

# RIGHTS, RESPONSIBILITIES AND BEHAVIORAL POLICY

## RIGHTS

**PARENTS/GUARDIANS:** Parents/Guardians have a right to expect a comprehensive and constructive program for their student(s), to be informed by the school of progress and grades, and to be notified if their student(s) is not in attendance or has been removed from school by anyone. If student problems arise, disciplinary or academic, parents have the right to question and appeal decisions that they feel are unfair. Parents have the right to consultation with school staff and access to and interpretation of student's records. They shall be treated with courtesy in all dealings with the school district.

**TEACHERS:** Teachers expect to perform their duties, as specified in district policy and within the framework of the State Education Code, free of harassment, abuse, or threats from any party. While performing these duties, teachers have a right to use reasonable and legal means to maintain proper order and control in and out of the classroom. In these actions they expect the cooperation of students, parents, and staff. They shall be treated with courtesy and respect in the performance of their duties.

**ADMINISTRATORS:** The administration has the right to administer the policies, rules and regulations of the Jefferson Union High School District and the State of California. They have the right to be informed promptly of potential school problems by parents, students, and staff so that problems may be mediated. They shall be treated with courtesy and respect in the performance of their duties.

**CLASSIFIED PERSONNEL:** Classified personnel have the right to courtesy and respect while performing their duties.

**STUDENTS:** Students have the right to a meaningful education. As prescribed by law, "Students of the public schools have the right to exercise free expression including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges, or other insignia, except that expression which is obscene, libelous, slanderous, or gang related according to the current legal standards, or which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school, shall be prohibited." Students have the right to confidentiality and access to their own records with written permission of parent or guardian. They have the right to personal consultation with all staff members. They shall have the availability of a grievance procedure which shall be established and available in each school. As with others in the school community, students shall be treated with courtesy and respect.

## RESPONSIBILITIES

The **PARENTS** are responsible for the regular attendance and acceptable behavior of their student(s). Parents are expected and are morally obligated to cooperate fully with the school by keeping informed and attending parent conferences in matters dealing with their students' education.

The **ADMINISTRATION** of each school is responsible to the superintendent through the principal for the conduct of students, operational management, and coordination of the total program. The principal is charged with the responsibility and authority to formulate such procedures as are necessary to execute the district policy. The principal and/or his/her delegated representatives, in disciplinary actions, shall involve the parents of the students who are conducting themselves in a manner contrary to district policy. The principal and his/her designated representatives will be responsible to see that the rights of parents, students, and teachers are respected.

The **TEACHERS** are responsible for conducting a program of study and maintaining an atmosphere in the school conducive to effective learning, enabling students to realize their own potential. Teachers are expected to maintain proper and adequate control in and out of classrooms. The teacher shall enforce rules and regulations, report lack of student progress, and report attendance infractions daily. They shall promptly report acts of misconduct of students to delegated authority.

The **CLASSIFIED PERSONNEL** shall act in those areas specifically authorized and assigned by the superintendent and/or the principal in matters relating to student behavior.

The **STUDENTS** are responsible for completing all assigned school work to the best of their ability. Each student is expected to behave in a manner which complies with state, district and school rules and regulations. Each student shall be expected to maintain regular and punctual attendance. Students are expected to follow readily all reasonable requests of certificated and classified personnel.

## STUDENT BEHAVIORAL POLICY

The Education Code of California states that every child between the ages of 6 and 18 years is subject to compulsory full time education. However, the continued enrollment of a student in such a program is dependent on regular attendance and compliance with all rules, regulations and expectations developed by both the District and the State, governing student behavior. In a democracy, there exist many rights and responsibilities, all of which are dependent on strict adherence to a certain set of behavioral expectations. It should be made very clear that any student, by his/her own failure to comply with school regulations, may lose the right to a free public education. Therefore, students who exhibit problem behaviors will be subject to immediate disciplinary action. Dependent upon the seriousness of the behavior exhibited, a disciplinary response taken from the range of consequences listed below, will be immediately applied by the school administration.

