

## **Mandatory Suspension Board Policy – 5144.10**

BRIDGES School Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on school sponsored field trips.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety of all students. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, and the use of alternative educational environments, suspension and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notices shall state that these Policy and Administrative Procedures are available on request at the Director of Education's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act (IDEA) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (Section 504) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504 of the

Disabilities Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990 and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in accordance with due process to such students.

### Administrative Procedures For Pupil Suspension And Expulsion

#### A. Definitions (as used in this policy)

1. "Board" means governing body of the Charter School.
2. "Expulsion" means disenrollment from the Charter School.
3. "School day" means a day upon which the Charter School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
  - a. Reassignment to another education program or class at the charter school where the pupil will receive continuing instruction for the length of day prescribed by the Charter School Board for pupils of the same grade level.
  - b. Referral to a certificated employee designated by the Director to advise pupils.
  - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Director or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other Representative.
6. "School" means the Charter School.

#### DISCIPLINE (Education Code, Sections 48900-48926)

A pupil will be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited, to any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school
- (3) During the lunch period, whether on or off the campus.
- (4) During, or while going to or coming from, a school sponsored activity.

## CAUSES FOR MANDATORY HOME SUSPENSION ON FIRST OFFENSE

DEPENDING ON THE SERIOUSNESS OF THE ACT AND THE STUDENT'S EDUCATIONAL HISTORY, THE STUDENT MAY BE RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPELLED ON THE FIRST OR SUCCEEDING OFFENSES.

POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE OR INTOXICANT OF ANY KIND. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in Section 11053 of the Health and Safety Code) (E.C. 48915 and E.C. 48900(c))

1<sup>st</sup> Offense (marijuana/alcohol): Five (5) day suspension and notification of appropriate law enforcement agency Pupil may be assigned to substance abuse counseling program. Expulsion/Danger Hearing may be required, if program is violated or student will be referred to 2<sup>nd</sup> offense step.

2<sup>nd</sup> Offense (marijuana/alcohol): Five (5) day suspension. Mandatory enrollment in substance abuse program.

3<sup>rd</sup> Offense (marijuana/alcohol): Five (5) day suspension and mandatory recommendation for expulsion. Appropriate referral to counseling.

Note: Student will be excluded from extra-curricular activities for forty school days.

Note: Students appearing at school functions and having consumed or having in their possession alcoholic beverages or drugs may be handled by police action (Penal Code Section 647) (Health and Safety Code Section 11550)

Note: Students who voluntarily seek assistance for substance abuse will not suffer academic consequences; however, extra-curricular activity eligibility will follow CIF regulations. A student who asks for help in order to avoid possible expulsion or transfer to an alternative site will not be allowed. The assistance being sought must be legitimate as determined by a site administrator, by a Danger Hearing Panel, or administrative Hearing Panel.

Note: Administrative Panel Hearing may alter recommendation based on evidence and procedural requirements (E.C. 48915). School Board may alter recommendations based on evidence and procedural requirements (E.C. 48915).

UNLAWFULLY POSSESSING OR UNLAWFULLY OFFERING, ARRANGING, OR NEGOTIATING TO SELL ANY DRUG PARAPHERNALIA, as defined in Section 11014.5 of the Health and Safety Code (E.C. 48900(j))

1<sup>st</sup> Offense: Five (5) day suspension and notification of appropriate law enforcement agency. Referral to appropriate counseling services. CIF sanctions will be applicable.

Note: If the student completes district-approved intervention program ineligibility for extra-curricular activities would then be reduced to ten (10) school weeks to five (5) school weeks.

2<sup>nd</sup> Offense: Five (5) day suspension, transfer to alternative education site, notification of appropriate law enforcement agency. Referral to appropriate counseling.

3<sup>rd</sup> Offense: Five (5) day suspension, recommendation for expulsion and notification of law enforcement agency.

Note: Student will be excluded from extra-curricular activities for forty school days.

Note: Administrative Panel Hearing may alter recommendation based on evidence and procedural requirements (E.C. 48915). School Board may alter recommendations based on evidence and procedural requirements (E.C. 48915).

