



# Beverly Hills Unified School District

CREATING A WORLD CLASS EDUCATION

EDUCATIONAL SERVICES DIVISION  
CHILD WELFARE AND ATTENDANCE DEPARTMENT

**PARENT/GUARDIAN AND STUDENT HANDBOOK**

**&**

**NOTICE OF RIGHTS AND RESPONSIBILITIES**

**2015-2016**

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## **WELCOME TO BEVERLY HILLS UNIFIED SCHOOL DISTRICT**

This handbook has been prepared to assist students and parents/guardians to be familiar with their rights and responsibilities. Together we can create schools that are highly positive and productive.

### **ATTENDANCE**

#### **PARENTS CAN HELP**

Parents can help ensure regular, on-time attendance of their children at school. Parents should monitor attendance closely. Even excused absences can cause students to fall behind. Please review truancy definitions below.

#### **COMPULSORY ATTENDANCE** (EC 46010, 48200-48204, 48260-48263 and WIC 601)

Parents are legally required to send their children, between the ages of 6 and 18, to school regularly and to make certain they are on time each day. Parents may be requested to appear before the School Attendance Review Board (SARB) and subsequently be referred to the District Attorney and/or Youth Services (Probation) for legal action when attendance, tardiness, and/or behavior problems occur.

**TRUANCY** Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse three (3) days in one school year or tardy without valid excuse in excess of 30 minutes on each of more than three days in one school year is a truant and shall be reported to the assistant principal or the Director of Student Services and Special Projects.

**TRUANCY DEFINITIONS** (EC 48260, 48262 and 48263.6) A student is considered a truant after three absences or three more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within 48205 as describe below.

#### **DISTRICT PROCESS:**

Upon a pupil's initial classification as a truant, the school district shall notify the student's parent or guardian, by first-class mail or other reasonable means, of the following:

1. That the pupil is a truant;
2. That the parent or guardian is obligated to compel attendance of the pupil at school;
3. That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27;
4. That alternative educational programs that are available in the district and that may be appropriate to assist the pupil;
5. That the parent or guardian has the right to meet with appropriate school personnel and/or the School Attendance Review Board (SARB) to discuss solutions to the pupil's truancy;
6. That the pupil may be subject to prosecution under Section 48264;
7. That the pupil may be subject to suspension, restriction, or delay driving privilege pursuant to Section 13202.7 of the Vehicle Code;
8. That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

## **EXCUSED ABSENCE AND COMPLETION OF ASSIGNMENTS (EC48205)**

- a) Notwithstanding Section 48200 (Compulsory Attendance) a pupil shall be excused from school when the absence is:
- 1) due to his or her illness;
  - 2) due to quarantine under the direction of a county or city health officer;
  - 3) for the purpose of having medical, dental, optometric, or chiropractic services rendered;
  - 4) for the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California;
  - 5) for the purpose of jury duty in the manner provided by law;
  - 6) due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent;
  - 7) for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board;
  - 8) for the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code;
  - 9) for attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.
  - 10) for the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed from the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. As the teacher of any class from which a pupil is absent, (he/ she) shall determine the tests and assignments (which) are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed when absent.
- c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- e) "Immediate family", as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil".

**LEGALLY EXCUSED ABSENCES (CAC Title 5, Sec. 420)** The only legally excused absences are for illness; quarantine imposed by a public health officer; a medical, dental or optometric appointment; or funeral services of a member of the pupil's immediate family. The school must receive appropriate verification of the absence by the end of the fourth day after the student returns for it to be considered excused. Otherwise, the absence will be considered truancy. All other absences require prior permission (see above) or will be considered trancies.

**ABSENCE FOR RELIGIOUS SERVICES OR INSTRUCTION (EC 46014)** A parent may request that his/her child be excused from attendance for the purpose of receiving religious instruction or participating in religious services provided the request is made in writing at least one day in advance.

However, the pupil must attend school for the minimum day and may be excused on no more than four days per school month.

**ABSENCE FOR CONFIDENTIAL MEDICAL SERVICE** (EC §§ 46010.1) A November 2004, California Attorney General Opinion concludes that a district may not notify a parent when a student leaves school to obtain confidential medical services, nor may a district require a student obtain written parental consent prior to releasing student from school to receive confidential medical services.

**NOTICE TO PARENT OR GUARDIAN (EC 48260.5)**

Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian, by using the most cost-effective method possible, which may include electronic mail or a telephone call:

1. That the pupil is a truant.
2. That the parent or guardian is obligated to compel the attendance of the pupil at school.
3. That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
4. That alternative educational programs are available in the district.
5. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
6. That the pupil may be subject to prosecution under Section 48264.
7. That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the *Vehicle Code*.
8. That it is recommended the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

**ARREST OF TRUANTS / SCHOOL ATTENDANCE REVIEW BOARDS** ( EC 48260, 48262 and 48263.6) The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school district. A student who is truant may be referred to a School Attendance and Review Board (SARB).

**NOTIFICATION OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS** (EC 48980 (C)) The Board adopted calendar provides for a minimum of 180 instructional days for students, including scheduled minimum days at the elementary level for parent conferences. Any pupil free Staff Development days for teachers will be provided outside of those 180 instructional days. While changes to the calendar are not anticipated, parents/guardians will be notified as early as possible but no later than one month prior to the scheduled change. The school calendar may be found on the Internet and will be available at each site and district office.

**RESIDENCY VERIFICATION**

1. *Verification of Identity* of parent, caregiver, licensed foster agency or group home representative, or California Superior Court-appointed legal guardian; **ONE** of the following:
  - a) A Driver's License (any photo driver's license or CA ID Card is permitted)
  - b) A passport with photo ID
  - c) If an agent or representative of social services or foster care agency, appropriate identification.
2. *Verification of Residence* of parent, caregiver, licensed foster agency or group home Representative, or California Superior Court-appointed legal guardian:

- a) A current lease/rental agreement listing all the occupants, including but not limited to all school aged children residing in the property, or a current Los Angeles County Property Tax Bill, Mortgage Statement or grant deed in the legal guardian's name showing residence property address, **AND**
  - b) **A CURRENT SOUTHERN CALIFORNIA EDISON BILL** (both parts, top & bottom, in English) or verification of electrical service connection reflecting name and address at the location provided above.\*
3. Present **TWO** additional forms of residency verification *reflecting name and address* at the location provided above:
- a) Current Gas bill (both parts, top & bottom, in English) or verification of gas service
  - b) Current Cable Bill/Phone Bill (both parts, top & bottom, in English) connection.\*
  - c) Current Income Tax Documents (from the IRS, State, and/or County)
  - d) Current Water (both parts, top & bottom, in English) or verification of water service connection.\*
  - e) Current Waste Management Bill (both parts, top & bottom, in English)
  - f) Current Payroll Stub (both name and address must appear on payroll stub)
  - g) Current Social Services documents
  - h) A current bank statement or current credit card bill *reflecting name and address*

**\*\*NOTE:** In the event a utility service connection is used as proof of residency, then a utility bill (both parts, in English) must be provided within 45 days to assure continued enrollment. (Home visitations are made during the first six months of attendance.)

**NEW ENROLLEES PLEASE BRING:**

1. **Certified Student Birth Certificate or Passport**
2. **Student's current immunization records**
3. **Any Previous school student records (i.e. report cards, etc.)**

**HEALTH REQUIREMENTS**

**HEARING AND VISION SCREENING** (EC 49452) The District must provide testing of the sight and hearing of each enrolled pupil. Vision tests, which include acuity and color blindness, must be given upon first enrollment in school and at least every third year thereafter through eighth grade. Hearing testing is conducted upon first enrollment and at least every third year thereafter through high school.

**HEALTH SCREENING AND EVALUATION** (HSC 124100 & 124105) State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded for up to 5 days from school for failing to comply or not providing a waiver. A free health screening is available through the Los Angeles County Health Department.

**INFECTIOUS, CONTAGIOUS DISEASES AND FILTHY OR VICIOUS HABITS** (EC 48211, 48213, 5 CCR 202) Pupils with vicious or filthy habits may be excluded from school. Students who are suffering from contagious or infectious diseases, or who's continued presence in school constitutes a clear and present danger to the life, safety or health of pupils or school personnel shall be excluded from school. The parents shall be notified of the exclusion immediately or as soon as is reasonably possible after the exclusion.



## **OTHER HEALTH RELATED AREAS**

**INSURANCE FOR STUDENT ATHLETES** (AB 2684, Chapter 108, Statutes of 2006). Adds CEC § 32221.5 to require school districts that operates interscholastic athletic teams to include a statement regarding no-cost or low-cost health insurance programs that offers insurance coverage to athletic team members.

**PHYSICAL EXAMINATION** (EC 49451) A parent or guardian may file annually with the school's principal a written statement that he/she will not consent to a physical examination of his/her child. Thereupon the child shall be exempt from any physical examination. However, a pupil shall be sent home if, for good reason, it is believed he/she is suffering from a recognized contagious or infectious disease and shall not be permitted to return until school authorities are satisfied the contagious or infectious condition no longer exists.

**MEDICAL SERVICES INFORMATION** (EC 46010.1) The law requires that pupils in grades 7 through 12 and all parents be informed that school district authorities may be permitted to excuse pupils in grades 7 through 12 to obtain confidential medical services without the consent of the parent.

**ASBESTOS MANAGEMENT PLAN** (40 CFR §763.93) The District maintains and annually updates its management plan for asbestos-containing material in school buildings.

## **ALTERNATIVE SCHOOLS**

**NOTICE OF ALTERNATIVE SCHOOLS** (EC 58501) California State law authorizes all school districts to provide alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designated to:

1. maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy;
2. recognize that the best learning takes place when students learn because of their desire to learn;
3. maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally independently or may result in whole or in part from a presentation by his teachers of choices of learning projects;
4. maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process;
5. maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

\*\*In the event any parent, pupil or teacher is interested in additional information concerning alternative schools, the County Superintendent of Schools, the Administrative Office of this District, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. Further, a copy shall be posted in at least two places normally visible to pupil, teachers, and visiting parents in each attendance unit for the entire month of March in each year. The District Office has copies of the law regarding alternative schools for your information.

**INTRA-DISTRICT TRANSFER** (EC 35160.5(b)) Students are expected to attend the school serving the attendance zone in which they reside. However, parents residing in the district may choose a different school within the district, providing Board established rules and procedures are followed to request the change, space is available and/or verifiable special circumstances exist. Information on each school within the District is provided on the District website. Transportation to any other school is the responsibility of the parent. Applications materials will be available by **February 1<sup>st</sup> and must be received by June 30<sup>th</sup>**. For further information please contact the Child Welfare and Attendance Office at 310.551.5100 ext. 2250.

**INTER-DISTRICT TRANSFER (EC 46600)** It is expected that students will attend the school district serving the attendance zone in which they reside. The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other district. However, Districts may enter into an agreement, which specifies terms, and conditions under which transfers are permitted and may contain standard of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an inter-district transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled, as long as the conditions stated are maintained; and as long as the student's attendance, behavior and academic performance are satisfactory to the school of attendance. Failure to adhere to the terms/ conditions set forth may result in a revocation of the permit prior to the conclusion of the school year. School districts are encouraged to consider child care needs when reviewing a permit request. A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for inter-district attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an inter-district attendance agreement.

**OPEN ENROLLMENT ACT (EC 48350 ET SEQ).** Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of application as long as students are selected through a "random and unbiased" process. Unless the school board waives the deadline, request for transfers are to be submitted by January 1<sup>st</sup> of the prior school year. To apply, parent must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>.

**PARENTAL EMPLOYMENT IN LIEU OF RESIDENCY TRANSFERS (ALLEN BILL TRANSFER) (EC 48204(f) and EC 48980(i)** Provides that school districts may admit any student to its schools whose parent(s) or guardian is employed for a minimum of 10 hours within the boundaries of the district. The District does not currently offer this statutory attendance option.

## **PROMOTION/ RETENTION**

**PROMOTION/ RETENTION OF PUPILS (EC 48070.5 (e) and Board Policy 5048)** Students who are not making reasonable academic progress, as measured by appropriate skill acquisition for that grade level or by achieving at a rate at least equal to the previous year's progress shall be retained. Students participating in categorical programs designed to accommodate specialized needs e.g. those 1) identified as handicapped and placed in Special Education, or 2) designated as Non-English Proficient (NEP), will not be retained. Parents will be notified as soon as possible when a student is identified as being at risk of being retained at the end of the school year. Parents will be notified of the before school, after school, and/or summer academic prevention/intervention opportunities available for their child. More specific information is available from the school.

## **HIGH SCHOOL EXIT EXAM**

**HIGH SCHOOL GRADUATION REQUIREMENTS (EC 48980(e), 60850 and 60851)** Beginning with the 2005-06 school year, and each year thereafter, each pupil completing 12<sup>th</sup> grade must successfully pass the California High School Exit Examination (CAHSEE) as a condition for receiving a diploma of graduation or graduation from high school. Each pupil must also meet the district's course

and credit requirements in order to receive a diploma of graduation. Pupils will have eight opportunities to pass both parts of the exam; one in grade 10, three in grade 11, three in grade 12 and one after their class has graduated. All exam dates scheduled are designated for each year by the State Superintendent of Public Instruction. The district's schedule of exams and requirements are available in the high school office. A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. For more information, visit: [http://www.cde.ca.gov/ta/tg/hs/documents/cahseequ08\\_003.doc](http://www.cde.ca.gov/ta/tg/hs/documents/cahseequ08_003.doc).

## **ADVANCED PLACEMENT EXAMINATION**

**AVAILABILITY OF STATE FUNDS TO COVER COST OF FEES OF EXAM** (EC § 52244 and EC § 48980(k)) Pupils enrolled in at least one Advanced Placement class and who qualify as economically disadvantaged, may apply for assistance to cover the cost of advanced placement examination fees. Pupils should contact the counselor at the school for specific information.

