



JACOBY CREEK  
**PANTHERS**

**Handbook for  
Students & Parents  
2016-2017**

Make Good Choices

Be Safe \* Be Respectful \* Be Responsible

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# Welcome from the Superintendent and Principal!

August 24, 2016

Dear Students and Families,

Welcome to Jacoby Creek School! As Jacoby Creek School's superintendent and principal, we are looking forward to a school year filled with learning, growing, and having fun. We also look forward to communicating with students and families about how to provide the best educational experience possible for students. Please stop by our office at any time to share your suggestions, concerns, and aspirations for your children and their education. Our door is always open!

The Student and Parent Handbook serves as a reference manual that describes programs, schedules, policies, and general information about our school. Please do not hesitate to contact the school if you have any questions after reading the handbook.

Families are strongly encouraged to participate in their child's education at JCS. The School Site Council, Local Control Accountability Plan (LCAP) Parent Advisory Board, Jacoby Creek Children's Educational Foundation, PTO, and our classroom volunteer programs provide opportunities for families and community members to be involved with the school and to support student learning. Your involvement is encouraged and greatly appreciated.

The staff at Jacoby Creek School constantly strives to ensure that we provide students with a well-rounded and outstanding education. Jacoby Creek has been recognized four times as a California Distinguished School and twice as a National Blue Ribbon School. While working toward academic excellence, we strive to teach students to be kind, productive, and considerate citizens. We are proud of the many successes that our students demonstrate while attending Jacoby Creek School and after they move forward with their education.

We are looking forward to a great school year at Jacoby Creek School.

Sincerely,

*Tim Parisi and Melanie Nannizzi*

Tim Parisi and Melanie Nannizzi  
Superintendent and Principal

# General Information

Jacoby Creek School  
1617 Old Arcata Road  
Bayside, CA 95524-9324

Telephone: (707) 822-4896  
Fax: (707) 822-4898  
**Voicemail: (707) 633-9090**

Average Enrollment: 450

Average Class Size: 24 students

**Please use our voicemail number, (707) 633-9090 to leave attendance and other non-urgent messages. Voicemail is checked many times daily.**

**The 822-4896 number does not have a voicemail option.**

<b>Board of Trustees</b>	<b>Phone #</b>	<b>Term Expires</b>
Brenna Goodman	(707) 496-4400	11/17
Shari Lovett, President	(707) 822-0203	11/17
Tuan Luu	(707) 822-5225	11/19
Kris Sundeen	(707) 498-4429	11/17
J.R. Renteria	(707) 822-0652	11/19

## Administration

Superintendent: Tim Parisi.....superintendent@jcsk8.org  
Principal: Melanie Nannizzi.....mnannizzi@jcsk8.org

## Teachers/Programs

Mary Dominick... Transitional Kindergarten	Jenney Bickel ..... Reading Specialist
Pamela Ritter..... Kindergarten	Christine Goddard ..... Resource Specialist
Thomas FitzMaurice ..... Kindergarten	Janet Beckstead..... Vocal Music Specialist
Sarah McDowall ..... First	Laura Arrington..... Instrumental Music/Choir
Rachael Hatchett ..... First	Nathan Cuny..... Speech Therapist
Angie Dean ..... Second	Audrey Shears..... School Counselor
Patty Long ..... Second	Valerie Bourne..... Drama and Counseling Support
Catherine Girard..... Third	Laurie Griffith..... Physical Education
Holly Couling..... Third	Brandy Rose..... Spanish
Sonya Jackson..... Fourth	Davita McGoldrick..... Athletic Director
Heidi Walsh..... Fourth	Colleen Bryie..... Activity Center Director
Bill Trewartha..... Fifth	Keith Mack..... Technology Coordinator
Margaret Nugent..... Fifth	John Moore..... Maintenance
Nick Dedini ..... Sixth	Joel Fonner..... Maintenance
Megan Day..... Sixth	Karen Roberts..... Secretary to the Superintendent
Mark Barsanti..... 7/8 <sup>th</sup> Math	Cathryn Babinski..... School Office Technician
Kirk Goddard ..... 7/8 <sup>th</sup> Social Studies	Marci Barker..... Library Clerk
Sarah Holmes ..... 7/8 <sup>th</sup> Language Arts	Kari Momoa..... Lunch Aide
Diana Skiles ..... 7/8 <sup>th</sup> Science	

## Emailing Us

Jacoby Creek school staff members are all accessible by email. Email addresses are the person's first initial followed by their last name @jcsk8.org. For example:  
Melanie Nannizzi's email is: mnannizzi@jcsk8.org

## Jacoby Creek School Mission

The mission of Jacoby Creek School District in partnership with the parents and the community is to provide, in a structured, safe, and supportive atmosphere, a high quality program of academic instruction which meets the needs of all students and equips them with skills necessary for success in the homes, workplaces, and communities of today and tomorrow.

The district will also strive to develop the qualities of good character, self-discipline, and responsible citizenship in our students. We will encourage them to pursue excellence and embrace new challenges without fear of failure. Above all, we will nurture and encourage each student's respect of self and the needs and rights of others.

## School Schedule

Teachers are at school from 8:00 a.m. to 3:45 p.m. unless participating in district approved activities. Children who walk or ride bikes are asked to arrive no earlier than 7:45 a.m. All children should go directly home at the conclusion of school unless they are attending special events immediately after school, our After School Activity Center, After School Enrichment program, or where special arrangements have been made by parents or teachers. All students must be in a supervised activity after school hours.

### *Kindergarten*

8:25 School begins  
10:15 - 10:45 Recess  
11:35 - 12:15 Recess  
2:15 Dismissal

### *Grades 4-6*

8:25 School begins  
9:55 - 10:15 Recess  
11:55 - 12:35 Lunch  
3:00 Dismissal

### *Grades 1-3*

8:25 School begins  
9:30 - 9:50 Recess  
11:25 - 12:05 Lunch  
2:15 Dismissal

### *Grades 7-8*

8:25 School begins  
10:15 - 10:30 Recess  
12:20 - 1:00 Lunch  
3:00 Dismissal

## School Colors and Mascot

Our mascot is the PANTHER and the school colors are ORANGE and BLACK. We encourage both a sense of pride and spirit in Jacoby Creek School.

## Attendance

As with all public schools in California, the amount of state monetary support the school receives is based upon school attendance. It is essential then that accurate records be kept at school. State law requires that a note be sent to the classroom teacher or a call made to the office secretary, detailing the reason for a school absence. Please send notes or make calls as soon as possible so that accurate records can be kept. The absences for health, medical, or dental reasons are legally accepted excuses. Students absent or more than 30 minutes tardy without a valid excuse are unexcused and are considered truant.

