in matters related to student behavior, school safety, and disruptions to the learning environment. Parents/guardians do not need to be informed or give consent before students are questioned by school officials or law enforcement.

Individual searches may be conducted by a school official if there is reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or school.

School officials have the right to search students, their belongings, and district properties under a student's control without student permission when they have reasonable suspicion that the search will disclose evidence that the student is violating the law, Board policy, administrative regulation, or the rules of the district or the school. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, cellular phones, or other electronic communication devices

In an effort to keep the schools free of drugs, the district may use specially trained non-aggressive dogs to sniff out areas and alert staff and police officials to the presence of substances prohibited by law and district policy. The dogs may sniff the air around lockers, desks, bags or items belonging to individuals. The inspections shall be unannounced and may be made at the discretion of the Superintendent or designee.

The Hanford Elementary School District shall not impede a police investigation. Officers conducting an investigation may question students at school sites without parental consent or parental contact. Law enforcement officers have the right to interview and question students on school premises, make arrests and take a student into custody. If a student is removed from school by a law enforcement agency, the principal or designee shall attempt to inform the student's parent/guardian.

#### **M. Bullying/Cyber bullying**

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules of conduct.

The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyber bullying. This instruction may involve parents/guardians, staff, and community members.

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes for student to submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyber bullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance.

Students shall be encouraged to save and print any messages sent to them that they feel constitute cyber bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyber bullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service to bully or harass another student, the Superintendent or designee also may file a request with the networking site or service to suspend the privileges of the student and to have material removed.

## **N. SEXUAL HARASSMENT POLICY**

Sexual harassment of or by any student by any employee, student or other person from the Hanford Elementary School District is prohibited.

### **Reporting Sexual Harassment**

1. Any student who believes he/she has suffered sexual harassment, as defined below should report the incident promptly in accordance with the Complaint Procedures.
2. Incidents of sexual harassment of students may be reported by the student directly affected, or by the parent or legal guardian of the affected student, or by any student or employee of the Hanford Elementary School District who has first-hand knowledge of the incident of sexual harassment involving a student.

### **Incidents of Sexual Harassment**

"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made against another person under any of the following conditions:

- a. Submission the conduct is explicitly or implicitly made a term or a condition of the student's academic status, or progress.
- b. Submission to, or rejection of, the conduct by the student is used as the basis of academic decisions affecting the student.
- c. The conduct has the purpose or effect of having a negative impact upon the student's academic performance, or of creating an intimidating, hostile, or offensive educational environment.
- d. Submission to, or rejection of, the conduct by the student is used as the basis for any decision affecting the student regarding the benefits and services, honors, programs or activities available at or through the school. (Education Code Section 212.5)

For the purposes of this section 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.

Sexual harassment by or against any student is subject to disciplinary action up to and including termination if the individual who engaged in the harassment is an employee of the District and up to and including expulsion if he/she is a student of the district.

Examples of sexual harassment include, but are not limited to, the following:

- a. Unwelcome leering, sexual flirtations, or propositions.
- b. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
- c. Graphic verbal comments about another individual's body, or overly personal conversation.
- d. Sexual jokes, stories, drawings, pictures, or gestures.
- e. Spreading sexual rumors.
- f. Touching an individual's body or clothes in a sexual way.
- g. Cornering or blocking of normal movements in a sexually domineering or teasing way
- h. Displaying sexually suggestive objects in the educational environment.

### **Complaint Procedures**

1. Any student who feels that he/she is being sexually harassed should immediately contact a school site or district administrator. **Sexual Harassment Complaint forms are available in each school office and at the District Office.**
2. Staff members who receive complaints of sexual harassment from students should refer such complaints to the site or other district administrator.
3. If the site or district administrator is notified that an allegation of sexual harassment was not addressed to the complainants' satisfaction that administrator should provide the student and/or the student's parent/guardian with a copy of the District's sexual harassment policy and the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.
4. Nothing in the District's grievance (complaint) procedures shall affect the right of the complainant to pursue the matter with any state or federal enforcement agency.
5. The District prohibits retaliatory behavior against any complainant or any participant in the complaint process.