## **PUPIL RECORDS**

**REVIEW OF AND ACCESS TO PUPIL RECORDS** (34 CFR Part 99, EC 48980, 49063, 49068, 49069, 49070, 49073, 49076, 5 CCR §431 [e] and Board Policy 5020) Under the Family Educational Rights and Privacy Act (FERPA) of 1974 and state legislation, parents of currently enrolled pupils or former pupils attending a postsecondary education program under the age of 18 or current pupils 18 or older, have a right to inspect and review any and all records related to the student. These rights include the following:

1. The right to inspect and review during regular school hours within five business days of the day the District receives a request for access. The parent or eligible student should submit to the school principal or certificated designee or District custodian of records a written request that identifies the record(s) they wish to review. The principal or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. The parent or eligible student can request information about the location(s) of where the student's records are kept. Copies of records may be made available for a predetermined fee.
2. The right to request that the school/district correct records believed to be inaccurate or misleading. The parent or eligible student should put the request in writing to the principal/certificated designee of the school or district Custodian of Records, and clearly identify the part of the record they want changed, and why it is inaccurate or misleading. If the District decides not to amend the record, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to give consent to disclosures of any information in the student's records, except to the extent that FERPA allows for disclosure without consent from the parent or eligible student. School/ District officials and employees, and members of the School Attendance Review Board have access to the records provided they have a legitimate educational interest in the pupil. A school/ district official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (e.g. nurse, health clerk, psychologist, speech/ language specialist; a person/company with whom the District has contracted to perform a special task (auditor, therapist, attorney); or members of the School Attendance Review Board. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. In accordance with Board Policy release of directory information regarding pupils is the parent/guardian has specifically denied permission in writing.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, and 400 Maryland Avenue. S.W., Washington, D.C. 20202-4605.

\*\*Further information may be obtained from the Beverly Hills Unified School District's Custodian of Records.

## **FAMILY LIFE EDUCATION**

**HEALTH EDUCATION AND AIDS PREVENTION INSTRUCTION** (EC 51938, EC 51201.5 (d), 51240, 51554, 51555 and WIC 18976.5). Whenever any part of health, family life education, and sex education classes conflicts with the religious training or beliefs of the parents or guardian the pupil shall be excused from that part of the instruction, including AIDS prevention instruction, when the parent or guardian requests it in writing. Written notice explaining the purpose of the required AIDS prevention instruction and information stating the parent or guardian's right to request a copy of EC51201.5and 51553, related to AIDS prevention instruction, will be provided to the parent or guardian of each pupil in grades 7 to 12 at the beginning of each year or upon new enrollment. This notice shall further specify that any parent may request that his/her child not receive AIDS prevention instruction. Further, before a pupil enrolled in kindergarten or grades 1 to 6 receives instruction on sexually transmitted diseases, AIDS, human sexuality, or family life, written notification shall be provided to the parent or guardian stating that instruction will be given and that the parent or guardian has the right to request a copy of Sections 51201.5 and 51553, related to AIDS prevention instruction. This applies whether the instruction is provided by a teacher employed by the district or in any setting by an outside agency or guest speaker unless the pupil's parents have been properly notified as specified.

**SEX EDUCATION CLASSES** (EC 51550) Parents will be notified in writing prior to any instruction or class or portion of a class being conducted in which human reproductive organs and their functions or processes are described, illustrated, or discussed. The parent or guardian will be notified in writing of the opportunity to review any written or audiovisual materials used in the instruction, at reasonable times and places, prior to holding the class. Parents may request in writing that their child not attend the instruction or class. This section does not apply to words or pictures in any textbook, adopted pursuant to law, on physiology, biology, zoology, general science, personal hygiene or health.

**SURRENDER OF BABY** (EC 51553) All public schools that teach sex education courses shall include the provisions of section 1255.7 of the Health and Safety Code and section 271.5 of the Penal Code, relating to parents and others who voluntarily surrender physical custody of a baby 72 hours old or younger at a hospital or other designated place.

**CHILD ABUSE PREVENTION PROGRAM** Parents have the right to refuse to allow their child to participate in any child abuse prevention program that is offered.

**HOMELESS YOUTH EDUCATION**- 42 US 11432, EC 51225.1 and 51225.2

Requires every local education agency to appoint a homeless liaison to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children. Unaccompanied youth, such as teen parents not living with their parent/guardian or students that have run away or have been pushed out of their homes, have access to these same rights. Notification may address:

1. Liaison contact information.
2. Circumstances for eligibility (e.g., living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway, unaccompanied, or migrant youth).

3. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers.
4. Right to education and other services (e.g., to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment).
5. Right to be notified of possibility of graduating within four years with reduced state requirements, if the homeless student transferred after the second year of high school, is credit deficient, and will not be able to graduate on time with local district requirements.
6. Right for district to accept partial credits for courses that have been satisfactorily completed by the homeless student.

**FOSTER PUPILS** (EC§§ 48850 et seq.) Requires district's educational liaison to ensure pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources, services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards.

**FOSTER YOUTH EDUCATION** (AB 1573) A pupil may comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; **a pupil who is a foster child who remains in his or her school of origin**; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district.

## **TEMPORARY DISABILITIES**

**TEMPORARY DISABILITIES INDIVIDUAL INSTRUCTION** (EC 48206.3, 48207 and 48208) A student who is unable to attend regular day classes due to a temporary disability that places him/her in a residential health facility shall receive individual instruction by the district in which the child is temporarily residing. The location of the hospital or health facility is considered the child's place of residence during his/her stay there. Parents are responsible to notify the District where the child is temporarily residing of his/her presence.

**INDEPENDENT HOME/HOSPITAL INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES** (EC 48206.3 and EC 48980 (b)) Home teaching ("individual instruction") shall be provided to students with a temporary disabilities which makes attendance in the regular day classes or alternative education program in which pupils are enrolled impossible or inadvisable. The services shall be provided to pupils who are predicted to be absent in excess of ten consecutive instructional days. The amount and duration of home teaching services will be developed and documented based upon the individual educational needs of the student.

## **SCHOOL ACCOUNTABILITY REPORT CARD**

**(SARC)** (EC 33126(c), 35256, 35258) The SARC is published annually for the purpose of providing data by which parents can make meaningful comparisons between public schools, enabling them to make informed decisions about the enrollment of their children. Content of report card defined under EC § 33126, amended for 2006-2007, to include revised estimated expenditures per pupil and types of services funded, e.g., personnel salaries; schools identified by governing board as having insufficient textbooks or instructional materials including percentage of pupils lacking sufficient standards-aligned textbooks or instructional materials by subject area; and career technical education data measures, as specified. A copy of the SARC is available for review at the District Office and

on the Internet. Every effort is made to provide a copy annually to all parents at each site. However, copies will be provided to parents upon request. Upon request, additional copies are available to interested community members for a predetermined fee. The content of the report card defined under EC § 33126, as amended, must include missed assignments of teachers, number of vacant teacher positions, availability of sufficient textbooks and other instructional materials, and needed maintenance to ensure good repair of facilities. (EC § 33126 amended by SB 1108, Ch 22, AB 1609, Ch 354, and SB 687, Ch. 358, Statutes of 2005).

**Availability of Prospectus** (EC 49063 and 49091.14) Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional aims of every course offered by the school.

## **SCHOOL SAFETY**

**COMPREHENSIVE SCHOOL SAFETY PLAN: ANNUAL NOTICE** (EC 35294.6, EC 32280) Each school in the Beverly Hills Unified School District reports the status of its Safety Plan, including a description of its key elements in the School Accountability Report Card (SARC) made available to all parents. The plan includes information such as specific rules and regulations regarding student discipline, disaster procedures, child abuse reporting procedures, and other policies. Each school site has a **Comprehensive** School Safety Plan, which includes a disaster preparedness plan **and emergency procedures**. Complete copies are available to read at each school office.

**OFF SITE EVACUATION/REUNIFICATION CENTERS** Each school has predetermined evacuation / reunification centers. This information is only available from your child's school. Parents/Guardians will need to sign their child out from the teacher during an evacuation or during a disaster.

**SCHOOL BUSES: PASSENGER SAFETY** (EC 39831.5) Upon registration, parents or guardians of pupils not previously transported in a school bus in grades pre-kindergarten, kindergarten and grades 1-6, inclusive, shall be provided with written information regarding school bus safety as specified.

**MEGAN'S LAW, RELEASE OF SEX OFFENDERS INFORMATION** Penal Code § 290.4 requires Department of Justice to operate service where members of public may provide list of six persons on approved form and inquire whether any of the persons is required to register as sex offender and is subject to public notification. Under § 290.4, the Department shall also make information about certain sex offenders available to public via Internet. (Penal Code § 290.4 amended by AB 1323, Ch. 722, Statutes of 2005).

**PERSISTENTLY DANGEROUS SCHOOL, Victim of Violent Criminal Offense, Option to Transfer** NCLB requires district that has school identified as persistently dangerous to notify parents of each pupil attending school of the identification and offer pupils option to transfer to a safe school within the district. Notification regarding status of school and offer to transfer may be made simultaneously. Notification to be timely, e.g., within ten school days from date district learns school has been identified as persistently dangerous. Under 5 CCR § 11992, persistently dangerous defined as specified sum of firearm violations by non-pupils on school grounds or during school sponsored activities plus expulsions for certain violations of EC § 48915 (a) and (c) and § 48900.3 over course of three school years. Option to transfer to safe school within district must also be made to pupils who become victim of violent criminal offense at school pupil attends. Offer to transfer should occur within 14 calendar days. (5 CCR § 11992 added by Register 2005, No. 25).

### **STUDENT CONTACT INFORMATION (a.k.a. Directory Information)**

"Directory Information" includes one or more of the following items: student's name, address, **email address**, telephone number, date and place of birth, weight and height of members of athletic teams, dates of attendance, and the most recent public or private school attended by the student. Directory information may be disclosed without prior consent from the parent or legal

guardian unless the parent or legal guardian submits a written notice to deny access to his/her pupil's directory information.

## **EMERGENCIES**

**EMERGENCY AUTHORIZATION** (EC 44809; CAC, Title 5, Sec.432) each year the District is required to verify the name, address and phone number of the parent and the residence of the pupil. Further, the District requires that an Emergency Authorization Card be completed annually in writing by the parent or guardian providing information regarding medical treatment in the event of an emergency. This Emergency Authorization Card when completed a) finalizes registration, b) shall indicate receipt and review of the **Notice of Rights and Responsibilities of Parents of Minor Pupils by the parent or guardian**, and c) shall be kept on file at the school.

## **CUSTODY ISSUES**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

**VISITORS** The Board of Education is committed to keeping the schools safe from intruders and requires all visitors to register in the main administrative office upon coming on campus.

The principal or designee shall promptly expel from school premises any individual he/she reasonably believes might disrupt normal school operations, threaten the health and safety of students or staff, or cause property damage. Failure to register or identify oneself may be considered to be disruptive.

The principal or designee shall ensure that all staff members know what action to take when they observe strangers on school grounds and when and how to get help from law enforcement authorities.

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth school hours, visitor registration location and requirements, penalties for refusing to leave school grounds, and any other announcements required by the local law enforcement agency in order to pursue the arrest of persons found loitering or trespassing (Penal Code 627.6).

Members of the Beverly Hills Unified School District staff will treat parents and other members of the public with respect and expect the same in return. This District is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices from disruptions and preventing unauthorized persons from entering school/District grounds.

This policy promotes mutual respect, civility and orderly conduct among District employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible a reasonable, safe, harassment-free workplace for our students and staff. In the interest of presenting District employees as positive role models to children of this District, as well as the community, the Beverly Hills Unified School District encourages positive communication, and discourages volatile, hostile or aggressive actions. The District seeks public cooperation with this endeavor.

## **DISRUPTIONS**

Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage, uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on School District property, will be directed to leave school or School District property promptly by the Chief Administrative Officer or designee.

If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective actions are not taken by the abusing party, the District employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on District premises, the offending person will be directed to leave promptly.

When asking an individual to leave school grounds, the principal or designee shall state that the individual will be guilty of a misdemeanor if he/she re-enters school premises within the applicable period of time (Penal Code 626.6, 627.7; EC 32211).

Action leading to the penalty of a fine, imprisonment or both may be taken against anyone whose conduct materially disrupts class work or extracurricular activities or causes a disturbance on school grounds (EC 44811; Penal Code 415.5).

When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the Chief Administrative Officer or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California EC 44811 and Penal Codes 415.5 and 626.7 if he/she re-enters any District facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If any individual refuses to leave upon request or returns before the applicable period of time, the Chief Administrative Officer or designee may notify law enforcement officials.

**CIVILITY ON SCHOOL GROUNDS – CC 1708.9, EC 32210** Any parent, guardian, or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor. Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500). This section shall not apply to any otherwise lawful employee concerted activity, including, but not limited to, picketing and the distribution of handbills.

## **SAFETY AND SECURITY**

The Superintendent or designee will ensure that a safety and/or crisis intervention techniques program is provided in order to raise awareness on how to deal with these situations if and when they occur.

When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete an Incident Report. Employees and supervisors should complete the Incident Report and report to law enforcement any attack, assault or threat made against them on school/District premises or at school/District-sponsored activities.

An employee, whose person or property is injured or damaged by willful misconduct of a student, may ask the District to pursue legal action against the student or the student's parent/guardian.

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be in connection with assigned school activities (Penal Code 626, 626.9, 626.20).

**DOCUMENTATION** When it is determined by staff that a member of the public is in the process of violating provisions of this policy, an effort should be made by staff to provide a written copy of this



policy, including applicable code provisions, at the time of occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident.

**APPEAL PROCEDURE** Any person who is asked to leave a public school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school-day after the person has departed from the school building or grounds. The Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding upon both parties. The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled or adjourned regular public meeting. The Board's decision shall be final (EC 32211).

## **DISCIPLINE POLICY AND PROCEDURES**

### **INTRODUCTION**

We look forward to having you as a member of the Beverly Hills Unified School District community. We care about the students attending our public schools and want them to receive the finest educational opportunities possible. The purpose of this section is to provide you with information to assure you that your Board of Education vigorously supports learning within a framework of academic excellence, discipline, and orderliness. We believe that students in public schools should progress from being adult-directed, with minimal application of disciplinary measures, to being self-directed. We are proud of the students of our school system. They have proven themselves to be good citizens and scholars in the classroom and in the community.

It is important that you, as a parent, are aware of the Board of Education Policy and Procedures, which are followed when disciplinary situations arise. With this awareness, you will also be able to assist in helping your child understand the importance of conducting themselves appropriately. Ultimately, our goal is for your child to enjoy a rich learning experience in the Beverly Hills schools.