Students are not allowed to leave the school during the day unless they bring a note of valid excuse from their parent. An adult coming to school to pick up a child must first report to the school office to sign the student out.

**School Attendance Review Board:** The School Attendance Review Board is a group of school and community members who meet regularly to discuss and provide solutions for students who experience attendance problems. The parents of students are notified by mail of a truancy problem. Parents and students can be asked to appear before a S.A.R.B. board after 10 truant days are on record.

**Appointments:** When medical appointments can be made for the later afternoon hours, there is much less interruption in the student instructional day. Most medical offices can arrange later afternoon appointments, and we appreciate the efforts of parents who will schedule accordingly.

**Late Arrivals:** In most cases there are no valid excuses for tardiness. Students are expected to be in their seats by 8:30 a.m. When students are tardy they miss important introductions and instruction and can be disruptive to the start of the day in the classroom. Students more than 1/2 hour late for school without a valid excuse are considered truant.

**Independent Study:** When students absolutely must be away from school for five or more days without one of the valid excuses listed below as stated by the Education Code, an Independent Study Form should be used. The form must be completed by the student, parent, and teacher before the day of absence. Several days' lead time to prepare these contracts would be appreciated. Use of the form is limited and without an Independent Study Contract, days of absence are days of truancy.

Valid Excuse Days are:

1. Illness or quarantine
2. Medical, dental, or eye doctor appointments
3. The funeral of an immediate family member
4. Court appearance

**Home Instruction:** The district will provide home teachers for students who are confined due to illness for extended periods of time.

## Parent Conference - Report Cards

Three times during the year the school provides parents with a detailed progress report for all students. The schedule will look like the following:

**END OF FIRST TRIMESTER:** Report cards are given and discussed with parents at scheduled conferences. Dismissal will be at 1:15 p.m. for all grades.

**END OF SECOND TRIMESTER:** Report cards are given and discussed with parents at scheduled conferences. Dismissal will be at 1:15 p.m. for all grades.

**END OF THIRD TRIMESTER:** Report cards will be sent home on the last day of school in June.

**EARLY SUCCESS CONFERENCES:** If your child's teacher finds that a student needs additional support at the start of the school year, you will be invited to attend an Early Success Conference in October to develop a plan to support your child's academic/social emotional success.

## Homework

For most students the ability to do homework is a learned behavior. Parents can help by providing a quiet, well-lit study area away from distractions with materials easily available.

Teachers assign homework on a graduated scale of time allotted with concern to grade level. The determination of specific homework assignments and the amount of homework appropriate for students is to be made by the teacher and/or school.

Homework reflects the school's emphasis upon basic skills, adopted courses of study and the Common Core State Standards. Assignments given should be appropriate to the age and ability of the child. Special consideration may be given to students with identified special needs.

**Primary (TK-3):** Homework in the primary grades is intended to be independent practice of skills covered in class that is assigned to develop responsibility and reinforce skills. Each student is unique and some may require more adult support than others. It is important to communicate with your child's teacher if your child is struggling with homework. Homework is assigned, corrected, and recorded weekly. Students are expected to read at least five nights per week.

**Middle (4-6):** Homework in the middle grades is intended to be independent practice of skills covered in class that is assigned to develop responsibility and reinforce skills. Each student is unique and some may require more adult support than others. Homework is assigned, corrected, and recorded. Students are expected to read at least five nights per week in addition to the homework assigned. Below is an approximate outline of the time that you should expect your child will need to complete homework in the middle grades.

It is important to communicate with your child's teacher if your child is struggling with homework. Missed assignments will result in Homework Checkpoints, lower grades, and if a pattern continues, students may miss preferred activities.

Fourth grade: 30 minutes 4 times per week

Fifth grade: 45 minutes 4 times per week

Sixth grade: 60 minutes 4 times per week or 45 minutes daily

**Upper (7-8):** Upper grade students often have activities to complete outside of the classroom. All students are encouraged to do a thorough and neat job on homework assignments.

Homework is assigned in the upper grade program based on the following:

- Homework is defined as independent practice used to follow-up, reinforce, supplement and extend lessons.
- Homework develops responsibility, self-discipline and good work habits.
- Homework is evaluated, discussed and clarified in class.
- Homework grades are recorded as a part of the subject grade.
- Homework is often assigned daily.
- Homework times may vary, but one and a half hours per night is a reasonable expectation.

Sometimes homework may involve the gathering of information or the investigation of new concepts. This type of assignment may extend over several days or weeks. When such assignments occur in a particular class, the number of routine assignments for the class may decrease accordingly.

## Telephone

Students are allowed to use the telephone at school if it is determined to be absolutely necessary. We do not

have a voicemail system. Please call (707) 633-9090 to leave a voice message.

## **Services and Programs**

### **School Nurse**

The Humboldt County Office of Education makes a school nurse available on a very limited basis to meet with students, consult with staff, and conduct health related programs.

### **School Psychologist**

The Humboldt County Office of Education provides a certified school psychologist to assist the classroom teacher with testing and pupils' personal problems. Students with academic and/or emotional problems may be served by the psychologist upon recommendation of the teacher and principal. Parents desiring to know more about the services are invited to discuss it with the school principal.

### **School Counselor Support**

A special counseling program has been developed with a focus on prevention of "at-risk" behaviors as well as intervention when necessary. A part-time counselor and a counseling aide coordinate all program activities and provide community outreach services. The program includes the following: individual/group counseling, parenting programs, and referral services.

### **Special Education**

This individualized instructional program provides help to students who qualify. Programs are designed to help students who for some reason may be having difficulty learning in a particular area. In most cases these students receive some specialized instruction daily. Students are referred to the Specialist Teacher by the classroom teacher, administrator, or the parent through the classroom teacher.

### **Speech Therapy**

A Speech/Language Pathologist (SLP) or SLP assistant is available to work with students needing help with speech-related problems. Referrals are made through the classroom teacher and yearly assessments are conducted for new students to the school.

### **Performing Arts**

An Instrumental and Vocal music program is provided to interested students and families in grades 5-8. Instruction in strings and brass instruments has resulted in a school orchestra which performs a number of times each year. A classroom vocal music teacher provides both singing and creative dance in grade K-3. Fourth grade students learn to play recorders. In addition, JCCEF supports drama instruction in the classrooms. Drama is offered in all grades.

### **Enrichment Program**

There are a wide variety of enrichment opportunities at Jacoby Creek including classroom and after-school enrichment activities.

