

Students

BP 5144 (a)

DISCIPLINE

The Board of Education desires to provide a safe, supportive, and positive school environment conducive to student learning and *achievement and desires* to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/*guardian* involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 – Chronic Absence and Truancy)

(cf. 5131 – Conduct)

(cf. 5131.1 – Bus

Conduct) (cf. 5131.10 –

Bullying)

(cf. 5137 – Positive School Climate)

(cf. 5138 – Conflict Resolution/Peer-

Mediation) (cf. 5145.9 Hate-Motivated

Behavior)

(cf. 6020 – Parent Involvement)

The Superintendent or designee shall *develop* ~~design, for each school, a complement of~~ effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior *at district schools*. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 6164.2 – Guidance/Counseling Services)

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

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as *detention*, suspension and expulsion, shall be imposed only when required *or permitted* by law and when other means of correction have *been documented to have* failed. (Education Code 48900.5)

(cf. 5020 – Parent Rights and Responsibilities)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.5 – Student Success Teams)

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

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 – Use of Seclusion and Restraint)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. ~~However, the rules shall be~~ consistent with law, Board policy, and district regulations. The Board, *at an open meeting, shall* ~~may review, at an open meeting,~~ the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code ~~32282, 35291.5, 32282~~)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall ~~implement appropriate discipline and attempt to identify~~ *the causes of the student's behavior and implement appropriate discipline.* ~~and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board Policy and administrative regulation.~~ When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

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

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 0415 – Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 51457 – Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist

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staff in developing the skills needed to effectively *and equitably* implement the disciplinary strategies adopted for district schools, including, but not limited to, *knowledge of* consistent school and classroom management skills *and their consistent application*, effective accountability and positive intervention techniques, and *the tools to form* development of strong, cooperative relationships with parents/guardians.

(cf. 4131/4321/4331 – Staff Development)

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

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

Legal References:

EDUCATION CODE

32280-32288 School safety

plans 35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline

rules 37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of

parent/guardian

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

52060-52077 Local Control an accountability

plan CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of

bus 353 Detention after school

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

ALVORD UNIFIED SCHOOL DISTRICT
Riverside, California

DISCIPLINE (continued)

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet,

2009 CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>

CDE: <http://www.cde.ca.gov>

Public Counsel: <http://www.fixschooldiscipline.org>

*~~USDÖE~~, *U.S. Department of Education*, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*

Policy amended: June 1, 2020

Policy amended: October 16, 2014

Policy amended: May 16, 2013

Policy amended: September 1, 2011

Policy amended: August 11, 2005

Policy adopted: June 7, 2001

ALVORD UNIFIED SCHOOL DISTRICT
Riverside, California

Students

AR 5144 (a)

DISCIPLINE

Site-Level Rules

~~Rules for student discipline shall be developed at each school site.~~ Site-level rules shall be consistent with *state law and Board* district policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 – District Police/Security Department)

5. For middle and high schools, students enrolled in the school

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in *state law*, district discipline policies *and regulations*, *and/or* goals for school safety and climate as specified in the district's local control and accountability plan. ~~Each school shall file a~~ *A* copy of it's *the* rules *shall be filed* with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to ~~himself/herself~~ *themselves* or others or ~~he/she~~ *they commit* ~~commits~~ a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 – Parent Rights and Responsibilities)

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(cf. 6020 – Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 6164.2 – Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education under Section 504)

5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled “Recess Restriction”

DISCIPLINE (continued)

12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 – Extracurricular/Co-curricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 – Independent Study)

(cf. 6181 – Alternative Schools/Programs of Choice)

(cf. 6182 – Opportunity School/Class/Program)

(cf. 6184 – Continuation Education)

(cf. 6185 – Community Day School)

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

(cf. 5144.1 – Suspension and Expulsion/Due Process)

(cf. 5144.2 – Suspension and Expulsion/Due Process [Students with Disabilities])

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

(cf. 5125 - Student Records)

Recess Restriction

~~A teacher~~ **Teachers** may restrict a student's recess time **only** when ~~he/she~~ **they believe** believes that this action is the most effective way to bring about improved behavior. When recess restriction ~~may involve~~ **involves** the withholding of physical activity from a student, ~~the teachers~~ shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

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(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day, *or until the departure of the school bus to which they have been assigned if applicable.* (5 CCR 307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

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

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

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school, *if applicable.*

(cf. 6176 – Weekend/Saturday Classes)

Community Service

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

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

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Notice to Parents/Guardians and Students

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

(cf. 5145.6 – Parental Notifications)

The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district.

Regulation amended: June 1, 2020

Regulation amended: October 16, 2014

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Regulation amended: September 1, 2011

Regulation amended: August 11, 2005

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