### **GENERAL CONDUCT**

The Board of Education believes that every student's character is molded by influences starting with the student's family and including all the institutions that affect the student's life. It is a major purpose of public education to teach, model, and encourage the development of good character in every student in every possible way. The Beverly Hills Unified School District Board of Education recognizes that a quality education includes a fundamental expectation that schools provide an environment that encourages the development of a strong moral anchor in truth, responsibility, and justice. American public education has historically viewed character development as a foundation of the major mission of successful teaching and learning. The social environments of homes, schools, and communities form values and character. Clear expectations and pride in complying with the norms of the community help shape behavior. Families, schools, and communities have a profound influence on character, ethics, and values in both direct and indirect ways and school communities have a responsibility to teach, demonstrate, and promote ethical behavior. All participants in the education process must work in the partnership to ensure the successful development of the citizens of future generations.

## **AREAS OF RESPONSIBILITY**

### **BOARD OF EDUCATION RESPONSIBILITIES**

#### **THE BOARD OF EDUCATION SHALL:**

1. Hold all school personnel, through the Superintendent, responsible for the control and proper conduct of students while under the legal supervision of the school.
2. Give full support, and mutual cooperation shall be expected of all school personnel in the administration of District policy.

## **ADMINISTRATOR RESPONSIBILITIES**

### **THE SUPERINTENDENT SHALL:**

1. Establish procedures to carry out Board of Education discipline policy.
2. Hold all school personnel, students and parents responsible for the Board of Education policy and the conduct of children in the schools of the Beverly Hills Unified School District.
3. Notify the parent/guardian of all students of the availability of the District policy pertaining to student discipline. (EC 35291)

### **THE SCHOOL ADMINISTRATOR SHALL:**

1. Initiate and enforce a set of school rules to facilitate effective learning and promote attitudes and habits of good citizenship.
2. Communicate the rules for student discipline to the continuing students at the beginning of the fall semester, and to transfer students at the time of their enrollment. (EC35291)
3. Support classroom teachers in their efforts to promote improved and acceptable behavior of students.
4. Notify parents/guardians of student offenses considered serious by the administrator by telephone, letter or personnel conference.
5. Involve parents, community organizations and other government agencies in obtaining the best behavioral performances by students.
6. Maintain documented records of deviant student behavior as a means of helping in the guidance of the students, as a record for parental conferences, as reference for authorized agencies and for supporting evidence where suspensions or expulsions may become necessary.
7. Cooperate with law enforcement personnel.
8. Always remain cognizant of his legal and professional responsibilities to the District and to the students.
9. Be responsible for administration, management, instructional programs, and operation of the school.

## **TEACHERS RESPONSIBILITIES**

### **THE TEACHERS SHALL:**

1. Conduct well-planned and effective classroom programs.
2. Initiate and enforce sets of classroom regulations and positive behavioral reinforcements that facilitate effective learning.
3. Cooperate with administrators and other classroom teachers to enforce general school rules and appropriate campus behavior.
4. Follow procedures outlined in each school's handbook to handle discipline problems for which he/she is directly responsible.
5. Make prompt referrals when a student's conduct and record indicate that more than routine controls are needed.
6. Remove any student whose behavior seriously disrupts the learning atmosphere of the class, and cooperate with the administrator in his/her effort to promote improved and acceptable behavior of students.

## **CLASSIFIED PERSONNEL RESPONSIBILITIES**

### **THE CLASSIFIED PERSONAL SHALL:**

1. Classified Personnel shall be responsible to assist in maintaining student behavior in those areas specifically authorized and assigned by the Superintendent and/or principal, except when health, welfare, safety of others or plant security is jeopardized.

## **ADMINISTRATIVE PROCEDURES**

The Board of Education recognizes that each student is an individual and that control and correction of student misconduct must be managed on an individual student basis. The following procedures will be used for disciplinary purposes:

### **A. CONFERENCES**

Misconduct indicates the need for a comprehensive look at the student's behavior to determine possible causes and probable corrective measures.

Conferences may involve some or all of the following people; students, teachers, psychologists, counselors, attendance officers, school administrators, parents, and District Office personnel.

### **B. STUDENT STUDY TEAM**

Misconduct of a continuing nature indicates the need for a comprehensive look at the student's behavior to determine possible causes and probable corrective measures. The Student Study Team, which may include some or all of the following people: student, teachers, psychologist, counselors, attendance officer, school administrator, parents, and District Office personnel, will review student behavior, develop and monitor a plan for assistance.

### **C. BEHAVIORAL CONTRACT**

A behavioral contract may be written before or after disciplinary action for any act of misconduct, including no diligence in studies. When this action is taken, the parent will be provided with a copy of the contract. The District encourages use of performance contracts, whereby student/District-determined goals in academic/behavior areas are specifically and expressly stated. Students are held accountable for achievement of these mutually agreed upon goals.

### **D. REMOVAL FROM CLASS**

A student who creates a safety hazard in class or commits severe disruptive infractions in class may be suspended from that class by the teacher for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal for appropriate action. (EC 48910).

### **E. PROBATION**

A student may be placed on probation before or after disciplinary action for any act of misconduct, including no diligence in studies. When this action is taken, parents will be notified in writing.

### **F. DETENTION**

A student shall not be detained in school for disciplinary or other reasons for more than one hour after the close of the maximum school day. (Title 5, Section 353)

A student shall not be required to remain in school during the intermission at noon, or during any recess. (Title 5, Section 352)

### **G. LOSS OF CREDIT OR REMOVAL FROM COURSE (HIGH SCHOOL)**

The Beverly Hills Unified School District believes that the school and home are engaged in a partnership to teach the values of integrity, truth, personal accountability, and respect for the rights of others. (See section on Academic Honesty, BP 5040.1)

## **H. SINGLE PERIOD TRUANCY**

Any comprehensive high school student who has five (5) single period truanancies in any one class, per semester, will be referred to an Assistant Principal and referred to the School Attendance Review Board. Extensive communication with students and parents has been built into the procedure.

## **EXCLUSION FROM SCHOOL**

The Board of Education may exclude from attendance at regular school classes any child whose physical or mental disability is such as to cause his attendance to be a detriment to the welfare of other students. Ed. Code Section 48211 sets forth the following reasons for exclusions:

1. When a student displays filthy or vicious habits;
2. When a student has a contagious or infectious disease;
3. When a student lacks proper immunization for up to five (5) days;
4. When a principal determines that, the continued presence of the child would constitute a clear and present danger to the life, safety, or health of pupils or school personnel.

## **PARENT/GUARDIAN RESPONSIBILITIES**

### **THE PARENT/GUARDIAN SHALL:**

1. Adhere to existing laws governing the conduct and education of their children;
2. Comply with Compulsory Education Laws EC 48200, 48400, 48450, and 48454, which state that:
  - a) A person between the ages of 6 and 16 years, not exempted, is subject to compulsory full-time education;
  - b) A person between the ages of 16 and 18 years shall attend school in an approved program unless he/she has received a high school diploma or its equivalent;
3. Be liable for any misconduct resulting in injury or death to any student, or to any persons employed by or volunteering for the School District. The liability of the parent or guardian shall not exceed \$12,500; (EC 48904(a), Civil Code 1714.1)
4. Be liable for any defacement or injury to any real or personal property belonging to the school district or any school employee. The liability of the parent or guardian shall not exceed \$ 12,500; (EC 48904(a), Civil Code 1714.1)
5. Be liable for all property belonging to the school district which is loaned to the student and not returned upon demand of an employee of the District. The liability of the parent or guardian shall not exceed \$12,500; (EC 48904(a), Civil Code 1714.1)
6. Ensure compliance with the Vehicle Code regarding bicycle and automobile regulations in the vicinity of and on school property.

## **STUDENTS RESPONSIBILITIES**

### **STUDENT RESPONSIBILITY CONTRACT:**

#### **(Summary for K-8 Students)**

1. I will behave respectfully to all adults and other students at my school.
2. I will be quiet and orderly in the hallways, cafeteria, and the office.
3. I will ask my teacher's permission whenever I leave my room during class time.
4. I will clean up after myself.
5. I will dress appropriately for school.
6. I will not use inappropriate language.
7. I will not chew or possess gum on school grounds.
8. I know that I cannot bring toys, music players or electronic games to school.
9. I will stay out of the halls during recess and lunch times and never enter a classroom without a teacher.
10. I will not bully others and keep my hands and feet to myself at all times.
11. I know that I cannot ride my bicycle to school until I am in the 4<sup>th</sup> grade.
12. I will not cheat on any tests or assignments or help others to cheat.

13. I will never bring weapons or dangerous items of any kind to school. This includes any type of pocketknife or sharp object. I understand that if I do I will be suspended or possibly expelled from school.
14. I will not damage school property in any way.
15. I will not take things that do not belong to me.
16. I will not bring a cellular phone or other electronic devices to school. If I bring a cellular phone to school, it must be turned off during school hours and hidden from view at all times. If I do not follow these rules, my cell phone will be taken away and I will no longer be allowed to have one at school.

**CELL PHONES (KINDERGARTEN THROUGH EIGHTH GRADE) CONSEQUENCES:**

All K-8 Beverly Hills Schools are cell phone free zones. Cell phones may not be seen or heard at any time during the school day in any location. Cell phones may not be used inside the buildings after school.

**FIRST INFRACTION:**

- Cell phone will be confiscated and it must be picked up by a parent and/or guardian in the assistant principal’s office at the close of the following school day.

**SECOND INFRACTION:**

- Cell phone will be confiscated and it must be picked up by a parent and/or guardian in the assistant principal’s office after one week.

**THIRD INFRACTION:**

- Student will not be allowed to bring a cell phone to school for the remainder of the school year.

**STUDENT RESPONSIBILITY CONTRACT (Summary for 9-12 Students)**



*As a student at Beverly Hills High School, I understand that I must meet certain responsibilities and obligations, including, but not limited to, the following:*

1. To remain on campus at all times during the school day as defined by my school program, **including lunchtime, leaving ONLY when authorized to do so by a school official.**
2. **To arrive on time for all classes.** Absences and tardiness impact student performance. Detention and other consequences may be assigned for excessive absences and tardiness.
3. To attend all my classes except for legally excused reasons (illness, bereavement, quarantine, or medical appointment). I understand that I must clear all absences and that the procedures are as follows:
  - A. **On the day of a full-day absence, my parent will call the attendance office before 10:00 a.m. If they do not call, they may send a note within 5 days of the absence.**
  - B. After 5 days, my parent must come to the Attendance Office to clear an absence. **After the 10<sup>th</sup> day, an absence will not be excused.**
  - C. **If I must leave school during the day, I will bring a parent’s note to the Attendance Office BEFORE I LEAVE CAMPUS.** I will not leave campus for a medical appointment without following this procedure. **\*(A note on doctor’s stationery, signed by the doctor, stating the date and time of the appointment is required upon return to campus, or the absence is unexcused.**
  - D. I understand that **I may receive a failing grade from a class in which I have 5 unexcused absences.** I also understand that detention(s) may be assigned by teachers for failure to follow attendance guidelines.
4. To refrain from unlawful use, possession or sale of drugs or alcohol on or off school grounds, when involved in any school activity, or when on the way to or from home/school. I understand that violation of District drug/alcohol policy will result in my suspension from school, notification of the Beverly Hills Police Department, a parent conference, and possible initiation of ex-

- pulsion procedures. I understand that return to school may be contingent upon enrollment in an approved drug education/counseling program.
5. To refrain from bringing any type of weapon (includes pocket knife or sharp object) to school. I understand the penalty for violating this section is my suspension from school and initiation of expulsion procedures.
  6. To dress appropriately for school, recognizing that school is a place of business and that I must respect the guidelines set by my individual teachers. **All clothing must cover undergarments!** The following are considered inappropriate and may not be worn: any clothing that suggests gang affiliation, bears inappropriate logos, or detracts from the academic environment.
  7. To refrain from behavior that disrupts school activities. I understand that actions such as inappropriate classroom conduct, profanity, and lack of respect for classmates and adults are unacceptable behaviors and may result in suspension and/or expulsion.
  8. To refrain from the unauthorized sale of any items on campus.
  9. To refrain from possessing, using, and/or supplying others with matches or tobacco products or fireworks. Students may not smoke anywhere on campus. I understand that these are unacceptable behaviors and that the Beverly Hills Police Department may issue a citation to me.
  10. **Cell phones must be off while in classrooms, unless at the teacher's direction.** No making or receiving calls in the Library. I understand that if I use such a device at an inappropriate time or place, disciplinary consequences will follow.
  11. To refrain from using any type of recording device at school, with the understanding that taking pictures of other students or staff members with cameras, camera phones, video recorders or any other type of image capturing device without their permission is forbidden. I further understand that if I do so, my equipment may be confiscated.
  12. To refrain from using the elevators on campus. I understand they are for adults only. In case I am injured I will obtain a pass from my Assistant Principal or the school nurse in order to use the elevators.
  13. To refrain from littering anywhere on the school campus. I understand that if I litter, I may be assigned clean-up duty, detention, or cited by school officials or the police anywhere on the school campus.
  14. To refrain from unauthorized possession of school property such as keys, examinations, or equipment. Unauthorized possession may result in arrest, suspension and/or expulsion.
  15. To refrain from fighting or from inciting others to fight. I understand that the penalty for violating this section may result in suspension from school for up to five days and/or arrest and/or expulsion from school.
  16. To behave honestly and ethically at all times. I understand that violating the District Cheating Policy will result in a failing grade on the assignment for the first offense and a failing grade in the class for the second offense in that same class. I will abide by the District Cheating Policy, which defines cheating as communicating with another student during an exam, copying material during an exam, allowing another student to copy from their exam paper, using unauthorized notes or devices, submitting falsified information for grading purposes, obtaining and supplying a copy and/or information about an exam without the knowledge and consent of the teacher, submitting work written by another person, submitting work written by the student for another assignment without the instructor's knowledge or consent (self-plagiarism), copying another person's assignment(s), allowing another student to copy his or her assignment, or taking home exams without the knowledge and consent of the instructor.
  17. To refrain from defacing property with or through other acts which damage school property. I understand that the penalty for such damage may be suspension from school, notification of the Beverly Hills Police Department, a parent conference, my being responsible for reimbursement of the costs associated with repairing the damage, and, in serious cases, initiation of expulsion procedures.
  18. To return all textbooks in good condition and clear any textbook fines by the end of the year. Fines that are not cleared by the end of the school year may prevent students from registering until fines are cleared. Any book turned in after the last day of school is considered late and will be charged a \$10 (per book) late fee. Please note, if your book was returned, and we have found

it to be in an unsatisfactory condition, it will be listed on this letter as not returned and the balance column will reflect the price of the fine.

