

4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs or activities available at or through any district program or activity.

“Hate motivated behavior” is any act, or attempted act, intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility towards a victim's real or perceived ethnicity, national origin, immigrant status, religious belief, sex, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic. (AR 5145.9)

A “hate crime” is a criminal act or attempted criminal act committed against a person or his or her property because the person is, or is perceived to be, a member of a protected class.

Points to Remember

Sexual harassment could occur between people of the same gender – and hate violence between persons of the same race, nationality or cultural/ethnic group.

Students do not have to endure sexual harassment or hate violence. Students are urged to report such incidents as soon as possible.

Students are encouraged to report observed instances of sexual harassment or hate violence perpetrated against other persons, whether students or employees, even where the victim of the harassment or violence has not complained.

All District personnel are responsible to report incidents of sexual harassment and hate violence. (Board Policy 5145.7)
(Administrative Regulation 5145.7)

Site Level Grievance Procedure

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for nondiscrimination / Principal. Upon receiving such a complaint the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 – Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy and administrative regulation.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior. (Board Policy 5145.9)

Unresolved Complaints

If the complainant is dissatisfied with the results of the actions taken in accordance with the grievance, the complainant may submit her/his persisting concerns to the principal's immediate supervisor (Area Assistant Superintendent) for review and resolution. If the complainant is still dissatisfied, she/he shall be advised that she/he may file a complaint in accordance with the Uniform Complaint Procedure. (Board Policy 1312.3)

Disciplinary Measures

Any student who engages in sexual harassment or hate violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account. (Education Code 48900.2)

STUDENT DISCIPLINE

General Information

This section is intended to be a summary of the District's policies regarding “Student Discipline.” If the need arises and you would like a copy the District's Board Policies and Administrative Regulations, which provide greater detail, please contact the Office of Student Services (675- 4500 ext. 235 or 236). Should any part of this summary be in conflict with the District's Board Policy or Administrative Regulations, the Board Policy and Administrative Regulations shall control. In addition, if there is a conflict between the Board Policy and Administrative Regulations and State Law, State Law shall control. (Education Code 35291 and 35291.5)

Copies of each school's rules may be obtained from the school office and are generally published in the Student/Parent Handbook.

Duties of Pupils

The California Code of Regulations, at Title 5 (5CCR) Section 300, requires pupils to conform to school regulations, obey all directions, and be diligent in study and respectful to teachers and others in authority, and restrain from the use of profane and vulgar language.

Education Code Section 44807 Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which 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.

Unacceptable Behaviors and Disciplinary Consequences

Specific behaviors are forbidden by the Education Code and by District Policy. Violations of these laws and policies may result in advising and counseling students, conferencing with parents/guardians, detention during and after school hours, community service, placement in alternative programs, suspension (temporary removal from school), or expulsion (long-term removal from school).

Students may be detained for after school detention for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

Detention during lunch shall allow for a reasonable amount of time for lunch; and detention during recesses shall allow for attention to personal hygienic needs. (Education Code 44807.5)

Corporal punishment shall not be used. The use of reasonable and necessary force by an employee to protect oneself or students or prevent damage to District property shall not be considered corporal punishment. (Education Code 49001)

The severity of disciplinary consequences depends upon several factors such as the nature or seriousness of the offense and whether or not the offense is a first offense. Ordinarily, suspension (and expulsion) shall be imposed only when other means of correction fail to bring about proper conduct, or whenever the student has committed a serious, first-time offense; or when it is also determined that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5 and 48915)

In lieu of suspension from school, pupils may be assigned to On-Campus Suspension, to Community Service, to Saturday School, to Counseling, to Anger Management, and/or after school detention.

Parents/Guardians Required to Attend Class

Education Code 48910 authorizes teachers to suspend students from class for discipline violations. Teachers may require parents of suspended pupils to attend school with their children for a portion of the school day. (Board Policy 5144.4)

After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

This policy shall apply only to a parent/guardian who lives with the student.

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law.

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

The principal or designee shall contact any parents/guardians who do not respond to the request to attend school.

Suspension and Expulsion

Principals may suspend students for up to five (5) school days for serious offenses. Students may also be suspended and recommended for expulsion for certain offenses. See the sections following the section entitled, "Suspendable and Expellable Offenses."