Classroom enrichment activities are meant to challenge and motivate a wide range of students' abilities. They may include: learning centers, individualized interest reports, challenge boxes, Math Their Way, Logic/Problem Solving, Junior Great Books, A.I.M.S., simulation games, computer labs, field trips, speakers in classrooms, foreign language, art instruction, buddies program, History Day, Science Fair, MathCounts, school-wide studies, assemblies, Center Arts productions, Jacoby Creek Authors program, and drama productions.

After-school enrichment activities are also offered to parents and students at the end of each school day and have included: foreign languages, art, drama, dance theatre, juggling, computers, jump rope, tap dancing, jewelry making, creative writing, and model airplanes.



## **Title I**

We offer special reading support for students (1-6) needing additional assistance. This is a federally funded program with entry based on test scores, as well as teacher referrals.

## **Outdoor Education**

Outdoor education is an important part of the curriculum in many grade levels. Students explore many local outdoor Humboldt County locations on field trips. Our school garden and a nature area provide outdoor classrooms.

## **Library/Media Center**

The library offers many special programs. The following are some of the ongoing programs and library skills: K-8 performances and presentations, computer instruction, art docents, and Author Festival.

## **Spanish Program**

Instruction in Spanish is offered as an elective in the seventh and eighth grades. Our goal is to complete the Spanish 1 high school program. This allows our graduates to enter Spanish 2 upon passing the Spanish entrance exam. Our students have a very high pass rate!

## **Jacoby Creek School Age Child Care Program—Activity Center**

Jacoby Creek School runs and operates its own After School Activity Center (child care program). The program is supervised by our Director, Colleen Bryie. Our program services children from families attending our school for \$4.00 per hour. We also accept State subsidies from eligible families and offer a sliding scale for families that qualify for free or reduced lunch. Please call the office for additional information or enrollment procedures.

## **Testing**

The Smarter Balanced Assessment Test is given in the spring to third through eighth grade students. The SBAC measures achievement in reading, spelling, language, and mathematics. In addition, district-developed assessments in the fall and spring provide achievement information for determining proficiency levels of all K-8 students. Fifth and eighth grade students also take the STAR test in science in spring.

## **Hot Lunch**

The Jacoby Creek School District takes part in the National School Lunch Program. Meals are served every school day for \$4.25 per meal (50¢ for milk only). Eligible students may receive meals for free or at a reduced price of 40¢ for lunch. If you feel you may qualify for either free or reduced lunches, please contact the office for an application.

- Students may pay for meals in advance at the school library or with their classroom teacher. Lunches are nutritionally balanced and vary from day to day. A monthly lunch menu will be posted on the website.

## **Closed Campus**

All students eat lunch on campus during the lunch period.

Under no circumstances will students be allowed to eat or purchase lunches across the street or go to a friend's house for lunch, as this does cause supervision and discipline problems. Parents who want their child to leave campus for lunch at home are asked to discuss it with the child's teacher and the principal.

## **Activities and Entertainment**

Many activities are planned during the school year. Parents will be notified through bulletins sent home with students, emails to parents, and the school newsletter. Some of these programs include: Holiday concerts, Open House, class plays, school plays, folk dance festival, and more.

## **Parent-Community Newsletter-*The Panther Press***

*The Panther Press* is e-mailed to each family at the beginning of the month. It contains items of interest including parent organization agendas, principal's features, school program information, curriculum features,

classroom happenings, and monthly news and school events. Please be sure to provide us with your e-mail address. If you prefer a paper copy, please let the office know.

## **Athletics: Please see our Athletics Handbook for detailed information regarding specific sports, communication, and grievance procedures.**

### **Extra-curricular Athletics Programs:**

The objective for the after school sports program is to encourage each interested student to develop their physical and mental skills in a chosen sport. Active participation in a school sport will help student athletes learn a sport and gain confidence in their ability to play. It is our goal for student athletes to develop a winning attitude. Athletic programs will emphasize participation, cooperation, and good sportsmanship.

### **Sports We Offer:**

Jacoby Creek School is committed to providing a broad range of athletic opportunities to our students. We strive to maintain an equitable balance between boys' and girls' sports, and to provide sporting opportunities during the entire school year. The availability of a sports team is dependent on having a coach and enough interested players to make up a team. Currently, we offer:

Cross Country (co-ed)	September-November
Golf 6-8 (co-ed)	September-November
Girls' Volleyball	September-November
Girls' Basketball	November-December
Boys' Basketball	December-February
Track and Field (co-ed)	April-June

### **Grades and Eligibility**

It is important that participants be STUDENT athletes, with an emphasis on being students. The first priority of student athletes should be a commitment to their education and performing well in the classroom. Academic eligibility will be checked weekly. In order to participate, the student athlete must have and maintain a grade of 70% or above in each of the core classes.

## **Articles from Home: Electronics, Toys, Skateboards, Etc.**

Students are asked not to bring articles from home unless approved by a teacher for a specific purpose. Personal electronics, games, toys, stuffed animals, models, and the like can be an interruption to learning and should not be brought to school. Guns, toy guns, or gun replicas are *never* to be brought to school. Skateboards may be brought to school if they are used as a means of transportation and accompanied by helmets. Students must carry skateboards on campus at all times, store them with their homeroom teachers for the day, and pick them up after school.

## **Pets on Campus**

For safety reasons, as well as to be respectful of students with allergies, pets are not allowed on campus. Any animal brought onto campus must first be approved by your child's teacher.

## **Use of Portable Phones and Other Electronic Communication Devices**

The Board recognizes the need to maintain a non-disruptive and safe environment for pupils while on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees.

Students may possess electronic signaling devices, including but not limited to pagers, beepers, and cellular or digital telephones, provided that such devices are not used and do not disrupt the educational program or school activity. Electronic signaling devices shall be turned off while on campus, attending school-sponsored activities, or while under the supervision and control of school district employees. If such devices are used during school hours, the student will receive a referral and the device shall be confiscated and held in the office until the student's parent/guardian retrieves it. If a device rings or vibrates during school hours because it has not been turned off, a Behavior Checkpoint will result.

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

In accordance with BP/AR 5145.12 – Search and Seizure, a school official may search a student's communications device, including, but not limited to, reviewing messages or viewing pictures.

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.

