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Book	BOARD POLICIES / ADMINISTRATIVE REGULATIONS
Section	5000 STUDENTS
Title	Discipline
Code	5144 BP
Status	Active
Adopted	March 11, 2004
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EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Policy: Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment, which is conducive to student learning and to preparing 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 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. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall design 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.

The District's goal is to establish and sustain healthy and safe school cultures through relationship-centered practices to keep students engaged in their learning environment. The District is committed to nondiscrimination in administering behavior intervention strategies (including discipline), and to treating all students fairly and impartially in the administration of discipline, without regard to a student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics.

Maintaining the safety of students and staff and keeping students in the classroom learning shall be District priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate interventions and behavior responses. To the maximum extent possible, the District will adopt and implement student discipline policies and procedures that: provide other means of correction (including, but not limited to: counselor, psychologist, and social worker referrals; parent and/or guardian conferences; restorative justice; and positive behavior supports with tiered interventions) and use exclusionary discipline only when it has been documented that other means of correction have been attempted and failed to bring about proper conduct and it is the only means of stopping student misbehavior from substantially interfering with the delivery of educational instruction to others or where it is necessary due to the student's presence causing an continuing danger to students or staff, and it is consistent with federal and state law. 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.

The District is committed to working with students who exhibit inappropriate behavior to maximize student engagement in the District's educational program and ensure access to every opportunity to reach their educational potential.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies 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.

Behavior intervention measures that may result in loss of instructional time or cause students to be disengaged from school, such as, suspension, involuntary discipline transfer, and expulsion, shall be imposed only when required by law or 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)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay 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 uniform behavior response 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 consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school uniform behavior response rules for consistency with Board policy and state law. Site-level uniform behavior response rules shall be included in the district's comprehensive safety plan. (*Education Code 35291.5, 32282*)

The uniform behavior response matrix and site-specific rules shall:

1. include a list of minor inappropriate behaviors for which suspension or expulsion should never be used, and a list of minor and inappropriate behaviors that warrant instructional interventions rather than exclusionary consequences;
2. eliminate, to the maximum extent possible, vague, subjective, and redundant misbehavior categories, including by clearly defining terms like willful defiance, disruption, and disrespect;
3. include definitions of misconduct that are clearly defined, uniform, and objective to the maximum extent possible and that clearly distinguish between similar acts, (e.g., fighting and physical aggression);
4. describe a menu of tiered interventions and consequences that are aligned with the seriousness of the inappropriate behavior and that may be imposed for each infraction, as well as objective criteria for staff to use when selecting a particular response/consequence from the menu and when applying progressive behavior responses
5. adopt an ongoing district and site review process to ensure more consistent implementation of, and nondiscrimination in, student discipline; and
6. provide clear, objective criteria for the use of involuntary and administrative discipline transfers that incorporate appropriate due process, and delineate the process, objective criteria, and timelines for transferred students to return to their home school.

The Superintendent or designee shall develop a process that seeks to successfully reintegrate students within the School community who have been suspended, expelled, transferred, or excluded, or who return from alternative disciplinary placements, including through the provision of counseling, tutoring or other additional educational services to permit the student to make up lost classroom time. The process shall include clear, objective criteria for the return of such students to their home school or to another comprehensive school in the district.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 9320 - Meetings and Notices)

School sites will implement the use of positive and proactive behavior strategies (e.g., actively teaching and reteaching expectations, student reinforcement for demonstrating expected behaviors, and school-wide recognition systems specifically for following school expectations) on all school campuses, including alternate placement settings. Personnel at each campus within the district will teach or revisit district and campus-wide expectations with students and staff at least annually. The district shall annually provide trainings on social emotional learning and/or positive proactive behavior strategies for newly hired employees who have assigned contact time with students.

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. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the behavior intervention strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 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 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 each school year, the Superintendent or designee shall report to the Board regarding behavior intervention strategies used in district schools in the immediately preceding school year and their effect on student learning and the opportunity/achievement gap. This report shall include discipline data and the number of days of lost instruction due to discipline removals, disaggregated by race, national origin, gender, disability, free or reduced lunch, attendance, grade point average, credits earned and English Language Learner (ELL) status. The district will also publicly report online, such disaggregated discipline data while protecting the privacy in individual student data.

The district is committed to identifying strengths and addressing improvements in the operations of our school through the continuous use of data, including discipline data, as an effort to honor each component of our mission. In addition to the annual reporting described above, the district and each school site will also review on an ongoing and at least monthly basis, its discipline data disaggregated by race/national origin, gender, disability, free or reduced price lunch, foster youth, average grade point average (GPA), attendance, credits earned, and ELL status to help assess whether the district is implementing its student behavior intervention policies, practices and procedures in a nondiscriminatory, equitable manner. Each site Administrative Team and/or the designee will also convene each site principal and multidisciplinary site team at the conclusion of each semester to discuss the data referenced herein, assist the site team with understanding, analyzing and using the data, and assess their school's progress toward ensuring nondiscriminatory equal treatment in behavior responses. At the end of each semester, the principal and multidisciplinary site team at each school in the district will also meet with the administrators, teachers, and school aides, school security officers, and any other District or site staff who supervise students, make behavior referrals, and/or impose behavior consequences at their school to provide a training on the District's UBR and non-discrimination obligations, and discuss the data gathered and analyzed, and the school's progress with respect to ensuring nondiscriminatory equal treatment in behavior intervention strategies, including areas of strength and areas of needed improvement. Each semester, each site team shall identify at least one goal specific to enhancing equitable school behavior intervention strategies.