Students, who are recommended for expulsion, may have their suspension extended. Prior to extending the suspension, school officials will conduct a meeting in which the parents/guardians are invited to participate.

If a student is recommended for expulsion, the student and the student's parents/guardians are entitled to a hearing. The hearing will be conducted by an Administrative Hearing Panel of three or more certificated persons, none of whom are members of the Board or employed on the staff at the school in which the student is enrolled.

Appeals

Suspensions may be appealed at school sites having more than one administrator by contacting an administrator at the site who did not impose the suspension. At sites having only a single administrator (principal), contact the school site designee. The decision of these administrators is final.

If a student is expelled, whether or not the student's expulsion order is suspended, the student or the student's parents/guardians may, within thirty (30) days following the decision of the Governing Board, file an appeal to the County Board of Education at 673-6051.

Loss of Privileges

District Board Policy and Administrative Regulation 5127 govern revocation and loss of participation in privileged activities. For purposes of Board Policy 5127, privileged activities include, but are not limited to, any extracurricular activity that is not related to the regular classroom, does not occur during class time, is not graded and is not offered for credit. Specifically, for purposes of the 2019-2020 school year the following privileged activities are covered by Board Policy 5127 and related school site rules: dances, rallies, recreational trips, reward trips, fundraising events and graduation/promotion ceremonies or activities. Under Board Policy 5127, the school site may place a student on the "Non-Privilege List." A student who is on the Non-Privilege List may not participate in privileged activities.

Unless other expressly stated in Board Policy 5127, eligibility for and loss of the privilege of participating in District extra-curricular and co-curricular activities is governed by Board Policies 6145 and Administrative Regulation 5127 related school site rules.

Suspensions, Recommendations for Expulsion and Suspended Expulsions

A student who has been suspended shall automatically be placed on the Non-Privilege List and minimally shall not be allowed to participate in privileged activities during the duration of the student's suspension. A student suspended and recommended for expulsion shall automatically be placed on the Non-Privilege List and shall not be allowed to participate in privileged activities during the duration of the student's extended suspension pending an expulsion hearing, until it is determined that the student will/will not be expelled. An expelled student whose expulsion order has been suspended may only participate in privileged activities if expressly permitted to do so by the school of attendance administration.

Failure to Return District Property

A student who fails to return loaned District property when return is due, other than a uniform loaned for participation on a District sports or other team, may be placed on the Non-Privilege List and may not participate in privileged activities until the District property is returned or the student or his/her parents or guardian reimburse the District for the value of the loaned District property.

A student who was loaned a uniform for participation on a District sports or other team, and who fails to return the loaned uniform when return is due, may be denied participation on the subsequent District sports or other team that the student desires to participate on until the student returns the previously loaned uniform or the student or his/her parents or guardian reimburse the District for the value of the loaned District property. Apart from this specific requirement under this regulation, all other terms or requirements for eligibility in District extra-curricular and co-curricular activities is governed by Board Policy 6145.

Failure to Pay a Lawfully Imposed and/or Agreed Upon Financial Obligation

A student who fails to pay a lawfully imposed and/or agreed upon financial obligation may be placed on the Non-Privilege List and may not participate in privileged activities.

Notice of Privilege Revocation

For purposes of the denial of participation in privileged activities based upon a student's suspension or an extended suspension pending expulsion, revocation of the right to participate in privileged activities shall be effective immediately upon the issuance of the suspension.

There is no appeal right under Board Policy 5127 and this regulation with regard to revocation of the participation in privileged activities related to a suspension, extended suspension pending expulsion, or suspended expulsion order. Any challenge to the suspension, extended suspension, or suspended expulsion order underlying a revocation of participation in privileged activities under Board Policy 5127 is governed by the procedures and requirements set forth in Board Policy 5144.1 or school rules.

Prior to denial of a student's participation in privileged activities because of his or her placement on the Non-Privilege List for failure to return District property or failure to pay a lawfully imposed and/or agreed upon financial obligation, the student and his/her parent or guardian shall be made aware of the grounds for such denial by written notice and shall be given an opportunity to respond. The notice must be provided two (2) weeks in advance of the first privileged activity for which the student will be denied participation.