## **Dress**

*It is strongly recommended that the student's name be on jackets, coats, and lunch boxes.*

The district is concerned that clothing be neat, clean, and fit properly. Clothing should not be distracting or impair freedom of movement, i.e., excessively short mini-skirts, crop tops, or shoes with high heels. Students should wear clothing that is warm and suitable for physical activity. T-shirts which could be interpreted as obscene, vulgar, or in bad taste, or promote or refer to drugs or alcohol are not to be worn at school. No undergarments should ever be visible. Students who come to school in clothes deemed to be inappropriate by school personnel will be asked to return home to change into more acceptable apparel, or a parent may bring a change of clothes to school for their child.

## **Field Trips**

Students taking field trips are under the direction of the classroom teacher and permission slips for student involvement are sent home for parent signature. In many cases private transportation is used; in these cases it is necessary that the driver of the automobile have adequate insurance coverage.

## **Emergency Plan: Instructions for Families**

### **Drills**

We will have drills at least once monthly in order to prepare students and staff members for a natural disaster or safety concern at school. It is very important that parent volunteers participate in these drills when they are on campus.

- Fire: The school fire alarm will sound. Go to the playground and assist with students.
- Earthquake: Duck and cover until office indicates that it is time to evacuate. Go to the playground and assist with students.

- Lockdown: A lockdown is used for a violent or potentially violent activity and/or where an unsafe situation exists. This is indicated by a pitched horn. Lock the doors, close the blinds, and turn off the lights of the room that you are in. Do not unlock the door if there are children in the room until you hear five long bells indicating that the drill has concluded.

### **In the Event of a Disaster during School Hours**

In the event of a disaster during school hours, parents will play a key role in the safe and successful release of students from the school grounds. The staff has developed specific guidelines to instruct you in the students' release process. Following these guidelines will assure a safe and timely evacuation of the school site. **Your cooperation is essential for the safety of all of the children.**

- Maps showing where children are located by classroom will be posted by the main office and between the gym doors.
- Go to the area where your child's class is waiting and find the teacher in charge.
- The teacher in charge will sign out children to adults that are authorized on the STUDENT RELEASE FORM.
- These children are now released into your care for transportation from the school grounds.

**DO NOT LEAVE THE SCHOOL GROUNDS WITHOUT SIGNING OUT YOUR CHILD OR WITH ANY CHILDREN THAT HAVE NOT BEEN RELEASED TO YOU.** Allowing the extra time for the check-out process will assure proper tracking of our students and provide a record of their intended location after leaving the school grounds.

## **Parent Involvement**

**Classroom Volunteers:** Parent and community volunteers are extremely important to Jacoby Creek School as their efforts enable the school to provide the students more individual attention, special study programs, and to help secure better equipment and supplies. Volunteers receive a better understanding of the education the children are receiving, and school volunteer work may enhance a parent-child relationship.

*All volunteers must register with the office prior to volunteering. Volunteers must sign in and out at the office each time they volunteer.*

There are many ways volunteers can help at Jacoby Creek School, even many which do not require regular or school-hour time. All efforts are appreciated by the staff.

Contact the school (822-4896) if you are able to volunteer for any of the following:

**School Site Council:** The SSC is an advisory body to the Board of Education that provides input on the planning, implementation, and evaluation of our special programs. The SSC consists of parents, teachers, and the principal. Parents are selected to the SSC through the electoral process. If you are interested in attending council meetings, please contact the office. Meets the second Tuesday of the month at 3:15 p.m. in Room 1. The School Site Council also serves at the **Local Control Accountability Plan (LCAP) Advisory Board**. A new LCAP is written each year to set goals and manage our school's finances. Parent input and participation in the LCAP is essential in making sure that our school is meeting the needs of all of our students. LCAP Advisory Board members are needed.

**Jacoby Creek Children's Education Foundation:** The Jacoby Creek Foundation is made up of parents and staff members interested in developing financial and human resources to enhance the educational richness of students' school experience. All interested individuals are encouraged to join us. Please visit [www.jccf.org](http://www.jccf.org) for additional information and /or meeting dates. Meets the first Tuesday evening of the month in the Library.

**Parent-Teacher Organization:** Organizes and coordinates activities that increase school spirit and sense of community. Some of the activities throughout the year may include: ice cream social, Family Skate Day,

sweatshirt sale, and the Harvest Carnival. There is one general meeting each month. Dates are posted in advance on the marquee and in the Panther Press.

**Classroom Volunteering:** Working in your child's or grandchild's classroom is a great way to support the children at Jacoby Creek School and to share in your child's school experience. Please attend Back-to-School Night to find out about volunteering in your child's classroom.

**Library Help:** May include shelving books, filing, reading to children, book talks, assisting Jacoby Creek authors, or typing.

**After-School Study Hall:** Help supervise and support upper grade students in study hall.

**Special Events:** We have many other events where help is welcomed. These may include activities such as the Panther Pentathlon, book fair, folk dance and music festival, exploration or all-school activity day, science fair, art fair, holiday programs, and graduation.

**Athletics:** Soccer, volleyball, basketball, track, cross-country, and golf all need coaching assistants, help with scorekeeping, transportation, refereeing of practice games. Athletic Committee, and tournament organization or service. The Athletic Committee meets once a month.

**Miscellaneous:** Playground or lunch supervision, clerical work, chaperone for 7th/8th grade dance, field trips, and helping in the school garden.

Meeting Times

**Governing Board:** The District Board of Trustees meets the first Thursday of each month at 7:30 p.m. in the Library-Media Center. Agendas are posted on the school office bulletin board prior to the meeting dates. Trustees are elected by the community and serve 4-year terms.

## Parental Concerns

The teacher is the key person in the educational program of each child. **Individual parental concerns should first be brought to the attention of the teacher so that the opportunity is given to resolve misunderstandings and answer questions. Our staff is happy to work with parents to resolve issues and understand concerns.**

Misunderstandings or questions that may arise outside the supervision of the teacher - such as on the bus or walking to and from school - should be brought to the attention of the teacher and principal.

When educational matters are not resolved in discussions with the teacher, it is the principal's responsibility to seek a solution in consultation with the teacher and parent. At this point, complaints must be submitted in writing.

In case of complaint, the matter should be first discussed with the teacher and/or principal before it is brought to the attention of the Governing Board.

### **Uniform Complaint Procedures—Please see attached Board Policy.**

Except as the Board of Trustees may otherwise specifically provide in other Board policies, the Uniform Complaint Procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits or other charges for participating in educational activities, unlawful discrimination, harassment, intimidation or bullying, and complaints regarding the implementation of the Local Control Funding Formula.