### **Consequences for Student to Student Sexual Harassment: Grades 4-8**

- First-time incidents which reflect poor taste or judgment on the part of the offending student (e.g. unwelcome leering, sexual jokes, etc.) shall result, upon verification, in the counseling of the student by the teacher, site administrator/designee, and/or the issuance of a Level A Citation.



- Repeated offenses by the student or first-time incidents of a more serious nature, shall result in a Level B Citation, and may be cause for a recommendation for expulsion.

**Complaint Coordinator for student to student sexual harassment:**

Coordinator, Child Welfare and Attendance, HESD District Office 585-3642

**Complaint Coordinator for employee to student sexual harassment:** Contact Human Resources Dept., HESD District Office at 585-3619

## **O. SCHOOL BUS RULES**

Because school bus passengers' behavior can directly affect their safety and the safety of others, all bus riders shall comply with HESD Student Discipline Rules and Regulations and the following specific regulations while riding a school bus to and from school activities:

1. Riders shall follow the instructions and directions of the bus driver at all times, be courteous to the driver and fellow passengers.
2. Riders or parents escorting riders to the bus stop shall arrive five minutes ahead of the scheduled stop time.
3. Riders shall stand in a safe manner a minimum of twelve feet back from where the bus normally stops and wait quietly for the approaching bus.
4. Riders shall respect the rights of others. Stay off of private property.
5. Riders shall enter the bus in an orderly manner, go directly to their seats and remain seated while the bus is in motion.
6. Riders shall not obstruct the aisle with their legs, feet, or other objects.
7. No luggage backpacks, or other objects shall block the back emergency exit window.
8. Riders shall refrain from behavior that distracts the driver such as loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, standing, or changing seats.
9. Riders shall not put hands, arms, head or any part of their body out of the bus window, nor throw any objects from the bus.
10. Riders shall not litter the interior of the bus or bus stops, nor tamper with bus equipment, damage or deface the bus, nor damage any property near or at bus stops.
11. Riders shall not bring animals, birds, reptiles, or insects on the bus.
12. Riders shall not eat or drink while on the bus.
13. Riders shall be alert for traffic when leaving the bus. If you need to cross the street do so only with the help of the driver.
14. Riders shall not use Emergency exits unless under the direction of the bus driver.
15. Riders shall stay clear of the 12-foot Danger Zone that surrounds the bus.

16. Riders shall refrain from making noise while the bus is at railroad crossings so that the bus driver will be able to listen for approaching trains.

### **CONSEQUENCES FOR VIOLATION OF BUS RULES:**

- First: Formal warning notice
- Second: Suspended from bus one (1) day
- Third: Suspended from bus five (5) days
- Fourth: Suspended from bus ten (10) days
- Fifth: Suspended from bus twenty (20) days
- Sixth: Suspended from bus for remainder of the school year

A student who receives a Level B or C Bus Citation may also be suspended from school and the bus for one to three days at the discretion of the Principal/designee or the Transportation Supervisor/designee.

Video surveillance may occur on any school bus. Video recordings may be used in student disciplinary proceedings.

## **SUSPENSION/EXPULSION/READMISSION AND LAW ENFORCEMENT**

According to State Education Code statutes under 48900 and 48915, a pupil may be suspended or expelled for various acts of misconduct that occur at any time, if the misconduct is related to school activity or attendance. This includes, but is not limited to, any of the following:

- a. While on school grounds
- 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

### **A. SUSPENSION PROCEDURES**

**SUSPENSION** means removal of a student from ongoing instruction for adjustment purposes. A student may be suspended upon the first offense if it is determined that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

Law enforcement agencies may be notified at the discretion of the administration or as required by law.

1. **Suspension from class by a teacher:** A teacher may suspend a student from class for the remainder of the day and the day following for offenses defined in Education Code 48900. A teacher may also refer a student to the principal or designee for consideration of suspension from school.