Note: Students who voluntarily seek assistance for any substance abuse problem will not suffer academic consequences; however, extra-curricular activity eligibility will follow CIF regulations. A student who asks for help in order to avoid possible expulsion or transfer to an alternative site will not be granted this exemption. The assistance being sought must be legitimate as determined by a site administrator, by a Danger Hearing Panel, Administrative Hearing Panel, District Level Administrator, or Board of Education.

FIRE-SETTING OR ATTEMPTED FIRE SETTING including the activation of false alarms or tampering with emergency equipment. (Penal Code Section 447, 455 and 148.4) (E.C. 48900(k))

1<sup>st</sup> Offense: Three (3) day suspension and referral to counseling services.

2<sup>nd</sup> Offense: Five (5) day suspension, transfer to alternative education. Threat evaluation should be conducted.

3<sup>rd</sup> Offense: Five (5) day suspension, recommendation for expulsion. Threat evaluation should be conducted.

Note: Fire-setting of any nature may lead to recommendation for alternative education program or expulsion on the first offense. Fire-setting is never considered to be a prank. The burning of trash cans can lead to immediate and serious consequences. Assessment for the potential of continued violence should be conducted.

WILLFUL DEFIANCE OR DISRUPTION OF THE SCHOOL, OR INTERFERING WITH THE PEACEFUL CONDUCT OF THE ACTIVITIES OF THE SCHOOL (Penal Code Section 148.1)

(E.C. 48900(k)) in example, trespassing school grounds while suspended from campus. Individual class disruptions while problematic should, at first, be handled by other less drastic measures.

1<sup>st</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services should be made. Threat evaluation should be conducted.

2<sup>nd</sup> Offense: Five (5) day suspension, recommendation for expulsion. Mandatory removal from campus. Assessment for the potential of continued violence should be made.

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. (E.C. 48900(o))

1<sup>st</sup> Offense: Five (5) day suspension and possible recommendation for expulsion. Referral to appropriate counseling services. Threat evaluation should be conducted.

Note: Referrals to appropriate counseling services should also be made for the victim.

When “suspension” is indicated, the site administrator will determine whether the consequence should include, but not be limited to, home suspension/in-school suspension/Saturday School/intervention group/detention/community service. Community service may include, but is not limited to, work performed on school grounds during non-school hours in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs. (E.C. 48900.6)

Law enforcement agencies may be notified at the discretion of the administration.

If the nature of the offense makes an alternative education placement or expulsion recommendation appropriate, the student will be suspended five days for the infraction. A Danger Hearing will then be scheduled.

Students may be suspended on the first offense if it is determined that the pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process. (E.C. 48900.5)

CAUSING, ATTEMPTING, OR THREATENING TO CAUSE PHYSICAL INJURY OR WILLFULLY USING FORCE OR VIOLENCE UPON ANOTHER PERSON, except in self-defense. (E.C. 48900(a)(1) and 48900(a)(2))

Verbal - 1<sup>st</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services.

Physical – 1<sup>st</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services.

2<sup>nd</sup> Offense: Five (5) day suspension and recommendation for alternative education program. Referral to appropriate counseling services. Threat evaluation should be conducted.

3rd Offense: Five (5) day suspension, recommendation for expulsion. Threat evaluation should be conducted.

Note: If a student caused serious physical injury (as defined in Penal Code Section 243) to another person, except in self-defense, the principal must recommend expulsion or report in writing to the Director who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915)

Note: Referrals to appropriate counseling services should also be made for the victim.

CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY: Cutting defacing, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Penal Code Section 594) (E.C. 48900(f))

1<sup>st</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services. *Damages in excess of \$500 will result in enforcement of Step #4 immediately.*

2<sup>nd</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services. Threat evaluation should be conducted.

3<sup>rd</sup> Offense: Five (5) day suspension and recommendation of expulsion hearing. Referral to appropriate counseling services. Threat evaluation should be conducted.

Note: Parent/guardian will be held responsible for damage to school district property. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardians of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage. (E.C. 48904)

THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT) ANY OTHER PERSON (E.C. 48900(a) and/or 48900(k)) (E.C. 48900.2) (E.C. 48900.4) Possible removal from campus or separation of student.

1<sup>st</sup> Offense: Warning to student and/or other alternative consequences Referral to appropriate counseling services. Threat evaluation should be conducted.

2<sup>nd</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services. Threat evaluation should be conducted.

3<sup>rd</sup> Offense: Five (5) day suspension, recommendation for expulsion. Threat evaluation should be conducted.

Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints. (AR 5145.7)

Note: Referrals to appropriate counseling services should also be made for the victim.

ENGAGING IN, OR HAVING ANY PART IN HAZING or committing any act that injures, degrades, or disgraces any other person attending school. Causing, attempting to cause, threatening to cause or participating in an act of hate violence. (E.C. Section 32050-52) (E.C. Section 33032.5) (E.C. 48900(a) and/or 48900(k)) (E.C. 48900.3)

1<sup>st</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services. Assessment for potential or continued violence should be conducted.

2<sup>nd</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services. Assessment for potential or continued violence should be conducted.

3<sup>rd</sup> Offense: Five (5) day suspension. Transfer to alternative education. Threat evaluation should be conducted.

4<sup>th</sup> Offense: Five (5) day suspension, recommendation for expulsion. Threat evaluation should be conducted.

Note: Referrals to appropriate counseling services should also be made for the victim.

STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY  
(E.C. 48900(g)) *Theft of property valued in excess of \$500 will result in automatic enforcement of Step 4.*

1<sup>st</sup> Offense: Three (3) day suspension. Referral to appropriate counseling.

2<sup>nd</sup> Offense: Five (5) day suspension. Referral to appropriate counseling.

3<sup>rd</sup> Offense: Five (5) day suspension. Transfer to alternative education program.

4<sup>th</sup> Offense: Five (5) day suspension, recommendation for expulsion. Threat evaluation should be conducted.

KNOWINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY (E.C. 48900(1))

*Receiving stolen property valued in excess of \$500 will result in automatic enforcement of Step 3.*

1<sup>st</sup> Offense: Three (3) day suspension

2<sup>nd</sup> Offense: Five (5) day suspension

3<sup>rd</sup> Offense: Five (5) day suspension and recommendation for expulsion

ANY ACT OF DEFIANCE OR DISOBEDIENCE either in language or in action against school personnel, refusing to comply with the reasonable requests or orders of school personnel. (E.C. 48900(k))

1<sup>st</sup> Offense: Warning to student and/or alternative consequences. Referral to appropriate counseling services.

2<sup>nd</sup> Offense: Three (3) suspension. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension and/or possible recommendation for expulsion.

COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY, INCLUDING RACIAL/ETHNIC SLURS either verbally or in writing. (E.C. 48900(i))

1<sup>st</sup> Offense: Warning to student and/or alternative consequences. Referral to appropriate counseling services.

2<sup>nd</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services.

Note: Any act committed against school staff would warrant consequences starting at Step 2.

A student will be suspended on the first offense for five (5) days if such behavior disrupts school activities; (E.C. 48900(k) threatens to disrupt the instructional process, or causes a danger to persons or property (E.C. 48900.5)

POSSESSING ANY OBJECTS ON CAMPUS WHICH COULD BE CONSIDERED DANGEROUS OBJECTS (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) if the principal deems expulsion inappropriate. (E.C. 48900(b))

Note: Toy guns (imitation) are considered objects of a dangerous nature.



Note: Laser pointers are considered a dangerous object.

Note: Principal must report in writing to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915)

1<sup>st</sup> Offense: Warning to student. Notification of parent and/or other alternative consequences.

2<sup>nd</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension. Referral to appropriate counseling services.

FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE, PASSES OR RE-ADMIT SLIPS (E.C. 48900(k))

1<sup>st</sup> Offense: Warning to student and/or other alternative consequences.

2<sup>nd</sup> Offense: Three (3) day suspension. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension and recommendation for expulsion.

VIOLATING THE COMPUTER AND NETWORK ELECTRONIC INFORMATION POLICY (E.C. 48900(k))

1<sup>st</sup> Offense: Warning to student and/or loss of network and computer use.

2<sup>nd</sup> Offense: Three (3) day suspension and loss of network and computer use. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension and/or possible recommendation for expulsion.

TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT or belongings of any other person. (E.C. 48900(k))

1<sup>st</sup> Offense: Warning to student and/or alternative consequences.

2<sup>nd</sup> Offense: One (1) – three (3) day suspension. Referral to appropriate counseling services.

3<sup>rd</sup> Offense: Five (5) day suspension and possible recommendation for alternative education program. Referral to appropriate counseling services.