### MANDATORY EXPULSIONS Calif. Ed. Code Section 48915 (c)

In accordance with California State Education Code, the following offenses require **immediate suspension** followed by a **mandatory** recommendation for expulsion, followed by mandatory expulsion from school of **one calendar year**, provided the facts bear out the offense:

1. Possession, selling, or otherwise furnishing a firearm, on school grounds or at a school sponsored event.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance, as listed in chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault or a sexual battery.
5. Possession of an explosive as defined in 18 USC 921.

### GENERAL DISCIPLINARY PROCEDURES

Problem Area	Range of Actions To Be Taken
Alcohol or any other controlled beverage: use, influence of, possession of, furnishing	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Assault and/or Battery, on a student	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Assault and/or Battery, on a school employee	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, mandatory police report
Assault with a Deadly Weapon	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, mandatory police report
Damage to School or Private Property	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification* Request for restitution
Dangerous Object - possession or use – Includes any dangerous object that is of no reasonable educational use to the pupil	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Defiance of Authority	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Disorderly Conduct	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion
Drug Paraphernalia, possession of	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*

Drugs, or any controlled substance: use, influence of, possession of	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Drugs, or controlled substances: sale of, furnishing of	Parent involvement, mandatory suspension, mandatory expulsion, referral to alternative programs, mandatory police report
Explosive Devices: Pursuant to 18 USC 921 an <i>explosive</i> means <i>destructive device</i> and includes but is not limited to any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device. A <i>destructive device</i> also includes any other type of weapon which might be converted to project an explosive	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, mandatory police report
Fighting	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Firearm, possession or furnishing. Firearm is defined as any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosive or other form of combustion. This shall include any handgun, shotgun/rifle and rocket propelled projectile launcher	Parent involvement, mandatory suspension, mandatory expulsion, referral to law enforcement
Firearm Imitation. Defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Forgery	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Knife, brandishing at another person: As used in this section, <i>knife</i> , means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade	Parent involvement, mandatory suspension, mandatory expulsion, referral to alternative programs, mandatory police report
Knowingly receiving Stolen School or Private Property	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification* Request for restitution
Robbery, Extortion	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, mandatory police report
Sexual Assault: committing or attempting to commit	Parent involvement, mandatory suspension, mandatory expulsion, referral to alternative programs, mandatory police report
Smoking or Possession of Tobacco or Products	Behavioral/Incident Review Hearing, parent involvement, suspension, referral to a school sponsored cessation program

Terrorist Threats: threatening to commit a crime which will result in death, or great bodily injury to another person, 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	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, mandatory police report
Theft	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Truancy, Tardiness	Behavioral/Incident Review Hearing, parent involvement, detention referral to alternative programs
Verbal Abuse, Obscene Act, Profanity, Hate Motivated Behaviors or Violence, Hazing, Harassment, Racial Harassment, Sexual Harassment directed at either students or school personnel. This includes harassment, threats or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual & reasonably expected effect of materially disrupting classwork, creating substantial disorder & invading the rights of school personnel or students by creating an intimidating or hostile educational environment.	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*
Weapons other than a Firearm - possession, sale or furnishing. Includes pellet guns and BB guns.	Behavioral/Incident Review Hearing, parent involvement, referral to alternative programs, suspension, expulsion, police notification*

\* Police notification will be made and arrest or further law enforcement action may be requested by the school, after consultation with the police, and depending upon the seriousness of the incident in question.

**TOBACCO FREE SCHOOLS**  
**School site Tobacco Policy – Enforcement Procedures**

The possession, use, sale or furnishing of any tobacco products on school grounds or on any district facilities is a violation of Education Code Section 48901 and of School Board Policy, and is therefore not permitted at any time. Students violating this policy shall be subject to the following range of disciplinary and corrective measures:

**Range of Consequences for First Occurrence:**

1. Student conference with appropriate site administrator.
2. Parent/Guardian contact and/or conference.
3. Student will attend one two-hour Tobacco Education Group, after school, on campus, facilitated by District Coordinator, Tobacco Use Prevention Education.