The notice shall provide the student and his/her parent or guardian information regarding the opportunity to meet with the principal in advance of revocation of the student's right to participate in privileged activities. The notice shall also provide the student and his/her parent or guardian information regarding the means whereby he/she may appeal any final decision by the school site principal to revoke the student's ability to participate in privileged activities.

Appeal of Decision to Revoke Privileges

Upon the school site principal's final decision to revoke a student's ability to participate in privileged activities, the student shall have a right to appeal the decision to the District's Area Assistant Superintendent or designee. A student or his/her parent or guardian may request an appeal to the Area Assistant Superintendent or designee by mail or by telephone. Upon receiving a request for an appeal, the Assistant Superintendent of Educational Services or designee shall schedule a meeting within ten (10) school days to meet with the student and his/her parent or guardian regarding the student's appeal.

The purpose of appeal meeting is to discuss the causes, the duration, the school policy involved, and other matters pertinent to the revocation of the student's ability to participation in privileged activities, and to provide the student and his/her parent or guardian an opportunity to explain why such a revocation is improper.

The Area Assistant Superintendent or designee shall provide written notice of his/her decision regarding the student's appeal of the revocation of participation in privileged activities within three (3) school days following the appeal meeting. (Board Policy 5127)

Suspendable and Expellable Offenses

1. 48900(a) Physical Injury/Violence

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person;
- (2) Willfully used force or violence upon the person of another, except in self-defense.

2. 48900(b) Weapons/Dangerous Objects

Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object unless, in the case of possession of an object of this type, the student has obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or the designee of the principal.

Note: Students are considered to be in violation of this provision if they provide prescription and/or nonprescription medications, vitamins, or other potentially harmful substances to others; or whenever they possess or use such substance without having obtained appropriate clearance. (See Section on "HEALTH")

Students are considered to be in violation of this provision if they deliberately or recklessly cause others to come into contact with potentially contaminated body fluids or blood-borne pathogens.

Sunscreen is not considered to be an over-the-counter medication (Education Code 35183.5). Nor is it considered to be an otherwise potentially harmful substance. Pupils may use sunscreen during the school day without a physician's note or prescription, and without permission from school authorities.

Penal code 417.27 prohibits possession of laser pointers on campus or pointers on campus or pointer lasers at another person's eyes, at moving vehicles, or into the eyes of guide dogs.

3. 48900(c) Drugs/Alcohol

Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance, listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

4. 48900(d) Fake Drugs/Alcohol

Unlawfully offered, arranged, or negotiated to sell a controlled substance, listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then 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.

5. 48900(e) Robbery/Extortion

Committed or attempted to commit robbery or extortion.

6. 48900(f) Property Damage

Caused or attempted to cause damage to school property or private property. "School property" includes, but is not limited to, electronic files and databases.

7. 48900(g) Theft

Stolen or attempted to steal school property or private property.

8. 48900(h) Tobacco

Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a student of his or her own prescription products.

9. 48900(i) Profanity/Obscenity

Committed an obscene act or engaged in habitual profanity or vulgarity.

10. 48900(j) Drug Paraphernalia

Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, defined in Section 11014.5 of the Health and Safety Code.

11. 48900(k) Disruption/Defiance

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.

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k)) (cf. 5131.4 - Student Disturbances)

12. 48900(l) Receipt of Stolen Property

Knowingly received stolen school property or private property.

13. 48900(m) Imitation Firearm

Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar to physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

14. 48900(n) Sexual Acts

Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

15. 48900(o) Intimidation of Witness

Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both.

16. 48900(p) Soma

Unlawfully offered, arranged, to sell, negotiated to sell, or sold the prescription drug Soma.

17. 48900(q) Hazing

Engaging in, or attempted to engage in hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

18. 48900(r) Bullying

Engaged in an act of bullying. For purposes of this subdivision, 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.
 - d. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the service, activities, or privileges provided by a school.
2. "Electronic Act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - a. A message, text, sound, or image.
 - b. 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 believe 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.

19. 48900(t) Aiding and Abetting

A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

20. 48900.2 Sexual Harassment

Committed sexual harassment as defined in Section 212.5; The conduct described in Section 212.5 must be considered by 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.

Section 212.5, defines "sexual harassment" as unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature.

