

LAS VIRGENES UNIFIED SCHOOL DISTRICT

***Safety and Discipline
Procedures***

Elementary

Dear Parents, Students, and Staff,

The purpose of this packet is to provide you with information regarding the practices and procedures that have been developed to address safety and discipline in a fair and consistent manner. It is important that all members of the school community are aware of the variety of safety and disciplinary situations that may arise in the schools and the procedures that follow.

We are exceptionally proud of our students. They consistently demonstrate good citizenship both in our schools and in the community.

Our goal is to provide an orderly environment that fosters student achievement. We want each and every student in Las Virgenes schools to enjoy a rich learning experience. Part of a student's educational experience involves learning to live with rules, regulations, and authority figures. We believe this can best be done when parents, teachers, students and administrators cooperate. Working together, we can assist students to understand the importance of conducting themselves appropriately.

Please review this packet with your student(s) and keep it in a convenient place for future reference. We appreciate your cooperation and support as we work together to help our children progress through our school system and move toward being responsible young adults.

Sincerely,

Donald Zimring, Ph.D.
Superintendent

GENERAL CONDUCT

- A. Students shall demonstrate consideration for the rights and privileges of others and will demonstrate cooperation with all members of the school community.
- B. Students shall evidence respect for constituted authority by following school rules and regulations, by attending regularly, and by complying with those provisions of civil and criminal law that apply to the conduct of juveniles or minors.
- C. Students should assume the responsibility for diligent work in order to profit from the educational experiences provided.
- D. Students shall be helped in all ways possible to enable them to take advantage of their educational activities.
- E. Parents, community organizations, and other governmental agencies will be involved in obtaining the best behavioral performances possible by students.

AREAS OF RESPONSIBILITY

A. PARENT/GUARDIAN

The Parent/Guardian shall:

1. adhere to existing laws governing the conduct and education of their children.
2. comply with Compulsory Education Laws E.C. 48200, 48400, 48450, and 48454 which state that:
 - a. A person between the ages of 6 and 16 years, not exempted, is subject to compulsory full-time education.
 - b. A person between the ages of 16 and 18 years shall attend school in an approved program unless he/she has received a high school diploma or its equivalent.
3. be liable for any misconduct resulting in injury or death to any student, or to any persons employed by or volunteering for the School District. The liability of the parent or guardian shall not exceed \$10,000. (E.C. 48904(a), Civil Code 1714.1)
4. be liable for any defacement or injury to any real or personal property belonging to the school district or any school employee.
5. be liable for all property belonging to the school district which is loaned to the student and not returned upon demand of an employee of the District. The liability of the parent or guardian shall not exceed \$10,000. (E.C. 48904(a), Civil Code 1714.1)
6. ensure compliance with the Vehicle Code regarding bicycle and automobile regulations in the vicinity of and on school property.
7. ensure that their conduct in a place where a school employee is required to be in the course of his or her duties does not disrupt classwork or extracurricular activities or involve substantial disorder or they will be guilty of a misdemeanor which is punishable by a fine not exceeding one hundred dollars (\$100), by imprisonment in the county jail for a period of not more than 10 days, or both. This section does not apply to any otherwise lawful employee concerted activity, including, but not limited to, picketing and the distribution of handbills.

B. STUDENTS

Every student shall:

1. attend school punctually and regularly;
2. conform to the regulations of the school;
3. obey promptly all the directions of his/her teacher and others in authority;
4. observe good order and propriety of deportment;
5. be diligent in study;
6. be respectful to his/her teacher and others in authority;
7. be kind and courteous to schoolmates;
8. refrain entirely from the use of profane and vulgar language.
9. comply with all safety rules and regulations (e.g. use of bicycle helmets). (Title 5, Section 300)

C. BOARD OF EDUCATION

The Board of Education shall:

1. hold all school personnel, through the Superintendent, responsible for the control and proper conduct of students while under the legal supervision of the school.
2. give full support and mutual cooperation shall be expected of all personnel in the administration of District policy.