**Range of Consequences for Second Occurrence:**

1. Student conference with appropriate site administrator.
2. Parent/Guardian contact and/or conference.
3. Referral to appropriate site personnel for counseling
4. Student will attend one of the following tobacco education groups:
  - a. Two-hour session, after school, on campus.
  - b. Four-hour Saturday school, off campus.
5. Student may be suspended from school for failure to attend the Tobacco Education Group.
6. Possible in-house suspension.

## Range of Consequences for Third Occurrence:

1. Student conference with appropriate site administrator.
2. Parent/Guardian contact and/or conference.
3. Referral to appropriate site personnel for counseling.
4. Student, if under 18, may receive a citation from local law enforcement, for the violation of Penal Code 308B – Unlawful possession of tobacco products by a person under the age of 18. In order to accomplish this, the school will invite a police officer to issue the citation on campus in a private setting.
5. Student, if over 18, may be required to attend a district sponsored four-hour Saturday school.
6. Possible suspension from school.

## NOTIFICATION OF APPROPRIATE LAW ENFORCEMENT AGENCIES

The commission of any of the acts listed below **will result in the immediate notification of the appropriate law enforcement authorities, by either the principal or the principal's designee, prior to the suspension or expulsion of the student committing the act.** **E.C 48906 Release of Pupil to Peace Officer:** Requires school officials to take immediate steps to notify parents when a child is taken into custody by a peace officer except when the child is taken into custody as a victim of suspected child abuse. In such cases, the law enforcement would assume all notification responsibilities.

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| 1. Assault with a deadly weapon                        | 6. Assault and/or battery upon any school employee                  |
| 2. Possession or furnishing of a firearm               | 7. Causing serious injury to another person, except in self-defense |
| 3. Brandishing a knife at another person               | 8. Robbery or extortion   |
| 4. Unlawful sale of a controlled substance             | 9. Terrorist threats  |
| 5. Committing or attempting to commit a sexual assault | 10. Possession of an explosive                                      |

## DEFINITION OF ACTIONS AND CONSEQUENCES

**BEHAVIORAL/INCIDENT REVIEW HEARINGS:** Intervention by the district administration to determine the level of unacceptable behavior and/or the severity of an incident committed by a student. An outcome of this hearing could be an expulsion hearing before the Board of Trustees.

**DETENTION:** Students may be detained for up to one hour after the close of the maximum school day under the following conditions: (1) A student who is transported by school bus shall be detained only until the time when the bus departs. (2) When a student who is not transported by school bus is detained, every effort will be made to notify his/her parent/guardian that a detention has been assigned. (3) The student shall remain under the supervision of a certificated employee during the period of detention.

**EXPULSION:** Action by the Board of Trustees removing a student from District schools for a prescribed period of time. During the period of expulsion, an appropriate alternative educational program will be provided for all expelled students.

**SUSPENSION:** The removing of a student from class or school by any certificated staff member for a specified time as prescribed by law. E.C. 48911 requires reasonable effort to notify the parents in person or by telephone at time of suspension, and mandates notification in writing.

(Authorities for the sections herein have been taken from official governmental codes.)

## PROCESS OF PARENT APPEAL

As indicated in the policy, "If student problems arise, disciplinary or academic, parents have the right to question and appeal decisions that they feel are unfair." Avenues have been provided for parents to discuss their problems with school personnel at the informal level.

**INFORMAL LEVEL:**

- STEP 1: Discussion of concern with the certificated or classified personnel directly involved.
- STEP 2: Discussion with the appropriate vice principal.
- STEP 3: Discussion with the principal.

If the appeal is not resolved at the informal level, the parent may appeal in writing to the formal level. The three steps in the formal level shall be completed within thirty (30) school days.

**FORMAL LEVEL:**

- STEP 1: Appeal to the appropriate district level administrator.
- STEP 2: Appeal to the district superintendent.
- STEP 3: Appeal to the Board of Trustees (at regular scheduled board meetings).

These steps are provided as information for parents. It is important that parents be aware of the appeal steps they have in the district.