19. To refrain from sexual harassment of others, whether verbal, written or physical. Any student found guilty of sexual harassment shall be subject to disciplinary action.
20. To refrain from any illegal use or activity with computer hardware and software. This includes cheating in classes, changing grades and/or attendance for myself or others.
21. To submit to the Principal or his designee for review and for permission to circulate petitions, circulars, and other printed material at least one day prior to distribution. Unapproved distribution of printed material results in suspension from school activities and possible expulsion.
22. To respect the diversity of our student population. I understand that racial, ethnic, sexist, or other inappropriate comments or actions will result in immediate disciplinary action.
23. To refrain from any type of bullying or hazing activities, including electronic bullying, that would be likely to cause body danger, physical harm or personal degradation or disgrace to another student. Any student found guilty of bullying or hazing will be subject to suspension and/or expulsion and may be referred to the Beverly Hills Police Department.
24. To refrain from loitering on Heath Avenue during lunch or after school. I understand that when my school day has ended, I will leave campus.
25. Seniors must maintain good attendance and grades (must pass five classes) to participate in senior activities and will be required to sign a separate contract.
26. To follow the District's Acceptable Use Policy on student access to networked information resources and I agree to the following. I understand that access will be granted to students who submit the proper permission forms and agreement forms signed by parents of minor students (under 18 years of age) and by students themselves. I agree to act in a considerate and responsible manner while conducting research and communicating with others as related to school assignments. I will abide by the rules of every network that I access. I understand that if I don't follow the rules associated with the use of telecommunications and electronic information resources that the appropriate disciplinary consequences, including suspension from school, could be enforced upon my violation of said rules.
27. To refrain from riding skateboards anywhere on campus. They will be confiscated.
28. To refrain from entering any construction areas and interacting with construction workers.

**\*\*As a student at Beverly Hills High School, I have read the Beverly Hills School Student Responsibility Contract and agree to abide by the school rules and policies and to be a responsible person. I understand that the list of rules and obligations in the contract is not all inclusive. I understand that an additional copy of the Student Responsibility Contract may be found on the Beverly Hills High School website.**

**ADDITIONAL PROHIBITED STUDENT CONDUCT INCLUDES BUT IS NOT LIMITED TO:**

1. Behavior that endangers staff and/or students.
2. Behavior that disrupts the orderly classroom or school environment
3. Harassment of students or staff, including bullying, intimidation, hazing, or any other verbal, written or physical conduct that causes or threatens to cause bodily harm or emotional suffering.
4. **Hazing** (SB 1454, Chapter 601, Statutes of 2006). Amends CEC § 48900, governing suspension and expulsion, to define hazing by reference to Penal Code § 245.6 which states, "'Hazing' means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events." Conspiring to engage in hazing, participating in hazing, or committing any act that injures, degrades, or disgraces, or tends to injure, degrade, or disgrace any fellow student (EC 32051)
5. Damage to or theft of property belonging to the district, staff or students.
6. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)
7. Prior to bringing a laser pointer on school premises, students shall first obtain permission from

the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

8. Profane, vulgar or abusive language
9. Plagiarism or dishonesty in schoolwork or on tests
10. Inappropriate dress
11. Tardiness and unexcused absence from school
12. Failure to remain on school premises in accordance with school rules
13. Obstructing or disrupting any authorized activity conducted under the authority of the Board of Education or its employees
14. Conducting activities that evidence intent to conflict with school sponsored events or with the proper functioning of the regular school program
15. Using force, violence, threat, intimidation, extortion or coercion to obstruct any school officials in the performance of their duties
16. Preventing a student, teacher or other school authorities from attending a class
17. Obstructing or disrupting the educational program of the school
18. Entering or using in any unauthorized manner any school facilities, including buildings, grounds and equipment
19. Failing to comply with the direction of police or any other law enforcement officers while they are acting in the performance of their duties on the school grounds
20. Smoking, possessing or selling tobacco products on or within any school or district property
21. Selling, buying, igniting or possessing fireworks of any kind while under the jurisdiction of the school, including "poppers" or "snappers"
22. Unlawfully possessing, using, selling, giving away or otherwise furnishing to another or being under the influence of any controlled substance, as defined in Section 11007, Health and Safety Code, or of any alcoholic beverage or intoxicant of any kind
23. Engaging in any form of sexual harassment
24. Possessing, selling, or furnishing any firearm, knife, explosive or other dangerous object.

## **CHEATING POLICY**

The Beverly Hills Unified School District believes that the school and home are engaged in a partnership to teach the values of integrity, truth, personal accountability, and respect for the rights of others.

## **CHEATING DEFINITION (HIGH SCHOOL)**

Students should understand that, among other things, cheating includes communicating with another student during an exam, copying material during an exam, allowing another student to copy from their exam paper, using unauthorized notes or devices, submitting falsified information for grading purposes, obtaining and supplying a copy and/or information about an exam without the knowledge and consent of the teacher, submitting a paper written by another person, copying another person's assignment(s), allowing another student to copy an assignment, or taking home exams without the knowledge and consent of the instructor.

This should not prevent K-12 students from working together on their assignments or homework, unless specifically told not to do so by the teacher. High school students should not work together on their assignments or homework unless the teacher has specifically given them permission to do so. Cheating here is defined as misrepresenting another's work as your own.

## **CONSEQUENCES FOR CHEATING**

The consequences for cheating shall be clearly explained to all students. All teachers must adhere to the following procedures, however, consequences appropriate to the individual case will always be considered:



**FIRST INFRACTION**

1. Student grade is lowered: (1) if the cheating occurs on an exam, a zero grade for that exam shall be included in a student’s average. (2) if the cheating occurs on an activity other than an examination, the equivalent of a zero grade on that activity shall be included in the student average;
2. Teacher informs the parent;
3. Referral to assistant principal. Appropriate counseling steps should be taken;
4. Conduct mark is to be lowered;

**SECOND INFRACTION**

1. Conference with assistant principal, counselor, parent, student and teacher;
2. A zero grade shall be given for the test/ quiz/ assignment;
3. A record will be placed in the student’s guidance folder;
4. 30 hours of community service will be assigned by an administrator (BHHS only); Conduct mark is to be lowered.

**THIRD INFRACTION IN THE SAME COURSE**

1. Student will receive a failing semester grade;
2. The student will be assigned an additional 50 hours of community service (BHHS only);

**OTHER CHEATING POLICIES:**

1. If a student steals, sells or buys (or offers to sell or buy) a final examination or has unauthorized possession of a final examination, a parent conference will be called, a suspension will be assigned, and the student will fail the course.
2. If a student steals keys (has unauthorized possession of keys) or is involved in illegal school entry, an administrator is to be notified immediately. The school administration will notify the Beverly Hills Police Department, the student will be suspended, a parent conference will be called, and the student will fail the course. Where appropriate, expulsion procedures will be initiated.

Of course, it is our hope that through discussion and diligence the consequences associated with cheating will not have to be initiated.

**POLICIES FOR CHEATING K-8:**

The Beverly Hills Unified School District believes that the school and the home should be engaged in a partnership to teach the values of integrity, truth, personal accountability and respect for the rights of others.

**CHEATING DEFINITION (K-8)**

Students should understand that, among other things, cheating includes communicating with another student during an exam, copying material during an exam, allowing another student to copy from their exam paper, using unauthorized notes or devices, submitting falsified information for grading purposes, obtaining and supplying a copy and/or information about an exam without the knowledge and consent of the teacher, submitting work written by another person (except as outlined below\*), submitting work written by the student for another assignment without the instructor’s knowledge or consent (self-plagiarism), copying another person’s assignment (s), allowing another student to copy his or her assignment, or taking home exams without the knowledge and consent of the instructor.

*\*\* When a student submits an assignment, that assignment should be only his or her own work unless the teacher has specifically set up the assignment as a group project or other collaborative assignment. In such cases, the names of all students involved in the group process should be listed on the assignment. If the teacher has not designated the assignment as a group project, submitting an assignment written by more than one person is **plagiarism**.*

## **CONSEQUENCES FOR CHEATING (MIDDLE SCHOOL)**

### **FIRST INFRACTION:**

1. The test or assignment on which the cheating occurred will receive a grade of zero;  
Conduct mark may be lowered;
2. Referral will be made to assistant principal;
3. Parent will be notified by the teacher and a conference will be held with the assistant principal, teacher, parent and student. Student and parent will sign a contract to acknowledge consequences for further infractions.

### **SECOND INFRACTION:**

1. The student will receive a grade of F in the class;
2. Conduct mark will be lowered;
3. Referral will be made to assistant principal;
4. Parent will be notified by the teacher and a conference will be held with assistant principal, counselor, parent, student and teacher;
5. The student will be suspended.

## **CONSEQUENCES FOR CHEATING (K-5)**

### **FIRST INFRACTION:**

1. The assignment will not count in the grade calculation;
2. Referral will be made to the assistant principal;
3. Parent will be notified by the teacher and a conference will be held with the teacher and the student.

### **SECOND INFRACTION:**

1. The assignment will not count in the grade calculation;
2. Conduct mark may be lowered;
3. Referral will be made to the assistant principal;
4. Cheating will be noted in the comment section of the report card;
5. Student may be suspended.

## **ACADEMIC ELIGIBILITY EXTRA CURRICULAR ACTIVITIES**

1. Students who wish to participate in an extra-curricular activity must achieve at least
  - a). 2.0 G.P.A. on the last report card prior to the season or production period. If a report card is issued during a season or production period, a student must remain eligible in order to continue to participate. All students must qualify on both of the following:
    - b). G.P.A. will be computed using all classes in which a student is enrolled. The grade point average will be determined by the following point system:  
A = 4 points; B = 3 points; C = 2 points; D = 1 point; F = 0 points
    - c.) Each student is required to pass 20 credits of new work (a make-up class is excluded) during the reporting period. Only one of the subjects may be Physical Education.
2. Entering ninth graders are scholastically eligible.
  - a). Students with a 2.0 G.P.A. who receive an "F" grade shall be placed on academic probation for 10 weeks during which time extra-curricular participation is permissible. If after 10 weeks the student has an "F" grade in any subject area caused by poor attendance, inappropriate behavior and/or lack of effort, the student is ineligible to participate in extra-curricular activities.
  - b). Students shall be given the opportunity to re-establish eligibility by making up an "F" grade or G.P.A. of less than 2.0 in summer school. Physical Education is counted only once.

## **HIGH SCHOOL INTERSCHOLASTIC RANDOM DRUG TESTING (cf. 5131.1)**

All high school students wishing to participate in interscholastic athletics, and their parents/guardians, shall receive a copy of the district's policy, regulations, and procedures on mandatory drug testing.

## **MISCELLANEOUS ACADEMIC PROVISIONS**

An "Incomplete" (I) grade is considered a failure (F) until the required work is completed. The G.P.A. will then be recomputed.

### **EXCEPTION PROCEDURES**

1. Students with less than a 2.0 G.P.A. and/or those who have failed one subject in the second ten-week period, except those who have failed two or more subjects, may (on appeal) be allowed to continue in the extra-curricular activity for ten weeks to bring their G.P.A. up to a 2.0 and/or eliminate the "F" grade.
2. The principal may grant such an exception in extenuating circumstances only if low grades were not a result of poor attendance and/or behavior and "lack of effort." However, under no circumstances may an exception to the 2.0 G.P.A. rule be made for more than ten weeks.

### **CITIZENSHIP**

Students who have two or more unsatisfactory citizenship marks on their report cards at the quarter will be ineligible until the next grading period.

### **ATTENDANCE**

Any students who have five or more truanancies in any one class will be ineligible.

### **TUTORIAL**

The staff will provide for continuous and timely monitoring of student attendance, academic achievement, and citizenship. Students with a 2.0 G.P.A. who have received D's or F's will be counseled and tutored to improve academic performance.

## **DRESS CODE**

Student dress and grooming should enhance comfort, provide for a feeling of individuality, and allow for pursuit of current fashions. While it is considered that formal education is a serious process, that students are in the process of securing an education, and that the atmosphere of the school should be conducive to learning, the Board of Education hopes that parental judgment and student self-discipline will result in the ultimate goal of steadily decreasing administrative control and enforcement in the areas of student dress and grooming. Students may use sunscreen during the school day, without a physician's note or prescription.

### **DRESS CODE (BEVERLY HILLS HIGH SCHOOL)**

1. No revealing clothing. Students shall not wear sheer blouses, bare midriff or revealing tank tops.
2. Short skirts and short shorts are not allowed.
3. Leggings or tights must be covered by shorts, dress, or skirt.
4. Students shall not wear sagging or oversized pants or shirts. Belts, wallet chains, etc., may not hang down.
5. Undergarments shall not be visible.
6. Hats or hoods may not be worn in class.

7. No clothing, backpacks, or hats that suggest a gang affiliation, bear inappropriate logos including graffiti style language/logos, carry an inappropriate message (words or images that are offensive, vulgar, derogatory towards individuals or groups of people, or that promote or advertise illegal products or activities), do not provide appropriate coverage, or detract from the academic environment.
8. All clothing must be neat, clean, and in good condition, reflecting a professional atmosphere of learning.
9. Student dress and grooming for daily school attendance should meet the minimum legal requirements concerning footwear, cleanliness, health, and exposure.
10. Students shall not wear attire, which suggests gang affiliation or has inappropriate logos.
11. Students shall not wear clothes showing bare midriffs, spaghetti-straps, slip dresses, halter tops, tank tops, oversized baggy pants, wallet chains that hang from pants, stocking caps, bandanas, or hanging belts.
12. Students shall project a business-like manner in their attire.
13. Appropriate school dress is the only acceptable attire for after school events.