**Compliance Officer**

The Board of Trustees designates the following compliance officer to receive and investigate complaints and to ensure district compliance with law:

Timothy Parisi

1617 Old Arcata Road

Bayside, CA 95524

[superintendent@jcsk8.org](mailto:superintendent@jcsk8.org)

(707) 822-4896

**Student Behavior Expectations**

Make Good Choices

Be Safe \* Be Respectful \* Be Responsible

We believe that learning about safe, respectful, and responsible behavior is an essential part of the learning that takes place at school. It is our goal to guide students in developing a sense of personal responsibility to improve their academic skills and emotional development. We strive to reward good behavior in order to foster a positive school climate. Students are taught clear behavior expectations for the many different settings they encounter at school. All staff members are trained in Positive Behavioral Interventions and Supports (PBIS).

	<b>Be Safe</b>	<b>Be Respectful</b>	<b>Be Responsible</b>
<b>All Areas</b>	<ul style="list-style-type: none"> <li>Wipe your feet when entering rooms</li> <li>Use school supplies as instructed</li> <li>Be kind with your body</li> </ul>	<ul style="list-style-type: none"> <li>Follow the "Golden Rule"</li> <li>Follow adult directions</li> <li>Use polite language: please and thank you!</li> </ul>	<ul style="list-style-type: none"> <li>Model school rules</li> <li>Be honest and fair</li> </ul>
<b>Playground</b>	<ul style="list-style-type: none"> <li>Keep hands to self</li> <li>Use equipment properly</li> <li>Make sure everyone playing the game knows the same rules</li> <li>Freeze when the bell rings and walk in when whistle blows</li> </ul>	<ul style="list-style-type: none"> <li>Take turns</li> <li>Include those who want to play</li> <li>Speak kindly and act kindly</li> <li>Listen to your peers and respond calmly to solve problems</li> </ul>	<ul style="list-style-type: none"> <li>Pick up garbage even if it is not yours</li> <li>Return playground equipment, including to other classrooms</li> <li>Check in with anyone who is injured</li> <li>Use break times for bathroom and water</li> </ul>
<b>Classroom</b>	<ul style="list-style-type: none"> <li>Use all materials properly</li> <li>Keep hands to self</li> <li>Calm and quiet body</li> <li>Follow directions the first time asked</li> </ul>	<ul style="list-style-type: none"> <li>Listen while others are speaking</li> <li>Treat everyone in the room with respect even if you disagree</li> <li>Take care of classroom tools and materials</li> </ul>	<ul style="list-style-type: none"> <li>Be prepared with assignments and supplies</li> <li>Have a ready-to-learn mindset</li> <li>Ask questions</li> </ul>
<b>Eating Lunch</b>	<ul style="list-style-type: none"> <li>Stay seated while eating</li> <li>Calm and quiet body</li> <li>Stay in your personal space</li> </ul>	<ul style="list-style-type: none"> <li>Focus on your lunch and let your neighbors eat theirs</li> <li>Use school appropriate language when talking to friends and adults</li> <li>Use appropriate table manners</li> </ul>	<ul style="list-style-type: none"> <li>Wipe your feet when entering the gymnasium</li> <li>Clean up after yourself and the area near you</li> <li>Minimize waste--dispose of waste and recycling appropriately</li> <li>Report spills</li> </ul>
<b>Walkways</b>	<ul style="list-style-type: none"> <li>Walk when not on the playground</li> <li>Hold any playground equipment in transit or once recess is over</li> <li>Stand quietly in line outside class</li> </ul>	<ul style="list-style-type: none"> <li>Respect the quiet zones</li> <li>Be mindful of pedestrian right of ways</li> </ul>	<ul style="list-style-type: none"> <li>Being mindful that others are in class learning</li> <li>Plan ahead and take with you what you will need for the next setting</li> </ul>

<b>Library</b>	<ul style="list-style-type: none"> <li>• Walk</li> <li>• Use quiet and calm feet on stairs and stage</li> <li>• Have a calm body</li> <li>• Enter when adult present</li> </ul>	<ul style="list-style-type: none"> <li>• Treat the stage space with care</li> <li>• Maintain a quiet work space for others</li> <li>• Speak quietly</li> <li>• Treat the books nicely</li> <li>• Be careful with technology</li> <li>• Laugh /clap at the appropriate time when attending a performance</li> </ul>	<ul style="list-style-type: none"> <li>• Students/staff share in keeping the space ready for the next group of users</li> <li>• Push in chairs</li> <li>• Use the stairs to get on and off the stage</li> <li>• Keep the computers on the table</li> <li>• Put books back where you found them-place saver</li> </ul>
<b>Pick Up/ Bus line</b>	<ul style="list-style-type: none"> <li>• Wait for your ride to come to a complete stop in the pick-up lane (and the bus doors are open if waiting for the bus)</li> <li>• Stay on the sidewalk</li> <li>• Hold any playground equipment that could get loose</li> </ul>	<ul style="list-style-type: none"> <li>• Watch for others who are trying to get by</li> <li>• Keep an aisle open</li> <li>• Be mindful of those around you</li> </ul>	<ul style="list-style-type: none"> <li>• Know your after school plan</li> <li>• Follow your after school plan</li> <li>• Help younger students as needed</li> <li>• Stay in areas that are supervised by adults</li> </ul>
<b>Concerts/ Assemblies</b>	<ul style="list-style-type: none"> <li>• Wait for directions from the adults before getting up to leave</li> <li>• Walk carefully when getting on and off the bleachers</li> </ul>	<ul style="list-style-type: none"> <li>• Applaud for the performers</li> <li>• Give the speaker/performers your full attention</li> <li>• Hoods and hats off</li> </ul>	<ul style="list-style-type: none"> <li>• Watch and listen</li> <li>• Think about what the speaker is saying</li> <li>• Demonstrate self-control</li> <li>• Clap when appropriate</li> </ul>
<b>ASE Classes and Activity Center</b>	<ul style="list-style-type: none"> <li>• Be on time and check in with ASE teacher</li> <li>• Follow classroom and school rules</li> </ul>	<ul style="list-style-type: none"> <li>• Wait for directions from the adults before getting up to leave</li> <li>• Treat ASE teachers as you treat your classroom teacher</li> <li>• After class move to next activity in a way that respects staff working</li> <li>• Wait quietly in front of office after class</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Treat classroom supplies/furniture properly</li> <li>• Returning borrowed supplies</li> <li>• Clean work area before you leave</li> <li>• Talk kindly</li> <li>-</li> </ul>
<b>Office</b>	<ul style="list-style-type: none"> <li>• Be aware of the needs of other people in the office</li> <li>• Wait patiently</li> </ul>	<ul style="list-style-type: none"> <li>• Use a quiet voices</li> <li>• Use good manners when speaking with Karen and Cathryn</li> </ul>	<ul style="list-style-type: none"> <li>• Office phone is to be used only in the case of an emergency</li> </ul>
<b>Bathrooms</b>	<ul style="list-style-type: none"> <li>• Leave the bathroom and move to a supervised place as soon as possible</li> </ul>	<ul style="list-style-type: none"> <li>• Clean up after yourself</li> <li>• Flush the toilet after use</li> </ul>	<ul style="list-style-type: none"> <li>• Alert office staff or your teacher to any cleanliness issues</li> </ul>