2. **Suspension from school by the principal/designee**, shall be preceded by an informal conference which is conducted by the principal or his/her designee between the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal. At the conference the pupil shall be informed of the reason for the disciplinary action and the evidence against him/her and shall be given the opportunity to present his/her defense. (E.C. 48911)
3. A principal/designee, or the superintendent, may suspend a pupil without affording the pupil an opportunity for a conference only if the principal or his/her designee determines that an "emergency situation" exists. If a pupil is suspended without a conference prior to a suspension, both the parent and pupil shall be notified of the pupil's right to such a conference and the pupil's right to return to school for such purpose. The conference shall be held within two (2) school days, unless the pupil waives his right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference. (E.C. 48911)
4. At the time of suspension, a school employee shall make a reasonable effort to contact the parent or guardian of the pupil in person or by telephone.
5. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension.
6. The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his/her child's behavior.
7. In the case where expulsion from any school is being processed by the governing board, the school district superintendent or designee may approve extending the suspension until the governing board has rendered a decision in the action. Extended suspensions may be granted if it has been determined that the presence of the pupil at the school would cause a danger to persons or property or a threat of disrupting the instructional process.

## **B. EXPULSION PROCEDURES**

**EXPULSION** means removal of a student from the immediate supervision and control, or general supervision, of school personnel. Students may be expelled from school when the Board of Trustees determine at the

conclusion of an expulsion hearing, that other means of correction are not feasible or have repeatedly failed to bring about proper conduct, and/or 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.

Law enforcement agencies may be notified at the discretion of the administration or as required by law.

### **C. DUE PROCESS**

1. When expulsion is recommended, the pupil and the pupil's parent or guardian shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing is held within thirty (30) school days of the date the principal or superintendent determines that the pupil committed any of the acts enumerated in Education Code Section 48900 or 48915 unless the pupil requests in writing that the hearing be postponed. The pupil is entitled to at least one postponement for a period of not more than thirty (30) calendar days of an expulsion hearing. In the event that compliance by the governing board with the above time requirements is impracticable, the expulsion hearing may be delayed, for good cause, up to five (5) additional days. (E. C. 48918)
2. Written notice of the hearing is forwarded to the pupil at least ten (10) calendar days prior to the date of the hearing.
3. The hearing is held before an Administrative Panel or the Board of Trustees in a session closed to the public unless the pupil or pupil's parent or guardian request in writing, at least five (5) days prior to the date of the hearing, that the hearing be a public meeting.
4. A decision of the governing board whether to expel a pupil is made within ten (10) school days following the conclusion of the hearing.
5. At the time an expulsion of a pupil is ordered for an act other than those described in subdivision [c] of Section 48915, the Board of Trustees shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission. For acts under Education Code 48915(c) (firearm, brandishing a knife, possession of explosive, selling controlled substance, or sexual assault), a student may be expelled for one year. Expelled students are referred to alternative educational programs. **Expelled students in grades K-8 are referred to HESD Community Day School.**

6. The expulsion order and the causes are recorded in the pupil's mandatory interim record and forwarded to any school in which the pupil subsequently enrolls upon receipt of request from the admitting school for the pupil's records.
7. The pupil/parent or guardian have the right to file an appeal of expulsion to the Kings County Board of Education within thirty (30) calendar days after the local district's decision to expel the pupil. It is NOT the charge of the County Board to agree or disagree with the local board's decision to expel, but to assure that legal procedures were following and that a fair hearing was conducted.

#### **D. READMISSION FOLLOWING EXPULSION**

Parent/guardians of pupils eligible for readmission shall apply for readmission in the Superintendent's Office on or after the date established by the Board of Trustees.

Readmission may be denied if the Board of Trustees makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to the campus safety or to other pupils or employees of the school district.