Legal Reference:

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 and 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

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

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>

California Department of Education: <http://www.cde.ca.gov>

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

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

Adopted: 03/11/04

Amended: 09/18/08; 11/16/17; 05/19/22

Legal

[Civil Code](#)

[Code of Regulations, Title 5](#)

[Education Code](#)

Cross References

6159.4 - Behavioral Interventions for Special Education Students

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

5138 - Conflict Resolution/Peer Mediation

[0410 - Nondiscrimination in District Programs and Activities](#)

[0450 - Comprehensive Safety Plan](#)

[0460 - Local Control and Accountability Plan](#)

[3100 - Budget](#)

[4131 - Professional Development](#)

[4231 - Staff Development](#)

[4331 - Professional Development](#)

[5020 - Parents Rights and Responsibilities](#)

[5131 - Conduct](#)

[5131.1 - Bus Conduct](#)

[5131.2 - Bullying](#)

[5137 - Positive School Climate](#)

[5144.1 - Suspension and Expulsion / Due Process](#)

[5145.3 - Nondiscrimination / Harassment](#)

[5145.7 - Sexual Harassment](#)

[5145.9 - Hate-Motivated Behavior](#)

[6020 - Parent Involvement](#)

[6164.5 - Student Success Teams](#)

[9320 - Meetings and Notices](#)



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Book	BOARD POLICIES / ADMINISTRATIVE REGULATIONS
Section	5000 STUDENTS
Title	Suspension and Expulsion / Due Process
Code	5144.1 BP
Status	Active
Adopted	March 11, 2004
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Prior Revised Dates	Adopted: 03/11/04 Amended: 09/18/08; 11/16/17; 05/19/22



EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Policy: Suspension and Expulsion / Due Process

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the processes and procedures for addressing student behavior, including suspension and/or expulsion. The district recognizes that providing appropriate due process for students in administering behavior responses including suspension and expulsion is an important mechanism to help ensure nondiscrimination equal treatment of all students.

The district's goal is to establish and sustain healthy and safe school cultures through relationship-centered practices to keep students engaged in their learning environment. The district is committed to nondiscrimination in administering behavior intervention strategies (including discipline), and to treating all students fairly and impartially in the administration of discipline, without regard to a student's actual or perceived race, color, ancestry,

national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics.

Maintaining the safety of students and staff and keeping students in the classroom learning shall be District priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate interventions and behavior responses. To the maximum extent possible, the District will adopt and implement student discipline policies and procedures that: use exclusionary discipline only when it has been documented that other means of correction have been attempted and failed to bring about proper conduct and it is the only means of stopping student misbehavior from substantially interfering with the delivery of educational instruction to others or where it is necessary due to the student's presence causing a continuing danger to students or staff, and it is consistent with federal and state law. 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.

The district is committed to working with students who exhibit inappropriate behavior to ensure that students remain engaged in the district's educational program and ensure access to every opportunity to reach their educational potential. The district will develop and annually update a School-Based Supports Plan (Plan) to identify students who are at-risk and who engage in repeated or serious behavior incidents, assess their academic and behavioral needs, and provide appropriate supports, to prevent further behavior incidents, such as through the use of tiered interventions, functional behavioral or similar assessments, and positive behavior interventions. The district will present this Plan to the Board annually.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following:
(Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school.
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion and any other discipline of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

The district will provide annual discipline training to all district teachers, administrators, and school aides, school security officers, and any other district or site staff who supervise students, make discipline referrals, and/or impose discipline sanctions to help ensure a consistent, fair and nondiscriminatory approach to student behavior. The training will include:

1. the district's goals to a) keep students in the classroom, learning; b) ensure fair, consistent, and equitable implementation of research-based alternatives to exclusion; and c) use exclusionary discipline only when it has been documented that other means of correction have been attempted and failed to bring about proper conduct and it is the only means of stopping student misbehavior from substantially interfering with the delivery of educational instruction to others or where it is