D. ADMINISTRATORS

The Superintendent shall:

1. establish procedures to carry out Board of Education discipline policy.
2. hold all school personnel, students, and parents responsible for the Board of Education policy and the conduct of children in the schools of Las Virgenes.
3. notify the parent/guardian of all students of the availability of the District policy pertaining to student discipline. (E.C. 35291)

The School Administrator shall:

1. initiate and enforce a set of school rules to facilitate effective learning and promote attitudes and habits of good citizenship.
2. communicate the rules for student discipline to the continuing students at the beginning of the fall semester, and to transfer students at the time of their enrollment. Ed. Code 35291
3. support the classroom teacher in his/her efforts to promote improved and acceptable behavior of students.
4. by telephone, letter or conference with school personnel, notify parents/guardians of student offenses considered serious by the administrator.
5. involve parents, community organizations and other government agencies in obtaining the best behavioral performances possible by

students.

6. maintain documented records of deviant student behavior as a means of helping in the guidance of the students, as a record for parental conferences, as reference for authorized agencies and for supporting evidence where suspension or expulsion may become necessary.

7. cooperate with law enforcement and children services personnel.

E. TEACHERS

The Teacher shall:

1. conduct a well-planned and effective classroom program.

2. initiate and enforce a set of classroom regulations that facilitate effective learning.

3. cooperate with administrators and other classroom teachers in enforcing general school rules and appropriate campus behavior.

4. follow procedures outlined in each school's handbook in handling discipline problems for which he/she is directly responsible.

5. make prompt referrals when a student's conduct and record indicate that more than routine controls are needed.

6. remove any student whose behavior seriously disrupts the learning atmosphere of the class and cooperate with the administrator in his/her effort to promote improved and acceptable behavior of students.

F. CLASSIFIED PERSONNEL

Classified Personnel shall be responsible to assist in maintaining student behavior by supporting Board Policies and the school discipline plan.

PROHIBITED ACTIVITIES BY STUDENTS

Activities which are contrary to the welfare and best interests of the students and the school, as determined by the Education Code (E.C.), the Board of Education, and the local school administration are prohibited, such as:

A. obstructing or disrupting any authorized activity conducted under the authority of the Board of Education or its employees;

B. conducting activities that evidence intent to conflict with school sponsored events or with the proper functioning of the regular school program;

C. using force, violence, threat, intimidation, extortion or coercion to obstruct any school officials in the performance of their duties;

D. preventing a student, teacher or other school authorities from attending a class;

E. obstructing or disrupting the educational program of the school;

F. entering or using in any unauthorized manner any school facilities, including buildings, grounds, and equipment;

G. failing to comply with the direction of police or any other law enforcement officers while they are acting in the performance of their duties on the school grounds;

H. conspiring to engage in hazing/bullying, participate in hazing, or commit any act that injures, degrades, or disgraces, or tends to injure, degrade, or disgrace any fellow student (E.C. 32051);

I. smoking, possessing or selling of tobacco products on or within any school or district property;

J. selling, buying, igniting or possessing fireworks of any kind while under the jurisdiction of the school;

K. unlawfully possessing, using, selling, giving away or otherwise furnishing to another or being under the influence of any controlled substance, as defined in Section 11007, Health and Safety Code, or of any alcoholic beverage or intoxicant of any kind;

L. engaging in any form of sexual harassment;

M. possessing, selling, or furnishing any firearm, knife, explosive, or other dangerous object.

N. possessing or taking medications, including over the counter medications, without the signed consent of parents and physician
Which must be filed in the health office.

GUIDELINES FOR ADMINISTERING DISCIPLINE TO STUDENTS WHO HAVE VIOLATED STANDARDS OF STUDENT BEHAVIOR

Standards of student behavior within the Las Virgenes Unified School District shall be enforced at the discretion of the administration within the general guidelines as set forth below.

These guidelines reflect a spectrum of possible actions that shall be appropriate for a specific violation of law or district/school regulations.

Within the minimum to maximum actions indicated in the guidelines, the administration shall determine the most effective action based upon knowledge of the facts of the incident and the concept of progressive discipline.

The listing of minimum and maximum actions does not imply or require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. Disciplinary action shall be dependent upon the situation and the previous behavior record of the student.