### **DRESS CODE (KINDERGARTEN THROUGH EIGHTH GRADE)**

1. All clothing must be neat, clean, and in good condition, reflecting a professional atmosphere of learning.
2. Headgear, including caps, hats and/or bandanas shall not be worn on campus except for outdoor activities. This applies to both male and female students. Exceptions may be granted for religious and/or medical reasons
3. Students shall not be permitted to wear attire which names, advertises, or promotes products that are illegal for minors, including items related to drugs, alcohol, and tobacco.
4. Students shall not be permitted to wear attire, which features offensive and/or vulgar words, pictures, or drawings, including naming advertising, or promoting sexually related products or activities.
5. Students shall not be permitted to wear attire, which includes words, phrases, or pictures that are derogatory regarding a person's ethnic background, national origin, religious beliefs, gender, or disability.
6. Students shall not wear make-up, lipstick or colored lip-gloss.
7. Students shall not wear tops showing the mid-section of one's body, tank tops, tube tops, sheer blouses, or open backed shirts.
8. For reasons of safety, students shall not attend school in bare feet and must wear shoes or sandals (no thongs, slippers, or "flip-flops").
9. Student hair shall be neat, clean, and natural looking in color and style.
10. Students shall not wear thick, bulky chains, inordinately long earrings, or wallet chains.
11. Students shall not wear sagging or oversized pants or other clothing. Pants must be worn at the waist utilizing belts as needed. Belts may not hang down.
12. Students may use sunscreen during the school day, without a physician's note or prescription.
13. No revealing clothing. Students shall not wear sheer blouses, bare midriff or revealing tank tops, tube tops, open backed shirts, halter-tops, spaghetti straps, or low-cut necklines.
14. Short skirts and short shorts are not allowed.
15. Leggings or tights must be covered by shorts, dress, or skirt.
16. Undergarments shall not be visible.
17. Hats or hoods may not be worn in class.
18. No clothing, backpacks, or hats that suggest a gang affiliation, bear inappropriate logos including graffiti style language/logos, carry an inappropriate message (words or images that are offensive, vulgar, derogatory towards individuals or groups of people, or that promote or advertise illegal products or activities), do not provide appropriate coverage, or detract from the academic environment.
19. The principal and staff of each school may establish reasonable additional regulations regarding student appearance and attire to be required of students.

20. Students who do not follow these specific dress code rules or wear clothing that is inappropriate for school will be sent to the office for appropriate attire.

**FIRST INFRACTION:**

1. Referral to assistant principal for change of clothing.
2. Parent will be contacted.

**SECOND INFRACTION:**

1. Referral to assistant principal.
2. Parent must bring a change of clothes and meet with assistant principal.

**THIRD INFRACTION:**

1. Referral to assistant principal.
2. Student may be suspended.

**\*\*Parents may be called if standards are not met and students may be required to return home to change into more suitable attire.**

**BICYCLE RULES**

Students in grades 4-12 are permitted to ride bicycles to school. All bicycles must be registered with the Beverly Hills Police Department and licenses must be carried on the bicycle.

1. Students may not ride bicycles or skate boards on school grounds. Coasting with one foot is considered riding. Students must wear helmets when they ride bicycles to and from school.

**BUS CONDUCT**

Upon registration, parents or guardians of pupils not previously transported in a school bus in grades pre-kindergarten, kindergarten and 1-6, inclusive, shall be provided with written information on school bus safety as specified (EC 39831.5).

**COMMUNICATION GUIDELINES: STUDENT USE OF BULLETIN BOARDS, CIRCULATION OF PRINTED MATERIALS, AND PETITIONS**

***TIME, PLACE, AND MANNER OF DISTRIBUTION:***

**GENERAL:**

Regulations related to the circulation of petitions, circulars, and other printed matter shall be disseminated in order that all persons concerned are fully aware of same.

**TIME:**

The time of distribution shall be limited to the hours before school, during the nutrition and lunch periods, and after the office school day.

**PLACE:**

The place of distribution shall be reasonably restricted to permit the normal flow of traffic within the school corridors, stairwells, and entrance and exits on the school campus.

**MANNER:**

The manner of distribution and expression shall be such that:

- a) No coercion is used to induce students to accept the printed matter or to sign petitions. All petitions shall be clearly marked as to origin and sponsorship;
- b) Leaflets and all printed material shall be submitted to the appropriate school reviewing authority (Principal or his designate) at least one school day prior to distribution. The reviewing authority shall prohibit the distribution of printed material if it would disrupt the orderly operation of the school;

- c) Materials printed for distribution shall not be left unattended at any place or time in the school or on the school grounds;
- d) Students use good taste, reflective of community standards, in the manner of expressing ideas. The language, pictures, drawings, or photographs to be used in the materials distributed shall not be vulgar (vulgarity is defined as that which is lewd, profane, coarse, or offensive). Material shall conform to community standards of propriety and public behavior on or near campuses;
- e) Buttons, badges, and other insignias of symbolic expression shall be subject to the above guidelines.

**BULLETIN BOARD:**

- a) School administrators shall provide reasonable bulletin board space for posting student announcements;
- b) Student announcements shall contain the posting date and the signature of the appropriate advisor. Such announcements shall be removed after a prescribed reasonable time to assure fair access to bulletin boards for all other students;
- c) Announcements posted shall be subject to the prohibitions listed below

**PROHIBITED MATERIAL:**

- a) Material, which is libelous or violates the right of privacy;
- b) Material, which is obscene to minors according to current legal definitions;
- c) Profanity and material, which expresses or advocates racial, religious, or ethnic prejudice;
- d) Material, which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school;
- e) Material which is distributed in violation of the guidelines described herein including the time, place and manner of distribution;
- f) Materials which are commercial in nature, i.e. selling of merchandise or services.

**DISCIPLINARY ACTION:**

- a) Any student who (a) distributes a petition, circular, newspaper, or other printed material, (b) wears a button, badge, or other insignia, or (c) posts any item on a bulletin board in violation of the above prohibitions and restrictions is subject to suspension, expulsion, or other penalties depending on the severity or repetition of the violation, and in accordance with the established disciplinary procedures of the school district.

**STUDENT USE OF ELECTRONIC SIGNALING DEVICES/CELL PHONES**

1. It is the intent of the Board of Education, in exercising its authority to regulate the use of electronic signaling devices, to establish guidelines and regulations that will ensure the continuation of a positive climate for learning, free from unnecessary disruptions. The Board recognizes that, as the technology of wireless communication in our society has evolved there is now widespread use of electronic signaling devices, including cellular and digital telephones and pager devices, among our student population that has previously been prohibited.
2. The Board believes that, although recent changes in state law no longer prohibit students from possessing or using signaling devices, restrictions on their use on a school campus must exist to ensure that such use does not infringe upon the rights of others or interfere with classroom instruction or other school activities.
3. The Board does not encourage student possession or use of electronic signaling devices on a school campus nor does it assume liability if such devices are damaged, lost, or stolen. Students are prohibited from using such devices in the classroom or in a school environment where such use would infringe on the rights of another student or staff member or would interfere with the school program. Cellular telephones are to be turned off in the classroom, during passing

periods, and during school activities in which their use would cause a disruption. Students who use these devices on campus shall do so only before school, during Nutrition, Lunch, and after school. The Board encourages students to use cellular telephones for family business and emergency purposes only.

4. If the privilege of using these devices at school is abused and the possession or use of an electronic signaling device violates this policy, the school has the right to revoke the privilege and prohibit a student from possessing such a device. The principal/designee is responsible for including violations of this policy in the school discipline plan as appropriate.
3. No recording devices, including but not limited to, photo/video cell phones, tape/digital recorders, cameras of any kind, are to be used on campus without prior written approval of the site administrator.
4. No pupil shall be prohibited from possessing or using an electronic signaling device that is determined and documented by a licensed physician and/or surgeon to be essential for the health of the pupil and use of which is limited to purposes related to the health of the pupil.

## **STUDENT DRUG AND ALCOHOL USE**

### **Medical and Hospital Services for Students / Student Insurance**

(EC 49472) The parent may elect to purchase insurance available to pupils for medical and hospital services needed for student injuries while involved in school-related activities. No pupil shall be required to purchase such insurance without his/her consent, or if a minor, without the consent of the parent. Substance abuse is detrimental to the health and well-being of students. Therefore, the District staff shall do everything possible to create a school environment free of the use, presence and distribution of abusive substances. The District recognizes the special needs of students who are identified as having a substance abuse problem and, therefore, directs its staff to provide appropriate assistance and referral sources. Steps and action shall include, but are not limited to the following:

1. Maintain an up-to-date, effective health education program regarding abusive substances and tobacco from kindergarten through Grade 12;
2. Develop and implement a clearly defined written policy pertaining to the use, possession or distribution of abusive substances, which will be applicable to a student's use, possession or distribution of an abusive substance (1) on school grounds; (2) at a school sponsored or authorized activity; (3) coming to or going from school; (4) during the lunch period, whether on or off campus; (5) during, or while going to or coming from a school sponsored activity, or (6) anywhere else in such circumstances where the act is related to a school activity or school attendance;
3. Inform students, staff and parents about the District Policy relating to student involvement with abusive substances;
4. Instruct District staff, through in-service training, to be more perceptive in identifying students involved in the use, possession or distribution of abusive substances;
5. Utilize the service of District personnel and community resources to provide the help and remedies for students involved in the use, possession or distribution of abusive substances;
6. Encourage students, if using alcohol or drugs, to discuss and seek help with any staff member. Students shall not be punished or disciplined for disclosing past use when seeking help from an intervention or recovery program;
7. Student shall not be allowed to smoke, vaporize, chew, or possess tobacco or nicotine products on school property or during school hours, at school sponsored events, or under the supervision of District employees (EC 48901). Students who violate this policy shall be subject to disciplinary procedures, which may result in suspension from school, a Beverly Hills Police Department ticket, and assignment to lunch detention.

## **DISTRICT DRUG ADVISORY COUNCIL**

District Drug Advisory Council (DDAC) shall be maintained to review matters pertaining to drug use, abuse and education within the District. The Council shall serve as an advisory body to the Superintendent of Schools and the Board of Education. It shall consist of representatives from the Board of Education, elementary and high school staff, parents, students, community resource personnel and special consultants.

## **PROHIBITIONS AND PROCEDURES RELATING TO ABUSIVE SUBSTANCES AND TOBACCO**

### **DEFINITIONS:**

1. **“Abusive substance”** is defined to mean any controlled substance as defined in Section 11007 of the Health and Safety Code, any alcoholic beverage, or any in toxicant of any kind.
2. **“Abusive substance violation”** is defined to mean any unlawful use (being under the influence of); possession (having an abusive substance on the student or in the area under the student’s control, such as his locker); or distribution (barter, exchange, sale or gift of any abusive substance or what is purported to be an abusive substance, or unlawfully offering, arranging, or negotiating to sell any drug paraphernalia, as defined in Section 11364 of the Health and Safety Code), (1) on school grounds; (2) at a school sponsored or authorized activity; (3) going to or coming from school; (4) during the lunch period, whether on or off campus; (5) during, or while going to or coming from a school sponsored activity; (6) or anywhere else in such circumstance where the act is related to school activity or school attendance.
3. **Instruction on Substance Abuse and Tobacco Use** (EC 51260) A program of instruction will be provided at the elementary and secondary levels on drug, alcohol and tobacco use education. The effects of the use of tobacco, alcohol, narcotics, dangerous drugs and other dangerous substances will be presented and discussed. Developing a healthy “life style” without use, coping strategies for quitting, and refusal skills for prevention will also be explored.
4. **Tobacco Free Campus.** (HSC § 104495) Smoking a cigarette, e-cigarette, pipe, cigar, or other tobacco-related product and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or sandbox area is prohibited. Any person who violates this section is guilty of an infraction and shall be punished by a fine of two hundred fifty dollars (\$250) for each violation of this section. The prohibitions do not apply to private property or a public sidewalk located within 25 feet of a playground or a sandbox area.

## **NONDISCRIMINATION AND SEXUAL HARASSMENT**

### **STUDENT CONDUCT POLICY**

1. The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds and at school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.
2. Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards their teachers, other staff, students and volunteers.
3. The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations.
4. Students and parents/guardians shall be notified of district and school rules related to conduct and shall receive regular instruction regarding these rules. In addition, parents/guardians and students may be provided information about early warning signs of harassing/intimidating behaviors as well as prevention and intervention strategies.



3. The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on Sex, Race, Color, Ancestry, Religious Creed, National Origin, Physical Disability (including HIV and AIDS), Mental Disability, Medical Condition (cancer related), Age (over 40), Marital Status, Vietnam-era Veteran Status, or Actual or Perceived Sexual Orientation and Denial of Family Care Leave. The Board shall promote programs that ensure the discriminatory practices are eliminated in all district activities.
4. Any student who engages in discrimination of another student or anyone from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in discrimination may be subject to disciplinary action up to and including dismissal. If disciplinary action is needed, the progressive discipline steps may be followed, including as appropriate: warning, reprimand, suspension and dismissal.
5. Any student, staff member, or parent who feels that discrimination has occurred should immediately contact the teacher, principal, or the Assistant Superintendent, Human Resources. If the concern is not resolved, a formal complaint may be initiated at the school or by directly contacting the Human Resources office. Copies of the Uniform Complaint Form may be obtained from the school office or the District's Human Resources office.

### **NONDISCRIMINATION/HARASSMENT (EC 200-262.4 and BP 5145.3)**

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

### **NONDISCRIMINATION/HARASSMENT**

1. The Beverly Hills Unified School Board of Education affirms the right for all students, staff, and parents and guardians to be free from hate crimes, abusive statements, or any activity which degrades the unique qualities of an individual, such as race, ethnicity, culture, heritage, sexuality, physical/mental attributes, religious beliefs and practices. Such verbal or physical acts are damaging to one's self-esteem and will not be tolerated on any District campus or at any school activity whether on or off campus. The Board encourages the superintendent and staff to develop programs, which enhance self-esteem, raise awareness and sensitivity, and foster respect for individuals and their unique qualities.
2. The Board recognizes that such hate-crime statements, threats, physical assaults, or damage to property are inflammatory to those victimized by such acts and jeopardizes the safety and wellbeing of students and staff. The Board authorizes the staff to discipline students involved in such acts, including suspensions and recommendation for expulsion.
3. The District will not tolerate any act of harassment or intimidation including gestures, comments, threats or actions, wither written, verbal or physical, which cause, threaten to cause or are likely to cause bodily harm or personal degradation on any District campus or at any school activity whether on or off campus.
4. The consequences of these actions may include a broad range of disciplinary measures as appropriate; however, every effort will also be taken to provide or locate appropriate assistance for both the victim and the offender.

### **INITIAL RESPONSE AND REPORTING EXPECTATIONS**

1. The District expects all employees, if they observe or become aware of an act of intimidation, to take immediate, appropriate steps to intervene.
2. If, in the opinion of the employee, the matter has not been resolved, then the situation must be reported to an administrator for further investigation.
3. The District expects students, parents and other community members who observe or become aware of a serious act of harassment/intimidation to report this act to a school administrator for further investigation.