# Responding to Problem Behaviors

**TK-3<sup>rd</sup> Grade:** Each primary classroom has its own system of rewards and consequences based on a continuum that reflects students' increasing awareness and development. Teacher and school staff will conference with students that are not meeting the behavior expectations. Should the child continue to demonstrate problem behaviors, they may be asked to sit on the bench and write a reflection during their recess period. The child's teacher may also ask to have a conference with the student's parents or convene a Child Study Team Meeting if additional support for the child is needed.

**4<sup>th</sup>-6<sup>th</sup> Grade:** The 4<sup>th</sup>-6<sup>th</sup> grade classrooms use a card system for monitoring classroom and playground behaviors. Students "turn their card up" when they are meeting the behavior expectations and "turn their card down" when they need to monitor their behavior. Students that are consistently meeting the behavior expectations will earn classroom rewards and Preferred Activity Time. Students that are not meeting behavior expectations will receive Behavior Checkpoints in order to communicate with parents. Multiple Behavior Checkpoints will result in loss of privileges and/or participation in Preferred Activity Time activities.

**7<sup>th</sup>-8<sup>th</sup> Grade:** Jacoby Creek's departmental program allows upper grade students to work with several teachers in a variety of subject areas. The goals of the program are to develop the talents and academic skills of all students to their greatest potential. To be successful, students must develop a sense of responsibility toward self and school. Through responsible behavior students earn privileges that go beyond those received by students in the lower grades.

The Discipline System is designed to provide rewards and privileges to students for their success, and appropriate loss of privileges and consequences for misbehavior. The Jacoby Creek Discipline System is divided into two sections: Behavior Code and Academic Behavior Code. The Behavior Code details the standards of behavior at school and the consequences of misbehavior. The Academic Behavior Code lists both minimum standards of behavior for success in a departmental classroom as well as consequences for not following this code. A detailed list of expectations and consequences will be given to students and parents the first week of school.

## Behavior Code for all Students

Students are expected to:

1. Respect the health and well-being of others and themselves.
2. Conduct oneself in an orderly manner and respect the rights of others both inside and outside classrooms.
3. Treat and address all school staff members in a respectful manner.
4. Attend classes regularly and provide an authorized explanation for absences and tardiness.
5. Speak courteously without using profanity.
6. Remain within the boundaries of the playground during recesses. This includes the time before school.
7. Dress appropriately for the school setting.
8. Refrain from physical displays of affection on school premises.
9. Leave the classroom only when excused by a teacher.
10. Refrain from eating candy and food inside classrooms and other school buildings without teacher permission. Gum chewing is prohibited at all times. The only exception is with a written orthodontist's note.
11. Refrain from spitting, throwing food or littering.

12. Return parent-teacher communication such as progress reports, checkpoints, and notices of missing assignments as required.
13. Refrain from going to shops across the street during the school day or after school if returning to the school grounds due to liability considerations and lack of supervision. Notes from parents giving permission to purchase lunch or after-school snacks prior to returning to school will not be honored.
14. Refrain from riding skateboards, rollerblades, bicycles, and other like equipment on school grounds until after 5:00 p.m., or during school functions occurring later than 5:00 p.m.
15. Refrain from wearing hats in school buildings during school hours unless for religious reasons.
16. Leave campus to go home at the end of the school day unless involved in an adult sponsored activity.
17. Refrain from cheating and committing forgery.

Note: Behaviors that are threatening, defiant, involving illegal substances, or are damaging to school property will be treated as excessive misbehavior as outlined in School Board Policy 5114 - Grounds for Suspension and/or Expulsion. Students may receive immediate suspensions for severe behaviors. An immediate suspension will also result in four referrals and loss of all upper grade privileges for 30 consecutive student school days. For excessive misbehavior the school will follow guidelines contained in Policy 5114- Suspension and Expulsion procedures.

## **Suspension and Expulsion/Due Process**

In compliance with Section 35291 of the Education Code, the district will notify the parent or guardian of every pupil enrolled in grades 1 through 8, inclusive, of the fact that the district's regulations concerning student discipline are available on request at the principal's office in all schools of the District. (sometimes district is capitalized and sometimes not - same with state - we should stay consistent)

### **Grounds for Suspension and/or Expulsion (Ed. Code Section 48900)**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent/principal of the school in which the pupil is enrolled determines that the pupil has done one or more of the following:

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.
3. 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 pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in writing by the principal or the designee of the principal.
4. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and 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.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, electronic cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as

defined in the Health and Safety Code.

12. 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 in fourth through eighth grade.
13. Knowingly received stolen school property or private property.
14. Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault or a sexual battery.
16. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged 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.
19. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

**“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, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing a pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- Causing a pupil to experience a substantially detrimental effect on his or her physical or mental health.
- Causing a pupil to experience substantial interference with his or her academic performance.
- Causing a pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

**“Electronic act”** means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, or image.
- A post on a social network Internet Web site, including, but not limited to:
  - 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 above.
  - Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed above.
  - Creating a false profile for the purpose of having one or more of the effects listed above.

● An electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.

## **Bus Rules**—JCS Bus service is provided by Northern Humboldt Union School District.

The following school bus conduct rules for pupils were adopted by the Jacoby Creek Board of Trustees from State of California Regulations:

Ed. Code (Section 14263 Title 5) Authority of Driver states: Pupils transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway, or road. Continued disorderly conduct or persistent refusal to submit the authority of the bus driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus en route between home and school or other destinations.