#### **E. NOTIFICATION TO LAW ENFORCEMENT AGENCIES**

The principal or designee shall be required to notify appropriate city or county law enforcement authorities of any student involved in the following acts:

- Controlled substances, alcohol, or intoxicants of any kind
- Assaults
- Firearms and weapons possession

#### **F. DISTRICT LEVEL REFERRALS TO COMMUNITY DAY SCHOOL: (Students Not Expelled)**

NOTE: Any student who violates a mandatory Education Code offense shall go through the expulsion process.

#### **Eligibility Criteria**

Students in grades K-3 may be referred to Community Day School class if they meet the criteria below. Referrals for students in grades 4-6 may be considered under unusual circumstances.

- 1) Student has received multiple citations for aggression and/or defiant behavior – beyond adult control or accumulates 15 citations.
- 2) Student has had a class change or a school change during the current school year, unless class/school change was not feasible nor appropriate
- 3) Behavior Intervention Plan (BIP) and/or Student Study Team recommendations implemented – behavior is unchanged
- 4) Documentation/evidence that teacher, Student Specialist, and principal have worked with parent in an effort to change student's behavior.
- 5) Psychologist has observed/interviewed student

NOTE: students receiving Special Education Services or 504 accommodations may be referred, but must be approved by the Office of Special Services.

**Referrals may be made to CDS pending assessment/evaluation; pending follow-up information from parent (medical/psychological); pending expulsion.**

Students assigned to Community Day School shall attend for a period of time stipulated in the Administrative Panel decision. An Exit Review will be scheduled prior to the student's return to regular school. Return to regular school will be recommended if:

1. Student has attended CDS class at least 85% of days assigned
2. Student has not received more than 3 Level A citations, 2 Level B citations and no Level C citations
3. Student is at least "approaching" standards in all academic areas.

<b>STUDENT ATTENDANCE</b>
---------------------------

Good school attendance helps the home and the school work together to make sure students learn, behave responsibly, and operate in a safe and secure environment with caring adults. Therefore, we encourage you to reinforce the importance of coming to school every day.

If you find it necessary to keep your child out of school for **reasons other than illness**, we encourage you to send your child to school for at least part of the day. If your child has a doctor or dentist appointment, please try and schedule them on non-school days or after school. If your child will be absent from school for 5 or more days, please request an independent study contract prior to the absences.

Also, we must work together diligently to insure your child's safety. We need to know, without any confusion, where your child is if not in school. We rely on parents for that—please call your school if your child will be absent from school for any reason on the date of the absence. We make that easy to do—each school has an **Attendance Hotline** you may call 24 hours a day. To find the Attendance Hotline phone number for your school please refer to the last page of your **Student-Parent Handbook**.

Additionally, it is important for parents and students to know that school is NOT optional, it is mandatory. Education Code 48200 states: A pupil between the ages of 6 and 18 shall attend school each and every day school is in session and attend the full day unless there is a valid excuse as stipulated in Board Policy and Administrative Regulations. For a list of valid excused absences, see Parent Handbook.

### **School Attendance Review Board (SARB)**

The School Attendance Review Board (SARB) is a state-mandated process created by California Legislation to assist students with attendance and behavior problems. SARB is a community-based effort to bring together multiple resources to assist families with attendance, truancy and behavior issues so that students will stay in school, attend school regularly and graduate. The SARB process begins at the school site. When the school has exhausted all resources and a student's attendance has not improved, then a family may be referred to a SARB hearing.

### **Definitions:**

**Chronic Absentee [Education Code 60901(c)(1)]:** A pupil who is absent on 10 percent or more of the schooldays in the school year when the total number of days the pupil is absent is divided by the total number of days the pupil is enrolled.

**Truant [Education Code 48260 (a)]:** A "truant" is any pupil between the age of six and eighteen who is absent from school without valid excuse three days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. This includes students whose parents sign their child out of school for unexcused reasons.

Parents of truants will be notified that the truant is in violation of California’s compulsory education law, and parents are legally required to compel their children’s attendance in school.