### **INVESTIGATION AND RESPONSE**

1. Any incident, which may constitute an act of harassment/intimidation, which is reported to the principal, shall be thoroughly investigated by the site administrator or designee. Consequences shall be commensurate with the results of the investigation. This may include, but is not limited to, counseling, parent conference, detention, involuntary transfer, a formal suspension and/or expulsion of the offender. The parent or guardian shall be contacted and may be asked to attend a conference with school officials.
2. If the parent or guardian does not attend the conference, the site administrator shall send a letter informing the parent of the actions under consideration and notifying parent of all data pertinent to the action.
3. Depending on the severity of the incident, the administrator shall take appropriate steps to insure campus safety. This may include any or all of the following: implement an immediate safety plan; isolate and supervise involved students; provide staff support for involved students as necessary; report incident to law enforcement, if appropriate; notify the parents/guardians of both the offender and the victim and develop supervision plan with parents.
4. If the act of harassment/intimidation is deemed to warrant a suspension, expulsion or involuntary transfer to another school, then the matter will be processed in accordance with Board Policy 5045.

### **ASSESSMENT AND INTERVENTION**

1. An administrative contact will be made with the victim and offender prior to resuming regular schedule of classes. If deemed necessary, the administrator or designee may convene a multi-disciplinary team to further assess and determine the need for ongoing support for the victim or the offender.
2. The support plan may include any or all of the following: a case manager, counseling services (site, district and/or community resources); parenting skills classes; and other additional support services as deemed appropriate. The case manager will maintain a record of the services provided.

### **SCHOOL FOLLOW-UP**

1. The case manager has a responsibility to follow up and evaluate the behavior support plan.
2. The case manager will compile a report to the site administrator on the process, resources used, and the follow up procedure involving the victim and the offender.
3. A copy of the behavior plan and follow-up report will then be forwarded to the Director of Student Services and Special Projects.

### **SEXUAL HARASSMENT AND SEXUAL DISCRIMINATION (EC 231.5, 48980(g) and Board Policy 4119.11 and 5047)**

The District shall not tolerate any form of sexual harassment or sexual discrimination in the schools or at the workplace, in any form, including acts of students. Disciplinary action will be taken promptly against any employee, supervisory or otherwise, or student engaging in unlawful sexual harassment or sexual discrimination. A copy of these policies is available at each school and at the District Office, and is a part of all new student orientations. Students or staff should immediately report incidences of sexual harassment or sexual discrimination to the principal or designee, supervisor or the Assistant Superintendent, Human Resources, to receive information on the District's

Sexual Harassment and Sexual Discrimination Complaint Procedures. The Title IX Coordinator for issues that do not involve employees is Dr. Jennifer Tedford, Chief Academic Officer.

**SEXUAL HARASSMENT:**

1. The Beverly Hills Unified School District is committed to an educational environment in which all students are treated with respect and dignity. Each student has the right to learn in an environment that promotes equal educational opportunity and is free from discriminatory practices.
2. Sexual Harassment is a violation of Title IX of the Education Act Amendments of 1972, Title VII of the Civil Rights Act of 1964, and California Education Code Sections 210 through 214, inclusive.
3. The District strongly condemns, opposes and prohibits sexual harassment of students whether verbal, written or physical by anyone in or from the District. Therefore, the Board shall not tolerate the sexual harassment of any student by any other student or any District employee. Any student who is found guilty of sexual harassment shall be subject to disciplinary action.
4. Teaching the value and importance of mutual respect and understanding of both sexes shall be a part of the K-12 instructional program. Such instruction shall be made a part of the curriculum design in age appropriate ways.

**IT SHALL BE THE POLICY OF THIS DISTRICT TO:**

1. Prohibit and discourage any person in the work or educational setting from sexually harassing any other person, including students, in the work or educational setting;
2. Provide a harassment-free work and educational environment;
3. Remedy in a speedy manner any consequences of sexual harassment;
4. Provide on-going education and awareness of the problem of sexual harassment; and
5. Provide information about how to pursue claims of sexual harassment.

**DEFINITION OF SEXUAL HARASSMENT:**

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by any person from or in the work or educational setting under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual’s employment, academic status or progress;
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual;
3. The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment;
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding the benefits and services, honors, programs, or activities available at or through the educational institution;
5. As it relates to students, subjects any pupil to discrimination on the basis of sex, including sexual harassment, in any District program or activity.
6. Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

**CONSEQUENCES FOR VIOLATION OF POLICY**

1. Any person who violates this policy will be subject to disciplinary action up to and including discharge, suspension, or other appropriate disciplinary measures.
2. Any student who violates this policy will be subject to disciplinary action up to and including expulsion.

3. All students will receive a complete copy of the Beverly Hills Unified School District Sexual Harassment Policy during the first month of school.

### **UNDERSTANDING AND AVOIDING HARASSMENT:**

All pupils have the right to participate in an educational process that is free from discriminatory attitudes and practices and acts of hate violence. A definition of harassment is the unwanted and unwelcome behavior from other students or staff members, which interferes with another individual's life. When it is sexual in nature, then it is considered to be "sexual harassment". When it is racial in nature, then it is considered to be "hate-motivated behavior" or sometimes a "hate crime". Regardless, the District will not tolerate any form of harassment in the schools or at the workplace. Disciplinary action will be taken promptly against any student engaging in unlawful acts of sexual harassment or hate violence. Examples of actions that interfere with a person's education that are prohibited for both students and staff include (EC 48900.2, 48900.4, and 48980(h)):

1. Unwanted touching
2. Obscene comments
3. Physical threats
4. Obscene gestures
5. Indecent exposure
6. Sexual innuendos
7. Gender specific comments
8. Requests for sexual favors
9. Racial-specific comments
10. Suggestive looks

### **WHY IS THIS TOPIC SO IMPORTANT?**

Many people have been called rude or obscene names and maybe even been threatened because of their religion, race or simply because they are a boy or a girl. This guide is designed to remind everyone that "harassment" of any kind is not acceptable behavior at any time and is against school rules. "Harassment" is not welcome in the Beverly Hills Unified School District!

### **WE BELIEVE THAT EVERY STUDENT HAS THE RIGHT TO LEARN:**

1. Without being called names and
2. Without being threatened because they are a boy or a girl, or from a certain religion or race

### **WHAT IS HARASSMENT?**

Harassment is unwanted and unwelcome behavior from other students or staff members, which interferes with another person's life. When it is sexual in nature, it is "sexual harassment." When it is racial in nature, it is "hate-motivated behavior" or sometimes a "hate crime." It is against the rules for students to make remarks that embarrass others or make them feel uncomfortable because of actions or remarks that are sexual or racial in nature.

### **WHAT SHOULD YOU DO IF YOU FEEL THAT YOU HAVE BEEN HARASSED?**

1. **TELL A TEACHER, COUNSELOR OR SCHOOL ADMINISTRATOR**  
When telling what happened, be specific. **ANY REPORT YOU MAKE IS PRIVATE.** You may bring a parent or guardian with you, if you would like. The information you give is private and will not be made public, unless you talk about it yourself with others. Any witnesses will be told to keep the information about the situation to themselves, too.
2. **DO NOT WORRY ABOUT SOMEONE "GETTING EVEN" WITH YOU FOR TELLING**  
The school will support you and investigate your concern quickly. School administrators will do their best to make sure no one tries to "get even."
3. **TELL THE TRUTH**

Any student who falsely accuses another student or staff member of sexual or racial harassment is subject to disciplinary action.

### **WHAT HAPPENS NEXT?**

A harassment complaint is usually settled at the school, but sometimes it will be reviewed at the District Office. An investigator will be assigned and will communicate with those individuals who can help to sort out the facts. The investigator will determine whether harassment has occurred, prepare a report about the situation and give the information to your principal. Your principal will then suggest a solution or remedy. Finally, if things are not settled, you have the right to submit your concern to the District Office.

### **ENFORCEMENT OF STANDARDS**

1. Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.
2. Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.

### **SUSPENSION AND EXPULSION/DUE PROCESS**

1. The Governing Board has established policies and standards of behavior in order to promote learning and to protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel students from regular classroom instruction.
2. Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion.
3. Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (EC 48900.5)
4. Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (EC 48915)
5. The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulation.

### **STUDENT DUE PROCESS**

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

## **REQUIRED PARENTAL ATTENDANCE**

1. The Board believes that parental involvement plays an important role in resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.
2. Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (EC 48900.1)
3. The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.
4. The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (EC 48900.1)
5. Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.
6. District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

## **DECISION NOT TO ENFORCE EXPULSION ORDER**

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law. (BP 5045)

## **SUSPENSION AND EXPULSION/DUE PROCESS**

### **DEFINITIONS:**

**SUSPENSION** from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (EC 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level;
2. Referral to a certificated employee designated by the principal to advise students;
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in EC 48910. Removal from a particular class shall not occur more than once every five school days.

**EXPULSION** means removal of a student from the immediate supervision and control, or the general supervision, of school personnel (EC 48925).

**DAY** means a calendar day unless otherwise specifically provided (EC 48925).

**SCHOOL DAY** means a day upon which the schools of the district are in session or week days during the summer recess (EC 48925).

**STUDENT** includes a student's parent/guardian or legal counsel (EC 48925).

**PRINCIPAL'S DESIGNEE** means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the

principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office (EC 48911).

### **NOTICE OF REGULATIONS**

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment (EC 35291.5, 48900.1, 48980).

Notification shall include information about the availability of individual school rules and all district policies and regulations pertaining to student discipline (EC 35291).

### **PROHIBITED STUDENTS ACTIVITIES**

Activities, which are contrary to the welfare and best interest of the students and the school, as determined by the Education Code (EC), the Board of Education and the local school administration are prohibited, such as:

1. Obstructing or disrupting any authorized activity conducted under the authority of the Board of Education or its employees;
2. Conducting activities that evidence intent to conflict with school sponsored events or with the proper functioning of the regular school program;
3. Using force, violence, threat, intimidation, extortion or coercion to obstruct any school officials in the performance of their duties;
4. Preventing a student, teacher or other school authorities from attending a class;
5. Obstructing or disrupting the educational program of the school;
6. Entering or using in any unauthorized manner any school facilities, including buildings, grounds and equipment;
7. Failing to comply with the direction of police or any other law enforcement officers while they are acting in the performance of their duties on the school grounds;
8. Conspiring to engage in hazing, participating in hazing, or committing any act that injures, degrades, or disgraces, or tends to injure, degrade, or disgrace any fellow student (EC 32051);
9. Smoking, possessing or selling tobacco products on or within any school or district property;
10. Selling, buying, igniting or possessing fireworks of any kind while under the jurisdiction of the school, including "poppers" or "snappers".
11. Unlawfully possessing, using, selling, giving away or otherwise furnishing to another or being under the influence of any controlled substance, as defined in Section 11007, Health and Safety Code, or of any alcoholic beverage or intoxicant of any kind;
12. Engaging in any form of sexual harassment;
13. Possessing, selling, or furnishing any firearm, knife, explosive or other dangerous object.

### **GROUND FORS SUSPENSION AND EXPULSION**

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense (EC 48900(a));
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (EC 48900(b));
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (EC 48900(c));

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant (EC 48900(d));
5. Committed or attempted to commit robbery or extortion (EC 48900(e));
6. Caused or attempted to cause damage to school property or private property (EC 48900(f));
7. Stole or attempted to steal school property or private property (EC 48900(g));
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove, cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (EC 48900(h));
9. Committed an obscene act or engaged in habitual profanity or vulgarity (EC 48900(i));
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (EC 48900(j));
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties (EC 48900(k)); (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion
12. Knowingly received stolen school property or private property (EC 48900(l));
13. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (EC 48900(m));
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266(c), 286, 288, 288(a) or 289, or committed a sexual battery as defined in Penal Code 243.4 (EC 48900(n));
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (EC 48900 (o));
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, Soma (EC 48900(p));
17. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events (EC 48900(q));
18. Engaged in an act of bullying: "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
  - a) Placing a reasonable pupil or pupils in fear or harm to that pupil's or those pupils' person or property.
  - b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.



- d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

\*\*“Electronic act” means the transmission of a communication, including, but not limited to, any of the following:

- a) A message, text, sound, or image, or a post on a social network Internet Website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.
- b) A post on a social network Internet Web site, including, but not limited to:
- c) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
- d) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
- e) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- f) Notwithstanding paragraph (2) and subparagraphs (A)-(E), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

\*\*“Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs (EC 48900(r)).

19. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

- a) While on school grounds.
- b) While going to or coming from school.
- c) During the lunch period whether on or off the campus.
- d) During, or while going to or coming from, a school sponsored activity. (EC 48900(s)).

20. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a) (EC 48900(t)).

21. As used in this section, "school property" includes, but is not limited to, electronic files and databases. (EC 48900(u)).

22. For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5. (EC 48900(v)).

23. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. (EC 48900(w)).

24. Grounds for suspension or expulsion: Sexual harassment (Grades 4-12). A pupil may be suspended from school or recommended for expulsion if the superintendent or the

- principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5 (EC 48900.2).
25. Grounds for suspension or expulsion: Hate Violence (Grades 4-12). A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233 (EC 48900.3).
  26. Grounds for suspension or expulsion: Harassment, threats, or intimidation (Grades 4-12). A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment (EC 48900.4).
  27. Limitations on imposing suspension: Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 49069, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process. (EC 48900.5).
  28. Made terrorist threats against school officials and/or school property. For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars, with the specific intent that the statement is to be taken as a threat, even if there is not intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and there by causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family (EC 48900.7).

## **GUIDELINES FOR ADMINISTERING DISCIPLINE TO STUDENTS WHO HAVE VIOLATED STANDARDS OF STUDENT BEHAVIOR**

1. Standards of student behavior within the Beverly Hills Unified School District shall be enforced at the discretion of the administration within the general guidelines as set forth below.
2. These guidelines reflect a spectrum of possible actions that shall be appropriate for a specific violation of law or district/school regulations. Within the minimum to maximum actions indicated in the guidelines, the administration shall determine the most effective action based upon knowledge of the facts of the incident and the concept of progressive discipline as an appropriate educational experience.
3. The listing of minimum and maximum actions does not imply or require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. Disciplinary action shall be dependent upon the situation and the previous behavior record of the student.

**THE SCHEDULE OF ACTIONS POSSIBLE WITH AN INFRACTION OF REGULATIONS:**

1. Conference regarding violation and a warning;
2. In-school probation or suspension from a specific class and/or activity;
3. Detention (or volunteer service in lieu of detention);
4. Parent conference;
5. Parent/teacher conference;
6. Suspension;
7. Involuntary transfer to another school in accordance with AR 5144.1;
8. Transfer to another specialized program or continuation school;
9. Expulsion from the District. In accordance with AB 1729 "The Other Means of Correction Law";
10. Withholding grades, diploma and/or transcripts.