The schedule of actions possible with an infraction of regulations is:

1. Conference regarding violation and a warning

2. In-school probation or suspension from a specific class and/or activity

3. Detention (or volunteer service in lieu of detention)

4. Parent conference/contact

5. Parent/teacher conference

6. Suspension

7. Transfer to another school

- 8. Transfer to another specialized program
- 9. Expulsion from the District

The following represents samples of violations that may occur in the schools. The asterisk (*) indicates mandatory immediate Law Enforcement Agency notification. The double asterisk (**) indicates that recommendation for expulsion is required under Education Code 48915. The number in the area of Disciplinary Action refers to the schedule of actions listed above.

Recommended
Disciplinary Action

Minimum Maximum
Action Action

I. Violations Against Persons

*A. Assault49**

Unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another. (PC 240)

*B. Battery69**

Any willful and unlawful use of force or violence upon the person of another. (PC 242)4

*C. Assault on a Staff Member49**

(See A. above)

*D. Battery on a Staff Member69**

(See B. Above)

*E. Weapon Possession69**

The unauthorized possession of any instrument designed for or capable of producing death or great bodily harm. (PC 12020)

Possessing, selling or furnishing a firearm.89**

Brandishing a knife at another person89**

*F. Assault with a Deadly Weapon89**

Every person who commits an assault upon the person of another with a deadly weapon or instrument or by any means of force likely to produce great bodily injury is punishable by law. (PC 245)

*G. Possession of an Explosive Device89**

“Explosive device” means “destructive device” as described in Section 921 of the Title 18 of U.S. Code.

*H. Possession of an Imitation Firearm69**

Replica substantially similar to an existing firearm to lead a reasonable person to conclude that the replica is a firearm.

Recommended
Disciplinary Action

Minimum Maximum
Action Action

*I. Sexual Assault or Sexual Battery89**

Committed or attempted to commit a sexual assault or committed a sexual battery

J. Fighting49

Mutual combat in which both parties have contributed to situation by verbal and/or physical action.

K. Hazing/Bullying⁴⁹

Participation in or conspiring to engage in, or conspiring for others to engage in, harassing acts that injure, degrade, or disgrace other individuals. (EC 32050-32052)

L. Interference/Obstruction⁶⁹

Any action taken to attempt to prevent a staff member from exercising lawful assigned duties.

M. Verbal Abuse⁴⁹

Threatening or insulting language to a staff member.

N. Serious Physical Injury

Causing serious physical injury to another person, except in⁴⁹ self-defense.

O. Sexual Harassment⁶⁹

Committed sexual harassment sufficiently severe or pervasive to have negative impact on the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (This section does not apply to students in kindergarten through third grade.) Information regarding reporting procedures and available remedies may be obtained from the Assistant Superintendent, Educational Services.

P. Hate Violence (person)⁴⁹

Any action taken to injure, intimidate, interfere with, oppress or threaten another person because of the persons race, color, religion, ancestry, national origin, disability, gender or sexual orientation (PC 422.6; 422.7; 422.75).

Q. Harassment/Intimidation of Witness⁶⁹

The harassment or intimidation of a witness or eyewitness in a school disciplinary proceeding.

R. Aiding or Abetting⁴⁹

Aiding or abetting the infliction or attempted infliction of physical injury.

II. Violations Against Property

A. Extortion or Robbery⁶⁹

The obtaining of property from another without consent induced by a wrongful use of force or fear, or under the guise of official right. (PC 518)

B. Theft⁴⁹

The unlawful taking of property. (PC 518)

C. Unauthorized Use of School Property⁴⁹

The unauthorized/illegal use of school acreage.

D. Willful Damage of School Property⁴⁹

Any student who willfully cuts, defaces, or otherwise injures any property, real or personal, belonging to the school district is liable. (This includes gang activities such as tagging, etc.)

E. Damage to Personal Property⁴⁹

Recommended
Disciplinary Action

MinimumMaximum
ActionAction

F. Willful Non-Return of District Property⁴⁹

The Superintendent or principal may withhold the grades, diploma, and/or transcripts of any student responsible for

damaging or failing to return District property, until the student's parent or guardian has paid for the damages. If the student and parent are unable to pay for damages or return the property, the student shall be offered a program of voluntary work in lieu of payment.