The following list of student actions constitute violations of the established rules and regulations:

1. Abusive body contact - slapping, hitting, poking, shoving, pulling hair, etc.
2. Fighting on the bus, or at bus stop
3. Using other than the student's regularly designated bus stop
4. Using profane language or obscene gestures
5. Unauthorized exits (from emergency doors or windows)
6. Putting any part of the body out of bus window at any time
7. Any movement OUT of seats while bus is in motion
8. Riding bus after receiving "no ride" penalty
9. Legs, feet and objects obstructing aisle or sitting facing to the rear
10. Creating excessive noise
11. Any improper bus stop procedures (not lining up, rock throwing, playing in streets, any property damage at bus stops, etc.)
12. Unauthorized opening, closing, or tampering of any kind with bus doors, windows, or emergency exits
13. Any type of damage or defacing of bus
14. Lighting of matches, cigarettes, smoking on bus
15. Throwing any objects in, out of, or at the bus
16. Littering of any kind
17. Transporting live animals, reptiles, or insects on a school bus
18. Eating or drinking on the bus
19. Disrespect to the bus driver
20. Giving improper identification when requested by driver
21. Tampering with bus controls
22. Failure to obey driver
23. Failure to remain quiet at all railroad crossings
24. Endangering life or limb of other people
25. Other unauthorized or unsafe action

These are direct copies of rules recommended in a California State Department of Education bulletin.

Education Code (Section 14263 Title 5) Authority of Driver states: Boards of Trustees shall adopt rules and regulations to enforce this section. These regulations shall include, but not be limited to, specific administrative procedures relating to suspension of riding privileges and shall be made available to parents, pupils, teachers, and other interested parties.

Corrective measures for infractions of established rules are listed

below: 1st warning - phone call to parents

2nd warning - riding privileges suspended for one week  
3rd warning - riding privileges suspended for two weeks

4th warning - riding privileges suspended for the remainder of the school year

## **Parking Lot and Student Loading**

The Jacoby Creek School District encourages our families to carpool, walk, ride bikes, or use the school bus as much as possible in order to minimize traffic and environmental impact. We are also fortunate to have well-marked bike paths approaching the school from both directions.

If you find that you need to drive your child to/from school, we ask that you help us by following these guidelines:

- The front of the school is the drop-off/pick up area. There are two lanes: one next to the curb **ON THE RIGHT**, and one close to the parked cars **ON THE LEFT**.
  - Students may only be dropped off or picked up from the curb lane. Please do not leave unattended parked cars along the curb lane. This is a loading and unloading zone only.
  - The lane close to the parked cars is for through traffic and for those leaving after picking up/dropping off their student only. It is very important that students not be let out of the car in this lane and that traffic continue moving in this lane.
- The gym parking lot is for staff and school buses only. Visibility is restricted and we do not want children in that area except when dropped off/picked up by the bus. Please do not park in any space marked "Staff."
- If you park and bring your child onto campus, please remember to use the crosswalks.
- Do not back up your vehicle in the traffic line. Our students are not very visible around vehicles and we want to avoid accidents. Leave enough room between your car and others so you won't need to back up.

**YOUR UNDERSTANDING AND COMPLIANCE COULD HELP AVOID A TRAGIC ACCIDENT.**

# **District Goals**

## **Learning Atmosphere**

The Jacoby Creek School District will develop and maintain a learning atmosphere which promotes high academic achievement. We will establish and maintain a school climate which enhances the social, civic, cultural, and personal development of all students. Our program will be comprehensive, consistent from grade to grade, and reviewed and updated on a regular basis to reflect current educational research and district needs.

## **Diversity Awareness Statement**

We acknowledge the dignity and worth of one another and strive never to diminish one another by our words or actions. The school personnel, families, and community members of JCS join together in creating a safe and welcoming atmosphere where students can succeed both academically and socially. Differences in socio-economic standing, race, ethnicity, culture, family structure, gender, religion, language, national origin, and ability are valued, and they enrich the learning opportunities of all students. The JCS community moves beyond tolerance to celebrate the rich diversity of Humboldt County. In order to provide the foundation for our students to become effective leaders in an increasingly diverse society, the District's multicultural educational program promotes understanding of differences and encourages positive social interactions. Multicultural education promotes the development of students through greater self-understanding, positive self-concept and pride of one's ethnic and social identities.

## **Physical Plant**

The Jacoby Creek School District will maintain and operate its building, grounds, and equipment in a safe and functional condition.

## **Personnel**

The Jacoby Creek School District will serve the community by assuring high quality education through knowledgeable, ethical, professional, and effective faculty.

## **Community Involvement**

The Jacoby Creek School District believes that the community offers valuable life experiences to our school children. In turn, the school offers many programs and services to the community. The Jacoby Creek School District encourages and promotes strong community interest and support. We strive for effective, two-way communication to ensure a strong community school.

## **Management**

The Jacoby Creek School District maintains exemplary procedures and controls for the security of the District's funds, utilizing all fiscal resources in a creative and cost-effective manner. In addition, we will seek to secure all available state, federal and alternative funding, in support of the District's mission.

**JACOBY CREEK SCHOOL DISTRICT  
1617 Old Arcata Road  
Bayside, CA 95524**

**PARTNERSHIP FOR SCHOOL SUCCESS**

At Jacoby Creek School, we believe that cooperation between school and home is essential for children to succeed to their highest potential. When we combine our resources for education and guidance, we provide cohesive and positive boundaries in which children can feel safe. We believe that schools and families who work together can solve even the most difficult problems. The more collaboration we model between home and school, the more assured the children will be that their education is important both to their parents and their teachers. As a way for us to recognize the importance of this partnership, we have drafted this compact.

**DISTRICT/TEACHER ROLE:** The district will provide the best education possible for your child. His/her unique qualities and learning styles will be considered and encouraged. Our educational program will be based on the highest academic expectations, which includes arts, physical education, and technology. An important goal is that each child is recognized for and feels proud of his or her best efforts. Speech and Special Education programs will be provided when determined necessary. We encourage active parent participation, invite volunteers, and provide information about our program through a monthly newsletter, classroom communications, parent conferences, report cards, and other programs for parent information and education.

**FAMILY ROLE:** Families will ensure that their child regularly attends school, minimizing vacation plans during the school year. They will also make sure their child arrives on time, is well-rested and well-fed. Families will encourage a positive attitude about school and the district's effort to provide a rigorous academic program. Families will set the expectation that their child will be responsible about his/her assignments and complete them to the best of his/her ability. A consistent time for homework will be established and the child's assignments will be checked regularly. The families will support the school's efforts, read school communications, make every effort to attend Back to School Night and the two parent conferences, communicate issues that may affect their child, and encourage positive social behavior.

**STUDENT ROLE:** The student will pay attention to school lessons and complete them to the best of his/her ability. The student will treat teachers, school personnel, and classmates with respect. The students will work to be positive group members both in class and on the playground. The students will follow school rules, complete homework regularly, and accept responsibility for their work and behavior.