The following represents samples of violations that may occur in the schools. The asterisk (\*) indicates mandatory immediate Law Enforcement Agency notification. The double asterisk (\*\*) indicates that recommendation for expulsion is required under EC 48915. The number in the area of Disciplinary Action refers to the schedule of actions listed above.

|   | Recommended Disciplinary Action |                 |
|---|---------------------------------|-----------------|
|   | Minimum<br>Action               | Maximum<br>Acon |
| <b>A. VIOLATIONS AGAINST PERSONS:</b>   |                                 |                 |
| 1. <b><u>*ASSAULT</u></b><br>Unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.                       | 6                               | 9               |
| 2. <b><u>*BATTERY</u></b><br><br>Any willful and unlawful use of force or violence upon the person of another.  | 6                               | 9               |
| 3. <b><u>*ASSAULT ON A STAFF MEMBER</u></b><br><br>Any willful and unlawful use of force or violence upon the person of another.                          | 6                               | 9               |
| 4. <b><u>*BATTERY ON A STAFF MEMBER</u></b><br><br>Any willful and unlawful use of force or violence upon the person of another.                          | 8                               | 9               |
| 5. <b><u>*WEAPON POSSESSION</u></b><br><br>The unauthorized possession of any instrument designed for or capable of producing death or great bodily harm. | 6                               | 9**             |
| Possessing selling or furnishing a firearm, knife, explosive or other dangerous object of no reasonable use to the student.                               |                                 | 9**             |
| Brandishing a knife at another person.  |                                 | 9**             |

|  |   |     |
|--|---|-----|
| <b>6. <u>ASSAULT WITH A DEADLY WEAPON</u></b>  |   |     |
| Every person who commits an assault upon the person of another with a deadly weapon or instrument or by any means of force likely to produce great bodily injury is punishable by law. |   | 9** |
| <b>7. <u>POSSESSION OF AN IMITATION FIREARM</u></b>  |   |     |
| Replica substantially similar to an existing firearm to lead a reasonable person to conclude that the replica is a firearm.  | 6 | 9   |
| <b>8. <u>POSSESSION OF FIREWORKS OF ANY KIND</u></b>   |   |     |
| Selling, buying, igniting or possessing fireworks of any kind while under the jurisdiction of the school. This includes "poppers" or "snappers".                                       | 6 | 9   |
| <b>9. <u>*SEXUAL ASSAULT OR SEXUAL BATTERY</u></b>   |   |     |
| Committed or attempted to commit a sexual assault or committed a sexual battery.   |   | 9** |
| <b>10. <u>FIGHTING</u></b>   |   |     |
| Mutual combat in which both parties have contributed to the situation by verbal and/or physical action.  | 4 | 9   |
| <b>11. <u>HAZING</u></b>   |   |     |
| Participation in or conspiring to engage in, or conspiring for others to engage in, harassing acts that injure, degrade, or disgrace other individuals (EC 32050-32052)                | 6 | 9   |
| <b>12. <u>INTERFERENCE/OBSTRUCTION</u></b>   |   |     |
| Any action taken to attempt to prevent a staff member from exercising lawful assigned duties.  | 6 | 9   |
| <b>13. <u>VERBAL ABUSE</u></b>   |   |     |
| Threatening language to a staff member   | 6 | 9   |
| <b>14. <u>SERIOUS PHYSICAL INJURY</u></b>  |   |     |
| Causing serious physical injury to another person, except in self-defense.   |   | 9** |
| <b>15. <u>BULLYING</u></b>   |   |     |
| Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, directed   | 6 | 9   |

specifically toward a pupil or school personnel.

16. **SEXUAL HARASSMENT**

|   |   |   |
|---|---|---|
| Committed sexual harassment sufficiently severe or pervasive to have negative impact on the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (This section does not apply to students in kindergarten through third grade.)<br>Information regarding reporting procedures and available remedies may be obtained from the Assistant Superintendent, Educational Services. | 6 | 9 |
|---|---|---|

17. **HATE VIOLENCE (PERSON)**

|  |   |   |
|--|---|---|
| Any action taken to injure, intimidate, interfere with, oppress or threaten another person because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation. | 6 | 9 |
|--|---|---|

18. **HARASSMENT/INTIMIDATION OF WITNESS**

|  |   |   |
|--|---|---|
| The harassment or intimidation of a witness or eyewitness in a school disciplinary proceeding. | 6 | 9 |
|--|---|---|

**B. VIOLATIONS AGAINST PROPERTY:**

1. **EXTORTION OR ROBBERY**

|  |   |    |
|--|---|----|
| The obtaining of property from another without consent..., induced by a wrongful use of force or threat, or under the guise of official right. | 6 | 9* |
|--|---|----|

2. **THEFT**

|                                  |   |   |
|----------------------------------|---|---|
| The unlawful taking of property. | 6 | 9 |
|----------------------------------|---|---|

3. **UNAUTHORIZED USE OF SCHOOL PROPERTY**

|  |   |   |
|--|---|---|
| The unauthorized/illegal use of school property. | 4 | 9 |
|--|---|---|

4. **WILLFUL DAMAGE OF SCHOOL PROPERTY**

|  |   |   |
|--|---|---|
| Any student who willfully cuts, defaces, or otherwise injures in any way property, real or personal, belonging to the school district is liable. (This includes gang activities such as tagging, etc.) | 6 | 9 |
|--|---|---|

5. **DAMAGE TO PERSONAL PROPERTY**

|  |   |    |
|--|---|----|
|  | 1 | 10 |
|--|---|----|

6. **WILLFUL NON-RETURN OF DISTRICT PROPERTY**

|  |   |    |
|--|---|----|
| The Superintendent or principal may withhold the grades, | 1 | 10 |
|--|---|----|

diploma, and/or transcripts of any student responsible for damaging or failing to return District property, until the student's parent or guardian has paid for the damages. If the student and parent are unable to pay for damages or return the property, the student shall be offered a program of voluntary work in lieu of payment.

|   |   |   |
|---|---|---|
| 7. <b><u>KNOWING RECEIPT OF STOLEN SCHOOL OR PRIVATE PROPERTY</u></b>   | 3 | 9 |
| 8. <b><u>HATE VIOLENCE (PROPERTY)</u></b>   |   |   |
| Any action taken to deface, damage or destroy the real or personal property of any person because of the other person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation. | 6 | 9 |

**C. VIOLATIONS AGAINST PUBLIC DECENCY AND GOOD MORALS**

|   |   |   |
|---|---|---|
| 1. <b><u>GAMBLING</u></b>                                       |   |   |
| The playing of a game of chance for stakes.                     | 4 | 8 |
| 2. <b><u>VULGARITY/PROFANITY</u></b>                            |   |   |
| Language that is disgusting to the senses, repulsive.           | 1 | 7 |
| 3. <b><u>OFFENSIVE SOCIAL BEHAVIOR</u></b>                      |   |   |
| Activities that are an infraction of acceptable social actions. | 1 | 7 |

**D. VIOLATIONS AGAINST PUBLIC HEALTH AND SAFETY**

|  |   |     |
|--|---|-----|
| 1. <b><u>POSSESSION OR USE OF ANY OF THE FOLLOWING:</u></b>  |   |     |
| Dangerous Drugs  | 6 | 9   |
| Unauthorized Controlled Substance  | 6 | 9   |
| Alcohol  | 6 | 9   |
| Tobacco  | 3 | 9   |
| Drug Paraphernalia   | 6 | 9   |
| 2. <b><u>SELLING DANGEROUS DRUGS. UNAUTHORIZED CONTROLLED SUBSTANCES OR "LOOK-ALIKE" SUBSTANCES</u></b>  |   | 9** |
| 3. <b><u>TOBACCO-FREE SCHOOLS</u></b>  |   |     |
| The use and sale of tobacco products is banned at all times and everywhere on all district property including, but not limited to, all school buildings, school vehicles and play and athletic fields. | 6 | 9   |

**E. VIOLATIONS AGAINST TRAFFIC REGULATIONS**

|                                   |  |  |
|-----------------------------------|--|--|
| 1. <b><u>RECKLESS DRIVING</u></b> |  |  |
|-----------------------------------|--|--|

Driving on school property in such a manner as to endanger persons or property. 6 9

2. **PARKING**

Parking in an unauthorized area on school property. 1 6

**F. VIOLATIONS AGAINST SCHOOL STANDARDS**

1. **CONTINUED WILLFUL DISOBEDIENCE**

Repeated refusal to follow school rules and regulations. 6 9

2. **DEFIANCE OF AUTHORITY**

Willful refusal to follow a legal direction/order given by a staff member. 6 9

3. **DISRUPTIVE BEHAVIOR**

Actions, which are detrimental to the effective operations of the school. 1 8

4. **FALSE IDENTIFICATION**

Refusal to give or giving false identification when requested to do so by a staff member. 4 8

5. **FORGERY**

Falsifying a signature or tampering with any school documents, including school transcript, computer or hand-generated. 6 8

6. **LEAVING CAMPUS**

Leaving campus during school hours without proper clearance. (See Policy 443.5.) 1 6

7. **MISBEHAVIOR ON SCHOOL BUSES**

Continued disorderly behavior or severe misbehavior shall be sufficient reason for a principal to deny a student transportation on a school bus 1 6

8. **STUDENT ATTIRE AND GROOMING**

\*\*See Dress Code 1 6

9. **VIOLATION OF SUSPENSION**

Physically present on a school campus or at a school activity while on suspension and/or expulsion before, during or after school. 6 9

**REMOVAL FROM CLASS BY A TEACHER/PARENTAL ATTENDANCE**

1. A teacher may suspend any student from his/her class for the remainder of the day and the following day for 48900 (i) or (k) violation (EC 48900.1).
2. A teacher also may refer a student to the principal or designee for consideration of suspension from school (EC 48910).
3. When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.
4. As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor should attend the conference if it is practical, and a school administrator may attend if either the parent/guardian or teacher so requests.
5. A student removed from class shall not be returned to class during the period of removal without approval of the teacher of the class and the principal (EC 48910).
6. A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed (EC 48910).
7. The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal (EC 48913).
8. Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law (EC 48900.1).
9. This notice shall also ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by EC 48900.1.

**SUSPENSION BY SUPERINTENDENT, PRINCIPAL OR PRINCIPAL'S DESIGNEE**

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion (EC 48911).

The Superintendent or Designee shall immediately suspend any student found at school or at a school activity to be (EC 48915):

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence;
2. Brandishing a knife, as defined in EC 48915(g), at another person;
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058;
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Penal Code 261, 266(c), 286, 288, 288(a) or 289, or committed a sexual battery as defined in Penal Code 243.4 (EC 48900(n));
5. Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process (EC 48900.5).
6. A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 school days in any school year. However, this restriction on the number of



- school days of suspension does not apply when the suspension is extended pending an expulsion (EC 48903, 48912).
7. The Superintendent or Designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of school days for which a student may be suspended in any school year (EC 48903).

## **SUSPENSION PROCEDURES**

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent with the student and, whenever practicable, the teacher, supervisor or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense (EC 48911 (b)).
  - a) This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school (EC 48911(c)).
2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or Designee.
3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension (EC 48911).
  - a) This notice shall state the specific offense committed by the student (EC 48900.8).
  - b) In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.
4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved and any other pertinent matter (EC 48914).
  - a) While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend (EC 48911).
5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or Designee may, in writing, extend the suspension until such time as the Board has made a decision (EC 48911 (g)).
  - a) Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or Designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process (EC 48911).

## **TEACHER CONFIDENTIAL NOTICE REGARDING STUDENT BEHAVIOR**

Current law (EC Section 49079) requires the teacher of a student who is engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h) or in Section 48900.2, 48900.3, 48900.4 or 48900.7 of Education Code Section 48900, be so informed. Principal or designee shall provide teachers with written notice within a reasonable timeframe.

### **AUTHORITY TO EXPEL**

Only the Board may expel a student. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion".

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following (EC 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.

### **MANDATORY RECOMMENDATION AND MANDATORY EXPULSION (EC 48915(C)):**

The principal, Superintendent or Designee shall recommend that the Board expel any student found at school or at a school activity to be:

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence;
2. Brandishing a knife as defined in EC 48915(g) at another person;
3. Unlawfully selling a controlled substance listed in Health and Safety code 11053-11058;
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in as defined in Penal Code 261, 266(c), 286, 288, 288(a) or 289, or committed a sexual battery as defined in Penal Code 243.4 (EC 48900(n));
5. Possession of an explosive;

\*\*Upon finding that a student committed any of the above acts, the Board shall expel the student (EC 48915(d)).

### **MANDATORY RECOMMENDATION FOR EXPULSION (EC 48915 (A)(1)):**

The principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds; unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causing serious physical injury to another person, except in self-defense;
2. Possession of any knife (as defined in EC 48915(g)), explosive or other dangerous object of no reasonable use to the student;
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for either of the following:
  - a) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;

- b) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- 4. Robbery or extortion;
  - a) Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

**\*\*If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.**

### **PERMISSIVE EXPULSION, SUPPLEMENTAL FINDINGS REQUIRED (EC 48915(B) AND (E)):**

Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to EC 48918(d), the governing board may order a pupil expelled upon finding that the pupil committed an act listed under EC 48915(c) as listed above or in subdivision of EC 48900 (a) through (m) or EC 48900.2, 48900.3 or 48900.4. A decision to expel shall be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

### **STUDENT'S RIGHT TO EXPULSION HEARING**

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or Designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred (EC 48918).

1. The student is entitled to one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion (EC 48918(a)).
2. If the Board finds it impractical during the school year to comply with time requirements for conducting an expulsion hearing, the Superintendent or Designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held (EC 48918(a)).
3. If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in EC 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year (EC 48918(a)).
4. Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay (EC 48918(a)).

### **RIGHTS OF COMPLAINING WITNESS**

1. An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness (EC 48918.5). Whenever the Superintendent or Designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining

witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to (EC 48918.5):

- a) Receive five days' notice of his/her scheduled testimony at the hearing;
  - b) Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies;
  - c) Have a closed hearing during the time he/she testifies.
2. Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or Designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending (EC 48918.5).