- necessary due to the student's presence causing a continuing danger to students or staff, and it is consistent with federal and state law;
2. detailed explanations of the discipline policy; the interventions and supports to be documented and that have been attempted and have not been successful prior to exclusionary discipline; the specific manner in which progressive disciplinary consequences will be employed if applicable; and the documentation that must be developed and maintained by all staff who make disciplinary referrals or impose disciplinary sanctions;
 3. the district's system for collecting, maintaining and analyzing data on student discipline;
 4. how to administer discipline fairly and equally, to ensure nondiscrimination in discipline by eliminating any bias (explicit or implicit) in discipline decision-making;
 5. the value of recognizing and reinforcing positive student behavior, and the importance of addressing misbehavior in a manner that, to the maximum extent possible, does not remove students from the class and educational program; and,
 6. policies and procedures for identifying students with LEP parents/guardians, and providing oral interpretation and written translation of discipline information.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, suspension shall be used only when it has been documented that other means of correction have been attempted and have failed to bring about proper conduct and the student's presence causes a continuing danger to students or staff, or when it is the only means of stopping student misbehavior from substantially interfering with the delivery of educational instruction to others. (*Education Code 48900.5, 48900.6*)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior to discuss district and community resources available to support the student.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities, including for missing detention or other consequences for tardiness or truancy.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

The Superintendent or designee shall develop a process that seeks to successfully reintegrate students within the School community who have been suspended, expelled, transferred, or excluded, or who return from alternative disciplinary placements, including through the provision of counseling, tutoring or other additional educational services to permit the student to make up lost classroom time.

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when the school has documented the specific other means of correction that have been attempted and that have failed to bring about proper conduct. (*Education Code 48900.5*)

Authority to Expel

A student may be expelled only by the Board. (*Education Code 48918(j)*)

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (*Education Code 48915*)

1. Possessing a firearm, which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(*cf. 5131.7 - Weapons and Dangerous Instruments*)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. In such cases, the Superintendent or Principal shall only recommend expulsion when it has been documented that other means of correction have been attempted, documented, and have failed to bring about proper conduct and it is the only means of stopping student misbehavior from substantially interfering with the delivery of educational instruction to others, or where it is necessary because the student's presence causes a continuing danger to students or staff, and it is consistent with federal and state law. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (*Education Code 48915(b) and (e)*)

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in a public session.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (*Education Code 48917*)

No student shall be suspended or expelled for disruption or willful defiance. (*Education Code 48900*)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (*Education Code 48911, 48915, 48915.5, 48918*)

(*cf. 5119 - Students Expelled from Other Districts*)

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. Consistent with BP 5144, this report shall also include the number of days of lost instruction due to expulsions, disaggregated as described above.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, racial/ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan. The district will publicly report online, such disaggregated data while protecting the privacy in individual student data.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property
 243.4 Sexual battery
 245 Assault with deadly weapon
 245.6 Hazing
 261 Rape defined
 266c Unlawful sexual intercourse
 286 Sodomy defined
 288 Lewd or lascivious acts with child under age 14
 288a Oral copulation
 289 Penetration of genital or anal openings
 417.27 Laser pointers
 422.55 Hate crime defined
 422.6 Interference with exercise of civil rights
 422.7 Aggravating factors for punishment
 422.75 Enhanced penalties for hate crimes
 626.2 Entry upon campus after written notice of suspension or dismissal without permission
 626.9 Gun-Free School Zone Act of 1995
 626.10 Dirks, daggers, knives, razors, or stun guns
 868.5 Supporting person; attendance during testimony of witness
 WELFARE AND INSTITUTIONS CODE
 729.6 Counseling
 UNITED STATES CODE, TITLE 18
 921 Definitions, firearm
 UNITED STATES CODE, TITLE 20
 1415(K) Placement in alternative educational setting
 7151 Gun-free schools
 UNITED STATES CODE, TITLE 42
 11432-11435 Education of homeless children and youths
 COURT DECISIONS
 T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
 Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
 Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
 Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807
 Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
 John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
 ATTORNEY GENERAL OPINIONS
 84 Ops.Cal.Atty.Gen. 146 (2001)
 80 Ops.Cal.Atty.Gen. 348 (1997)
 80 Ops.Cal.Atty.Gen. 91 (1997)
 80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

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

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>

California Attorney General's Office: <http://www.oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/about/offices/list/osdfs>

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Legal

[Attorney General Opinions](#)

[Civil Code](#)

[Code of Civil Procedure](#)

[Court Decisions](#)

[Education Code](#)

[Government Code](#)

[Health & Safety Code](#)

[Labor Code](#)

[Penal Code](#)

[United States Code](#)

[Welfare & Institutions Code](#)

Cross References

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

5138 - Conflict Resolution/Peer Mediation

[0410 - Nondiscrimination in District Programs and Activities](#)

[0460 - Local Control and Accountability Plan](#)

[1020 - Youth Services](#)

[5112.5 - Closed Campus](#)

[5113 - Absences and Excuses](#)

[5113.1 - Chronic Absence And Truancy](#)

[5119 - Students Expelled from Other Districts](#)

[5131 - Conduct](#)

[5131.1 - Bus Conduct](#)

[5131.2 - Bullying](#)

[5131.7 - Dangerous or Annoying Instruments](#)

[5144 - Discipline](#)

[6142.4 - Service Learning/Community Service Classes](#)

[6164.2 - Guidance/Counseling Services](#)

[6164.5 - Student Success Teams](#)