21. 48900.3 Hate Violence

Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233.

As used in this section, "hate violence," means any act punishable under Section 422.6, 422.7, or 422.75 of the Penal Code". (Education Code 233)

This section applies to pupils enrolled in grades 4 to 12, inclusive.

Hate violence is the commission of any crime, which is accompanied by an expression of hostility against a person or property or institution because of the victim's real or perceived race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.

Specifically prohibited is the use of force or the threatened use of force to willfully injure, intimidate, interfere with, or oppress any person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state and nation.

22. 48900.4 Intentional Harassment/Intimidation

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 reasonably 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.

This section applies to pupils enrolled in grades 4 to 12, inclusive.

23. 48900.7(a) Terroristic Threats

A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determined that the pupil has made terroristic threats against school officials or school property, or both.

For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$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, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to

the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

State Required Recommendations for Expulsion – 48915(c)

1. Possessing, selling, or otherwise furnishing, a firearm.
2. Brandishing a knife.
3. Unlawfully selling a controlled substance 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 as defined in subdivision (n) of section 48900.
5. Possession of an explosive.

State Mandated Consideration of Expulsion – 48915(a)

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of a controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Dress and Grooming

Board Policy 5132 - Students

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22 - Dress and Grooming) (cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action. (cf. 5144 - Discipline)

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

(cf. 0450 - Comprehensive Safety Plan) (cf. 5136 - Gangs)

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Dress and Grooming

Administrative Regulation 5132 - Students

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day.

(Education Code 35183.5)

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

(cf. 3260 - Fees and Charges)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control.

(Education Code 49066) (cf. 5121 - Grades/Evaluation of Student Achievement)

District-Wide Student Dress Policy

1. Pupils must dress safely. Shoes or footwear must be worn at all times at school or during school activities, excepting when it is clearly appropriate and permitted to go barefoot as when participating in water sports.
2. Pupils must dress appropriately for educational activities in which they will participate so as not to endanger their health, safety, or welfare.
3. Clothing and jewelry shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, obscene, libelous, slanderous, or sexually suggestive. Clothing or jewelry that advocate or depict racial, ethnic, or religious prejudice, or other unlawful acts, or tobacco, drugs, or alcohol are prohibited.
4. Hats, caps, and other head coverings may be worn only outdoors, not inside school facilities, including hallways and foyers, to protect against harmful exposure to the sun. In order to shade the face, head coverings must have brims or bills. Caps or visors must be worn with the bills facing forward, and not to the side or backwards.

As with other clothing, head coverings may not bear any of the following: writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive; depictions of drugs, alcohol or tobacco; or messages that advocate racial, ethnic, gender or religious prejudice.

Hats, caps, or other head coverings may also be worn to protect against inclement weather according to the following guidelines. Whenever the current temperature falls below forty (40) degrees (Fahrenheit), or on rainy days, students may be allowed to wear hooded sweatshirts/coats with hoods pulled up; head coverings specifically designed as rain gear and stocking/knit caps fashioned from yarn. In all other respects, such head coverings shall conform to the restrictions that apply to sun-protective coverings, that is, they may not be worn indoors and they may not bear prohibited designs or inscriptions.

Individual schools may limit this authorization to wear head coverings. They may restrict the use of head coverings to only those, which conform with the color or design requirements specified by the school's administration. Students and parents are advised to consult with the administration at the school of attendance in this regard, prior to purchasing or wearing hats, caps, or other head coverings.

5. Dark glasses shall not be worn in classrooms, offices, or other buildings unless a documented, related health problem exists.
6. Clothes shall be clean so as not to promote unhealthy or unsanitary conditions.
7. Underwear-type sleeveless shirts/blouses, biker shorts, see-through or fabrics that expose the body in a sexually suggestive manner are not acceptable. All shirts/blouses and other upper garments must cover the torso. Bare midriffs, tube tops, or halter-tops are prohibited, including tops or blouses that show midriff when arms are raised above the head. Openings for neck and arms that expose the body in a sexually suggestive manner are not acceptable. Students in grades 7-12 when attending formal dances may wear strapless gowns/dresses.
8. Dresses, skirts, and shorts must be at least mid-thigh length or 5" above the knee whichever is longer in length. Student jeans that have rips cannot expose an area that is more than the length allowed for shorts, skirts or dresses.