**Habitual Truant [Education Code 48262]:** A “habitual truant” is a pupil who has been reported as a truant three or more times per school year.

**Chronic Truant [Education Code 48263.6]:** A “chronic truant” is a pupil subject to compulsory full-time education who is absent from school without a valid excuse for 10 percent or more of the school days in one school year.

**Consequences for truancy:**

- 1<sup>st</sup> Unexcused: Student and parent informed of the mandatory attendance laws. The student shall be instructed to be at school and class on time.
- 2<sup>nd</sup> Unexcused: Student and parent informed of mandatory attendance laws. The student shall be instructed to be at school and class on time.
- 3<sup>rd</sup> Unexcused: Parent notified of **First Classification of Truancy**. Alternate consequences will be assigned such as detention, campus beautification, or in-school suspension. Possible referral to Student Specialist.
- 4<sup>th</sup> Unexcused: Student and parent informed of mandatory attendance laws. The student shall be instructed to be at school and class on time. **Second Classification of Truancy** letter mailed to parent and a meeting is scheduled to discuss truancy issues.
- 5<sup>th</sup> Unexcused: **Student is classified as a Habitual Truant.** Parent is referred to the School Attendance Review Board (SARB). In addition, if family is receiving cash aid from the Kings County Human Services Agency for your child, your aid may be stopped or lowered.

**TARDIES (arriving 1 - 30 minutes late to school or class)**

Consequences

- 1st, 2<sup>nd</sup>, 3<sup>rd</sup> Tardy: Student counseled.
- 4<sup>th</sup> tardy and thereafter: Parent/Guardian notified and consequences determined by principal/designee.



Consequences may include assigned work detail (campus beautification); loss of privileges, detention, recess restriction, or teacher-peer assignments.

## **EXCESSIVE ABSENTEEISM FOR ILLNESS**

A school may require, at any time, the parent to provide a doctor's note or a visit from our school nurse excusing an absence. Upon the 10<sup>th</sup> absence for illness, a doctor's note is required. Parents that cannot afford to obtain a medical verification by a physician must obtain verification from the school nurse.

## **EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES**

It is the goal of the Hanford Elementary School District to work with parents to assist students in becoming self-directed and responsible for their own behavior. When students do not meet the clearly defined and communicated expectations outlined in this Student Conduct Code, the student may lose his/her privileges to participate in extra-curricular and/or co-curricular activities.

Such activities include, but are not limited to:

1. Athletics
2. Student Clubs
3. Student government
4. Color Guard
5. Band
6. Special field trips
7. School assemblies
8. Promotion ceremonies (8<sup>th</sup> grade only)

## **ELIGIBILITY AND LOSS OF PRIVILEGES: K-6 Students**

Eligibility for students in grades K-6 shall be based upon the student's attendance, academic performance, academic effort (including completion of homework) and conduct/citizenship, as determined by his/her teacher. A student shall be deemed ineligible for participation in the next scheduled game if he/she receives a Level B Citation. If he/she receives a Level C Citation or is recommended for expulsion, the student shall be ineligible for participation for the remainder of the athletic season. A student who receives more than five (5) citations and/or four (4) days of suspension is ruled ineligible for the remainder of the school year.

A student shall be declared ineligible for the next scheduled athletic season if he/she voluntarily quits a team without sufficient reason, as determined by the Director of Youth Development.

## **ELIGIBILITY AND LOSS OF PRIVILEGES: 7-8 Students**

Eligibility for students in grades 7-8 shall be based on the following:

- Maintain a minimum of a 2.0 GPA (with no more than one F grade) during the most recent grading period
- Receive no more than five (5) citations during the year
- Receive no more than four (4) days of suspension during the year

**EXCEPTION TO THE RULE:** 7<sup>TH</sup> grade athletic participants are eligible to begin the fall sports season.

A student shall be declared ineligible for the next scheduled athletic season if he/she voluntarily quits a team without sufficient reason, as determined by the Director of Youth Development.