G. Knowing Receipt of Stolen School or Private Property49

H. Hate Violence (property)49

Any action taken to deface, damage or destroy the real or personal property of any person because of the other person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

III. Violations Against Public Decency and Good Morals

A. Gambling47

The playing of a game of chance for stakes. (PC 330)

B. Vulgarity/Profanity17

Language that is disgusting to the senses, repulsive

C. Offensive Social Behavior17

Activities that are an infraction of acceptable social actions.

IV. Violations Against Public Health and Safety

A. Possession or Use of Any of the Following:

Dangerous Drugs69

Unauthorized Controlled Substance69

Alcohol69

Tobacco69

Drug Paraphernalia69

Medications, including over the counter drugs69

*B. Selling Dangerous Drugs, Unauthorized Controlled69**

Substances, or "Look-Alike" Substances

C. Tobacco-Free Schools69

The use and sale of tobacco products is banned at all times and everywhere on all district property including, but not limited to, all school buildings, school vehicles and play and athletic fields.

V. Violations Against School Standards

A. Continued Willful Disobedience49

Repeated refusal to follow school rules and regulations.

B. Defiance of Authority49

Willful refusal to follow a legal direction/order by a staff member.

C. Disruptive Behavior49

Actions which are detrimental to the effective operations of the school.

D. False Identification49

Refusal to give or giving false identification when requested to do so by a staff member.

E. Forgery49

Falsifying a signature or tampering with any school documents including school transcript, computer or hand-generated.

F. Freedom of Expression18

For specifics, see Board Policy

Recommended

Disciplinary Action

MinimumMaximum

ActionAction

G. Leaving Campus17

Leaving campus during school hours without proper clearance.

H. Misbehavior on School Buses49

Bus drivers are responsible for the orderly behavior of pupils while they are on the school bus. Continued disorderly behavior or severe misbehavior shall be sufficient reason for a principal to deny a student transportation on a school bus.

I. Student Attire and Grooming19

Wearing clothing that is offensive, inappropriate, distracting to the learning process, unsafe or violates the school dress code. (See Attire and Grooming section)

J. Violation of Suspension69

Physically present on a school campus or at a school activity while on suspension and/or expulsion before, during or after school.

K. Inappropriate Use of Electronic Equipment (cell phones/pagers)15

ATTIRE AND GROOMING

The dress and grooming of students shall not interfere with the instructional program or create a health or safety hazard.

The Board of Education supports the legislative finding that the wearing of “gang-related apparel” is hazardous to the health and safety of the school environment. School Site Councils are authorized to adopt reasonable dress code regulations that prohibit pupils from wearing “gang-related apparel.” Any regulations adopted shall define “gang-related apparel,” and shall be limited to apparel that reasonably could be determined to threaten the health and safety of the school environment if such apparel were worn or displayed on a school campus. (E.C. 35183)

A pupil who goes to school without proper attention having been given to personal cleanliness or neatness of dress may be sent home to be properly prepared for school, or shall be required to prepare himself for the schoolroom before entering. (Title 5, Section 302)

To implement the District’s guidelines on attire and grooming, the following shall apply:

A. The appearance of students, or attire worn by students, disruptive to the educational process will be grounds for exclusion from classes. This provision shall include, but not be limited to, wearing of a color, style, or item of clothing, a particular hair style or jewelry, and symbols of identification associated with organizations not connected to or sponsored by the school.

B. Students shall not be permitted to wear attire which names, advertises, or promotes products that are illegal for minors, including items related to drugs, alcohol, and tobacco.

C. Students shall not be permitted to wear attire which features offensive and/or vulgar words, pictures, or drawings, including naming advertising, or promoting sexually related products or activities.

D. Students shall not be permitted to wear attire which includes words, phrases, or pictures that are derogatory regarding a person’s ethnic background, national origin, religious beliefs, gender, or disability.

E. Students shall not be permitted to wear attire which is unduly revealing, or attire which distracts from the educational mission of the school.

F. For reasons of safety, students will not be permitted to attend school in bare feet and must wear shoes or appropriate foot wear for physical activity.

G. For reasons of health and cleanliness, students’ hair shall be neat, clean, and well groomed.

H. The principals and staff of each school may establish reasonable additional regulations regarding student appearance and attire to be required of students who voluntarily engage in extracurricular or other special school activities.