9. Pants must be worn with the top around the wearer's waist or hips (NO SAGGING PANTS). Pants may not be worn in such a manner that their bottoms (cuffs) drag along the ground. Pants must be able to stay at the wearer's waist without a belt.
10. Clothing straps must be fastened.
11. Clothing must be worn as its design was traditionally intended.
12. Piercings that create a safety issue are not acceptable.
13. Hair shall be clean and groomed.
14. Attire that may be used as a weapon, as determined by school administration, shall not be worn
15. Pupils shall not display any material or paraphernalia which incites a disruption of the school process or creates a clear and present danger of either the commission of unlawful acts on school premises or the violation of District or school-site policies or rules.
16. Any apparel, hairstyle, cosmetic, accessory, or jewelry, even if not specifically mentioned above, that creates a safety or health concern is prohibited.
17. Every high school and middle school student of this District must have in his/her possession a valid student identification card when on campus or at school functions.

Principals may exempt very young students from certain provisions of this policy, specifically in those instances in which it is clear that the age of the students in question makes a material difference. For example, female students in kindergarten through the primary grades may be permitted to wear tops which are in conformity with community standards, but not necessarily with this policy.

All school staff, including teachers, classroom aides and other classified staff, as well as school administrators are expected by the Board to ensure that this policy is fairly and consistently implemented throughout the district.

Progressive discipline will be imposed for violations of the Dress Code as follows:

1. First Offense: Verbal warning and counseling; documentation of the incident; student will be advised to read thoroughly the dress code as published in the Annual Parent Notifications and Code of Student Conduct. The administrator will ask the student if his/her copy of the referenced publication has been misplaced or lost. If so, a second copy shall be provided.
2. Second Offense: Verbal warning and counseling; parent contact/conference; documentation of the incident; parent and student will be advised to read thoroughly the dress code as published in the Annual Parent Notifications and Code of Student Conduct.
3. Third Offense: Parent contact/conference, documentation of the incident, detention to be served by the student and confiscation, if possible, of the article of clothing or accessory which has resulted in the violation of the policy.
4. Fourth Offense: Parent contact/conference, documentation of the incident, after school detention to be served by the student and confiscation, if possible, of the article of clothing or accessory which has resulted in the violation of the policy.
5. Fifth and Subsequent Offenses: Parent contact/conference, documentation of the incident, one day on campus suspension and confiscation, if possible, the article of clothing or accessory which has resulted in the violation of the policy.

As to each offense, the parent will be notified to bring acceptable clothing or the student will be supplied with a suitable garment from the site, if available.

Confiscation of Clothing and Personal Items Having Gang-Related Inscriptions, Symbols or Markings

The Governing Board has determined that the safety needs of students will be enhanced by the confiscation of clothing and other personal items which bear gang-related symbols, inscriptions, or other markings. Such items will be turned over to the Madera Police Department, which will attempt to obtain parental cooperation in diverting their children from gang involvement. Return of any items so confiscated will be in accordance with the policies and procedures of the Madera Police Department and Board Policy 5145.12.

Electronic Signaling Devices

Board Policy 5131 authorizes students to possess on school campus personal electronic signaling devices including, but not limited to, cellular/digital telephones.

Kindergarten through eighth-grade students inclusive may use such devices only before beginning of the instructional day or after the ending of the instructional day.

Students enrolled in the ninth through the twelfth grades inclusive may use such devices only during non-instructional hours, that is, before and after school and during lunch or other breaks. Passing time is considered to be instructional time and use of electronic signaling devices during passing time is prohibited.

No student may use electronic devices and thereby disrupt the educational program or school activity. Students are not allowed to use electronic devices for illegal or unethical activities such as cheating on assignments or tests.

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

School employees are directed to confiscate electronic signaling devices for use during unauthorized times or for improper use, including but not limited to use which causes disruption, which invades another student's privacy, which compromises the confidentiality of school records, which infringes on copyrights, which enables students to cheat on tests, which facilitates activities in violation of the code of student conduct, or which is illegal.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

Notwithstanding other provisions in this policy, the administration of any district school is authorized to regulate either the possession or use of any selected type of electronic signaling device or the possession or use of all electronic signaling devices. (Education Code 48901.7)

HEALTH

Health and Wellness Policy

Madera Unified School District, as required by the Healthy, Hunger-Free Kids Act of 2010, has adopted a comprehensive School Wellness Policy to support student health and learning. The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students.