**We have read and understand the three roles in the partnership for school success:**

## TO BE SIGNED DURING FALL CONFERENCES

Parent(s) \_\_\_\_\_ Date \_\_\_\_\_

Student \_\_\_\_\_ Date \_\_\_\_\_

Teacher(s) \_\_\_\_\_ Date \_\_\_\_\_

Principal \_\_\_\_\_ Date \_\_\_\_\_

## **Uniform Complaint Procedures**

The purpose of this Administrative Regulation is to implement Board Policy 1312.3 and shall be followed to review Category One, Category Two, Category Three, and Category Four Complaints.

### **Category One: Violations of Law or Regulations by District**

A complaint alleging Jacoby Creek School District ("district") violated federal or state law or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, or bullying, in "specified programs" or in activities that receive state or federal funding (5CCR 4610(a)) and complaints alleging that the district failed to fully implement a student's IEP as mutually agreed to in writing by the Parent/Guardian and the district.

### **Category Two: Discrimination against Protected Groups in Programs Conducted by District**

A complaint alleging that the district's operation of any program or activity, which is funded directly by, or that receives or benefits from any state financial assistance, unlawfully discriminates, harasses, intimidates, or bullies a "protected group." (5CCR 4610(c))

### **Category Three: Unlawful Pupil Fees**

A complaint alleging the district failed to comply with provisions of Education Code 49010 and 49011 regarding student fees.

### **Category Four: Local Control and Accountability Plan**

A complaint alleging the district failed to comply with Local Control and Accountability Plan requirements set forth in Education Code 52060 et seq. and Education Code 47606.5 and 47607.3. (Education Code 35186; 5 CCR 4681, 4682, 4683)

### **Compliance Officer**

The following Compliance Officer shall receive and investigate complaints and shall ensure district compliance with law:

#### **Superintendent**

The Superintendent or designee shall ensure that positions or employees designated to investigate complaints are knowledgeable about the laws and programs which they are responsible for investigating. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

### **Procedures**

All complaints filed in accordance with the district policy and regulations shall be mediated and/or investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

The Compliance Officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

If a complainant is unable to put a complaint in writing due to a disability or illiteracy, the district shall assist the complainant in the filing of the complaint.

#### **Step 1: Filing of Complaint**

Category One Complaints: District Violations of Laws/Regulations. Category One Complaints shall be filed with the Assistant Superintendent of Educational Services as the Superintendent's designee, by any individual, public agency or organization.



Category Two Complaints: Protected Groups. Category Two Complaints shall be filed with the Assistant Superintendent, Educational Services. (5 CCR 4630)

A Category One or Category Two Complaint alleging unlawful discrimination, harassment, intimidation or bullying complaint shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The time for filing any discrimination, harassment, intimidation or bullying complaint may be extended in writing by the Compliance Officer, upon written request by the complainant setting forth the reasons for the extension, or for good cause for a period not to exceed 90 calendar days following the expiration of the six month time period. The Superintendent shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process.

Category Three Complaints: Pupil Fees. Category Three Complaints shall be filed with the district compliance officer (Assistant Superintendent for Educational Services) or the principal of the school where the complaint arose not later than one year from the date the alleged violation occurred. Such complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to student fees. If filed with the principal, the principal shall promptly forward a copy to the district compliance officer.

Category Four Complaints: Local Control Accountability Plan

Category Four Complaints may be filed with the district compliance officer (Assistant Superintendent for Educational Services). Such complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code 52060 et seq.

Step 2: Mediation

Within three business days of receiving the complaint, the Compliance Officer may informally discuss with all the parties the option of using mediation. A business day is any day the district office is open. If the parties agree to mediation, the Compliance Officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to allow disclosure of confidential information to the mediator.

If the mediation process does not result in resolution of the complaint, the Compliance Officer shall proceed with his/her investigation of the complaint.

Mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

Within 10 calendar days of receiving the complaint, the Compliance Officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The Compliance Officer, with the assistance of additional staff as necessary, also shall collect all documents and, in a private, separate, and confidential manner, interview relevant witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the

investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district staff to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

#### Step 4: Response

In determining the veracity of a factual allegation, the Compliance Officer shall apply a

"preponderance" of the evidence standard (more likely than not). Within 30 calendar days of receiving the complaint, the Compliance Officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the Compliance Officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board of Education.

The Board may consider the matter at its next regular meeting or at a special meeting convened in order to meet the 60-day period for completing the review of the complaint. The Board may decide not to hear the complaint, in which case the Compliance Officer's decision shall be the final decision of the district.

If the Board hears the complaint, the Compliance Officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631) The Board of Education's decision shall be the final decision of the district.

#### Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language. In addition, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the California Department of Education (CDE) and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that 1) the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies; 2) the 60-day period is not applicable to complaints seeking injunctive relief in state courts or to discrimination on complaints based on federal law; and 3) complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age, may also be filed with the United States Department of Education, Office for Civil Rights, at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall inform the complainant to the extent permitted by law.

If a complaint alleging noncompliance with the laws regarding student fees or Local Control Accountability Plan or Education Code 47606.5 or 47607.3, as applicable, is sustained, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 49013 and 52075) The district will engage in good faith, reasonable efforts to identify and fully reimburse all students, parents/guardians who paid a student fee within one year prior to the filing of the complaint.

Appeals to the California Department of Education or State Superintendent of Public Instruction

If dissatisfied with the district's final decision with respect to a Category One, Two or Three Complaint, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision, and the appeal to CDE shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including when the district has not taken action within 60 calendar days of the date the complaint was filed with the district. (5 CCR 4650)

If dissatisfied with the district's decision with respect to a Category Four Complaint, the complainant may appeal in writing to the Superintendent of Public Instruction. (Education Code 52075(c))

### Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

1<sup>st</sup> Reading: 6/9/16

2<sup>nd</sup> Reading:

Adopted:

### **Suspension and Expulsion/Due Process**

The Board of Education 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 disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(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 of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

(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, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

(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 that could lead to on-campus or off-campus suspension.

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### **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 may 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 other means of correction 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. 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

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 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.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, 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.

(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>

1<sup>st</sup> Reading: 6/9/16

2<sup>nd</sup> Reading:

Adopted:

**Bullying**

The Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment, *utilizing E 5131.2 Report of Suspected Bullying*.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.



When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

### Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

#### PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

#### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

#### COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

1<sup>st</sup> Reading: April 8, 2013  
2<sup>nd</sup> Reading: May 13, 2013

Adopted: May 13, 2013  
Revised: May 7, 2013