BICYCLE RULES

A. A student may not bring his/her bicycle to school before the third grade.

B. For safety: The bicycle must be walked on and off the campus.

C. For security: The bicycle must be locked while on campus.

D. A student under the age of 18 must wear a bicycle helmet.

ELECTRONIC SIGNALING DEVICES (CELL PHONES/PAGERS)

In accordance with Education Code 48901.5, the Board recognizes that parents/guardians may wish to be in close contact with their children during the school day, and therefore, students may be provided with an electronic signaling device such as a pager or cellular telephone. Through the use of cell phones and pagers, families can communicate better and students and staff can feel a greater sense

of security while at school. The Board also recognizes that staff members may be in possession of electronic signaling devices. Although the Board authorizes the possession of electronic signaling devices, it further recognizes that these signaling devices can disrupt the instructional process.

Therefore, the following procedures shall be implemented for students and staff at all school sites beginning with the 2004-2005 school year.

1. Students and staff shall be permitted to be in possession of electronic signaling devices (cell phones/pagers) while attending school and school-sponsored activities.
2. Staff and students shall have electronic signaling devices (cell phones, pager) turned off at all times except before school and after school (and prep periods for staff). Use of such devices shall not constitute a reason for being tardy to class.
3. Should a student receive a phone call during school hours that disrupts the classroom instructional process or a school assembly, the device shall be confiscated by a certificated or classified staff member and be given to an administrator who will return it to the student at the end of the school day. A second infraction shall result in the signaling device being confiscated and the parent/guardian will be required to meet with the principal or the principal's administrative designee in order to retrieve the device. A third infraction shall result in disciplinary action with the consent to possess all signaling devices being revoked until the end of the semester.
4. Staff members shall not make personal calls during class time or while attending school assemblies or similar activities held within the regular school day.
5. No student shall be prohibited from possessing or using an electronic signal device that is determined by a licensed physician to be essential for the health of a student.

Education Code 48915 Expulsion; Particular Circumstances

A. Mandatory Expulsions - Zero Tolerance Offenses Section 48915(c)

The following offenses require immediate suspension followed by a mandatory recommendation for expulsion, followed by mandatory expulsion:

- a. Possession of a firearm (firearm should be defined by school or district policy)
- b. Brandishing a knife at a person
- c. Selling a controlled substance
- d. Committing or attempting to commit sexual assault or battery as defined in subdivision (n) of Section 48900

B. Mandatory Recommendations for Expulsion Section 48915(a)

The following offenses require a recommendation for expulsion unless the principal finds that expulsion is inappropriate under the circumstances. Expulsion by the Board is not mandatory.

- a. Causing serious injury to another, except in self-defense
- b. Possession of a knife, explosive, or other dangerous object
- c. Unlawful possession of a controlled substance. (Except for the first offense for the possession of not more than one ounce of marijuana other than concentrated cannabis)
- d. Robbery or extortion
- e. Assault or battery as defined in Penal Code sections 240 and 242 upon any school employee
- f. Any offenses listed in (a), (b), (c), (d), or (e) of Section 48900 (See LVUSD Notice of Suspension)

NOTE: A written communication to the Superintendent explaining the reason for not recommending expulsion is no longer required by law.

C. Permissive Recommendations for Expulsion Section 48915(e)

The principal may recommend expulsion, and the Board may order the pupil expelled if it is determined that a pupil violated any of the sections listed below:

- Section 48900 (f), (g), (h), (i), (j), (k), (l), (m), (o), or (p)
- Section 48900.2 Sexual Harassment
- Section 48900.3 Hate Violence
- Section 48900.4 Contributing to a Hostile Educational Environment

NOTE: With the exception of the mandatory offenses in Section 48915(c), an additional finding is required for all other expulsions as follows:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct, **OR**
2. The presence of the pupil causes a continuing danger to the safety of the pupil or others.

ALSO: All expulsions require referral to an alternative program of study that meets the following conditions:

- a. It is prepared to accommodate pupils who exhibit disciplinary problems.
- b. It is not located at a comprehensive elementary, middle school or high school.
- c. It is not housed at a school site attended by the expelled pupil.

(A Rehabilitation Plan is required for all expelled students which may include: improved academic performance, good attendance, tutoring, counseling, community service, etc.)

Prepared by Ann Eklund, Director of Elementary Education
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