The Wellness Policy was developed by the District's Wellness Committee consisting of parents, local health professionals, MUSD trustees, teachers, and administrators. The policy focuses on nutrition education, physical activity, and overall student/staff wellness.

While the policy focuses on promoting student health and wellness, it may impact parents in regards to school parties and events. The policy asks that celebrations involving non-compliant (does not meet the California Nutrition Standards) foods only occur once a month. The policy also encourages parents to provide food items that meet the California Nutrition Standards. The following is language from the policy regarding class parties and celebrations:

"Madera Unified School District seeks to provide the best possible learning environment for our students. We strive to support healthy habits in the daily lives of all children to promote academic achievement.

In order to develop traditions that support healthy behavior, the district asks that parents, teachers, and all district staff to choose ways to celebrate

birthdays so that every child is included, even those whose birthdays fall during school breaks. To that end, Madera Unified School District will:

- Allow celebrations of any kind involving non-compliant food (e.g., birthday, holiday, reward) to only occur once a month per classroom.
- Encourage teachers to abide by the rules and support the use of non-food celebratory activities. The School District Wellness Committee will provide a list of suggestions to schools, principals, and parents.
- Ensure that parties/celebrations involving food are held after the lunch period or performed in conjunction with the Child Nutrition Department.
- Work towards establishing a system where foods and beverages may be provided during school celebrations for purchase through the district's Child Nutrition Department at an affordable price for parents.
- Ensure donations of foods and beverages by an outside party (e.g., parents, pizza parlor, etc.) meet the California Nutrition Standards. Donations must be approved by the Director of Child Nutrition to assure compliance. The Director of Child Nutrition will provide a list of approved foods.
- Encourage school staff and parents/guardians or other volunteers to support the District's wellness goals by providing foods or beverages that meet the California Nutrition Standards when selecting any foods or beverages that may be donated for an occasional class party. (See Competitive Foods and Beverages, Section 3)
- Coordinate classroom messages with the California Nutrition Standards to encourage healthy eating.
- Ensure, for food and allergy safety reasons, that all food brought onto school campus must be prepared in an approved commercial facility, pre-packaged, and pre-wrapped with a label listing ingredients. Foods with minimal ingredients are encouraged.

We thank you for assisting in the health and wellness of our students. The complete Student Wellness Policy and a list of approved food items that meet the California Nutrition Standards can be found on the district website at www.madera.k12.ca.us. The policy should also be available in any of our school offices. Any items related to the policy will be found listed under the Child Nutrition Department.

Smoking and secondhand smoke pose a significant health risk. Smoking or use of any tobacco-related products and disposal of any tobacco-related waste is prohibited within 25 feet of a school playground. (HSC 104495)

Mental Health Services

Students from time-to-time can benefit from receiving supports through behavioral health. In the local community, there are two different resources, who provide services for students and their families. Those agencies are the Madera County Behavioral Health located at 209 E. 7th Street in Madera (559) 673-3508 or Camarena Health Center located at 124 S. A Street in Madera (559) 664-4000. For more information on these services, please see your child's counselor at their school site.

Accident or Illness

First aid is administered in the event of minor injuries to pupils. Attempts will be made to locate a parent or guardian for a major illness or injury; therefore, it is critical that the emergency contact information be kept as current as possible. If a parent, guardian, or emergency contact cannot be located, it may be necessary to call for emergency medical services for treatment or transportation at parent/guardian expense.

Crutches, wheelchairs and other devices require a doctor's prescription indicating directions for use and that the student has been educated to use the device.

Injuries and illnesses occurring at home should be cared for at home. Upon student's return to school parents are to provide documentation from healthcare providers indicating any limitations or special considerations/equipment necessary to the student's continued care at school.

Automated External Defibrillators (AED)

Automated external defibrillators (AED) are in place at Madera Unified School District school sites. Trained employees are available to respond to an emergency that may involve the use of an AED during the hours of classroom instruction.