#### **WRITTEN NOTICE OF THE EXPULSION HEARING**

1. Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include (EC 48900.8, 48918(b)):
  - a) Date and place of the hearing;
  - b) Statement of the specific facts, charges and offense upon which the proposed Expulsion is based;
  - c) Copy of district disciplinary rules which relate to the alleged violation;
  - d) Notification of the student's or parent/guardian's obligation, pursuant to EC 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in EC 48915 (a) or (c);
2. Opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney advisor. If the student or the student's parent/guardian is to be represented by legal counsel or by a non-attorney advisor, written notice must be given to the District at least five days prior to the hearing;
  - a) Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California
  - b) Non-attorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case, and has been selected by the student or student's parent/guardian to provide assistance at the hearing
3. Right to inspect and obtain copies of all documents to be used at the hearing;
4. Opportunity to confront and question all witnesses who testify at the hearing;
5. Opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses;

#### **CONDUCT OF EXPULSION HEARING**

1. Closed Session: Notwithstanding, the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.
  - a) Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student and the counsel of the student shall also be allowed to attend the closed session (EC 48918(c)).
  - b) If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened

- harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television (EC 48918(c)).
2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made (EC 48918(g)).
  3. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.
    - a) Findings of fact shall be based solely on the evidence at the hearing. While no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm (EC 48918(f) and (h)).
    - b) In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.
  4. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student (EC 48918):
    - a) Any complaining witness shall be given five days' notice before being called to testify;
    - b) Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony;
    - c) Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential;
    - d) The person presiding over the hearing may remove a support person whom he/she finds disrupting the hearing;
    - e) If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5;
    - f) Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose;
    - g) In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment;
      - 1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
      - 2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room. The person conducting the hearing may: Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness;
      - 3) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours;
      - 4) Permit one of the support persons to accompany the complaining witness to the witness stand.

5. Decision within 10 School Days: The Board’s decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed (EC 48918(a)).
6. Decision within 40 School Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed (EC 48918(a)).

### **ALTERNATIVE EXPULSION HEARING: ADMINISTRATIVE PANEL**

Instead of conducting an expulsion hearing itself, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on staff of the school in which the student is enrolled (EC 48918(d)).

1. A hearing conducted by the administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in “Conduct of Expulsion Hearing.”
2. The administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or Designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student’s teachers and with the student’s parent/guardian (EC 48918(e)).
3. If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order (EC 48918(f)).
4. In accordance with Board policy, the administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year (See “Decision Not to Enforce Expulsion Order” below).
5. The Board shall make its decision about the student’s expulsion within 40 school days after the date of the student’s removal from school unless the student requests in writing that the decision be postponed (EC 48918(a)).

### **FINAL ACTION BY THE BOARD**

Whether the expulsion hearing is conducted in closed session by the Board, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting (EC 48918(j)). If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within a district. For a student expelled for an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred (EC 48916).

1. At the time of the expulsion order, the Board shall recommend a plan for the student’s rehabilitation, which may include (EC 48916):
  - a) Periodic review as well as assessment of the student at the time of review for readmission;

b) Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

#### **WRITTEN NOTICE TO EXPEL**

The Superintendent or Designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in EC 48900 (a)-(o), EC 48900.2-48900.4 and EC 48915(c) (EC 48900.8);
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (EC 48916);
3. Notice of the right to appeal the expulsion to the County Board of Education (EC 48918);
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (EC 48918);
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to EC 48915.1 (EC 48918).

#### **DECISION NOT TO ENFORCE EXPULSION ORDER**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior;
2. The seriousness of the misconduct;
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

#### **SUSPENSION OF ENFORCEMENT OF AN EXPULSION SHALL BE GOVERNED BY THE FOLLOWING**

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program;
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status;
3. Suspension of enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct;
4. When suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order;
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings;
6. Suspension of enforcement of an expulsion order shall not affect the time period and requirements for filing an appeal of the expulsion order with the County Board of Education; (EC 48917)
7. The Superintendent or Designee shall send written notice of any decision to suspend enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education (EC 48918(j)).

## **RIGHT TO APPEAL**

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation (EC 48919).

## **POST-EXPULSION PLACEMENTS**

The Board shall refer expelled students to a program of study that is (EC 48915, 48915.01):

1. Appropriately prepared to accommodate students who exhibit discipline problems;
2. Not provided at a comprehensive middle, junior or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site;
3. Not housed at the school site attended by the student at the time of suspension.
4. When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" above may be referred instead to a program of study provided at another comprehensive middle, junior, or senior high school, or at an elementary school (EC 48915).
5. The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any grades 7-12 (EC 48916.1).

## **READMISSION AFTER EXPULSION**

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider re admission of the student (EC 48916);
2. The Superintendent or Designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or Designee shall verify that provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be required to indicate their willingness to comply with these regulations in writing;
3. The Superintendent or Designee shall transmit his/her recommendation regarding re admission to the Board. If information would be disclosed in violation of EC 49073-49079, the Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored;
  - a) If the readmission is granted, the Superintendent or Designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission;
  - b) The Board may deny readmission only if it finds that the student has not satisfied conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees (EC 48916);
  - c) If the Board denies readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school (EC 48916);
  - d) The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying re-admittance into the regular program. This notice shall indicate the Board's determination of the educational program, which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district (EC 48916).

## **MAINTENANCE OF RECORDS**

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and



sent to any school in which the student subsequently enrolls, within five working days of a written request by the admitting school (EC 48900.8, 48918(k)).

The Superintendent or Designee shall honor any other district's request for information about an expulsion from this district within five working days (EC 48915.1).

## **NOTIFICATIONS TO LAW ENFORCEMENT AUTHORITIES**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245 (EC 48902).

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts, which may involve possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 629.9 and 626.10 (EC 48902).

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate EC 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind (EC 48902).

## **SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)**

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

## **PROCEDURES FOR STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION SERVICES:**

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the district had knowledge that the student was disabled before the behavior occurred (20 USC 1415(k)(8)).

The district shall be deemed to have knowledge that the student had a disability if one of the following conditions exists (20 USC 1415(k)(8); 34 CFR 300.527):

1. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, that the student is in need of special education or related services.
2. The behavior or performance of the student demonstrates the need for such services, in accordance with 34 CFR 300.7.
3. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.530-300.536.
4. The teacher of the student or other district personnel has expressed concern about the behavior or performance of the student to the district's director of special education or to other personnel in accordance with the district's established child find or special education referral system.
5. The district would be deemed to not have knowledge as specified in items #1-4 above if, as a result of receiving such information, the district either conducted an evaluation and determined that the student was not a student with a disability or determined that an evaluation was not necessary and provided notice to the parent/guardian of its determination (34 CFR 300.527).
6. If it is determined that the district did not have knowledge that the student was disabled prior to taking disciplinary action against the student, then the student shall be disciplined in accord

ance with procedures established for students without disabilities (20 USC 1415(k)(8)).

7. If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities (34 CFR 300.527).

## **SUSPENSION**

1. The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) do not constitute a change in placement pursuant to 34 CFR 300.519 (EC 48903; 34 CFR 300.520).
2. The principal or designee shall monitor the number of days, including portions of days, students with valid individualized education programs (IEP) have been suspended during the school year.

## **SERVICES DURING SUSPENSION**

1. Students suspended for more than 10 school days in a school year shall continue to receive services during the term of the suspension, to the extent necessary to provide the student a free and appropriate public education (20 USC 1412(a)(1)(A); 34 CFR 300.520).
2. If a student with disabilities is excluded from school bus transportation, the student is entitled to be provided with an alternative form of transportation at no cost to the student or parent/guardian, provided that transportation is specified in the student's IEP (EC 48915.5).

## **INTERIM ALTERNATIVE PLACEMENT DUE TO DANGEROUS BEHAVIOR**

A student with a disability may be placed in an appropriate interim alternative educational setting for up to 45 days when he/she commits one of the following acts (20 USC 1415(k)(1); 34 CFR 300.520):

1. Carries a weapon, as defined in 18 USC 930, to school or to a school function;
2. Knowingly possesses or uses illegal drugs while at school or a school function;
3. Sells or solicits the sale of a controlled substance while at school or a school activity as identified in 21 USC 812(c), Schedules I-V;

The student's alternative educational setting shall be determined by the student's IEP team (20 USC 1415(k)(2)).

- a) A hearing officer may order a change in placement of a student with a disability to an appropriate interim educational setting if the hearing officer (20 USC 1415(k)(2); 34 CFR 300.521, 300.522):

- 1) Determines that the district has established by substantial evidence, meaning beyond a preponderance of the evidence, that maintaining the current placement of the student is substantially likely to result in injury to the student or others;
- 2) Consider the appropriateness of the student's current placement;
- 3) Consider whether the district has made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services;
- 4) Determines that the interim alternative educational setting proposed by school personnel who have met with the student's special education teacher allows the student to:
  - a) Progress in the general curriculum and continue to receive those

- services and modifications, including those described in his/her IEP, to enable the student to meet the goals of the IEP
- b) Receive services and modifications designed to address the behavior and ensure that the behavior does not recur.
- 5) The student may be placed in the interim alternative educational setting for up to 45 days, or until the conclusion of any due process hearing proceedings requested by the parent/guardian (20 USC 1415(k)(2)).

## **BEHAVIORAL ASSESSMENT AND INTERVENTION PLAN**

Not later than 10 business days after a student has been suspended for more than 10 school days or placed in an alternative educational setting, the district shall convene an IEP team meeting to conduct a functional behavior assessment and implement a behavioral intervention plan. If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it as necessary to address the behavior (20 USC 1415(k)(1); 34 CFR 300.520).

As soon as practicable after developing the behavioral intervention plan and completing the required assessments, the IEP team shall meet to develop appropriate behavioral interventions to address the behavior and shall implement those interventions (34 CFR 300.520).

## **PROCEDURAL SAFEGUARDS/MANIFESTATION DETERMINATION**

The following procedural safeguards shall apply when a student is suspended for more than 10 consecutive school days, when disciplinary action is contemplated for a dangerous behavior as described above, or when a change of placement is contemplated (20 USC 1415(k)(4); 34 CFR 300.523):

1. The parents/guardians of the student shall be immediately notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504 on the day the decision to take action is made.
2. Immediately if possible, but in no case later than 10 school days after the date of the decision, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action.
3. At this review, the IEP team and other qualified personnel shall consider, in terms of the behavior subject to the disciplinary action, all relevant information, including (20 USC 1415(k)(4); 34 CFR 300.523):  
Evaluation and diagnostic results, including the results or other relevant information supplied by the student's parents/guardians;
  - a) Observations of the student;
  - b) The student's IEP and placement.
6. In relationship to the behavior subject to the disciplinary action, the team shall then determine whether the IEP and placement were appropriate and whether supplementary aids, services, and behavioral intervention strategies were provided consistent with the student's IEP and placement. The team shall also determine that the student's disability did not impair the ability of the student to understand the impact and consequences of the behavior, nor did it impair his/her ability to control the behavior subject to the disciplinary action (20 USC 1415(k)(4); 34 CFR 300.523).
7. If the team determines that the student's behavior was not a manifestation of his/her disability, then the student may be disciplined in accordance with the procedures for students without disabilities, as long as the student continues to receive services to the extent necessary to provide that student a free and appropriate public education (20 USC 1415(k)(4); 34 CFR 300.524).
8. If the team determines that the student's behavior was a manifestation of his/her disability, then the student's placement may be changed only via the IEP process. (20 USC 1415(k)(4))

## **DUE PROCESS APPEALS**

1. If the parent/guardian disagrees with a decision that the behavior was not a manifestation of the student's disability or with any decision regarding placement, he/she has a right to appeal the decision (20 USC 1415(k)(6); 34 CFR 300.525).
2. If the student's parent/guardian initiates a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student shall remain in the interim alternative setting pending the decision of the hearing officer or the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise (34 CFR 300.526).
3. If school personnel maintain that it is dangerous for the student to be placed in the current placement (placement prior to removal to the interim alternative education setting), during the pendency of the due process proceedings, the Superintendent or designee may request an expedited due process hearing (34 CFR 300.526).

## **SERVICES DURING EXPULSION**

Expelled students shall continue to receive services during the term of the expulsion to the extent necessary to provide the student a free and appropriate public education. Any alternative program must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP (20 USC 1412(a)(1)(A); 34 CFR 300.121, 300.520)

## **READMISSION**

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

## **SUSPENSION OF EXPULSION**

The Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students (EC 48917).

## **NOTIFICATION TO LAW ENFORCEMENT AUTHORITIES**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245 (EC 48902).

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10 (EC 48902).

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate EC 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind (EC 48902).

## **SPECIAL EDUCATION**

**Special Education Programs** (EC 56301, 56306, 56329, 56380, 56506 and IDEA) Federal law requires that a free and appropriate education shall be offered in the least restrictive environment to all students identified as handicapped. This right applies to students eligible for Special Education services as defined under the Individuals with Disabilities Education Act (IDEA). Through the district's Student Study Team process and other procedures, a continuous effort is made to locate and identify individuals who might qualify for special education services, including children with disabilities who are homeless or wards of the state. The law also provides that parents may initiate a request to have their child assessed to determine eligibility for Special Education and/or related services. The request shall be in writing and may be submitted to the assistant principal at the child's school site. Further, the parent(s) may expect his/her rights to be written in understandable language, will be asked to give written consent before any assessments are conducted, is entitled to receive a copy of the assessment results and the documentation of determination of eligibility upon request, shall participate in the development of an individualized education program for their child, and will give written consent before their child is placed for services. If the pupil is identified as handicapped, then a meeting will be held annually to review his/her progress. Further and more specific information about parent rights, due process, specific procedures, and the assessment plan are available under a separate document, which may be obtained from the District's Department of Special Education. (Amended by AB 1662, Ch. 653 and Statutes of 2005).

**Special Education Students Reaching Age 18** (EC 56345 (a)(8) Beginning at least one year prior to a special education pupil reaching the age of 18, he/she is to be informed of their rights, which will be transferred to them upon reaching the age of 18. This information is also contained within the individualized education program.

**Special Education Complaints** (CAC 3125) The parent may file a complaint with the State Department of Public Instruction if he/she feels there has been a violation of the Special Education laws. The complaint may be filed with the District Superintendent.

## **HANDICAPPED STUDENTS**

**Handicapped Pupils, Section 504 of the Rehabilitation Act of 1973** Discrimination on the basis of race, color, national origin, sex, handicap, or lack of English skills shall not be permitted. Incidents of disability based discrimination and harassment should be reported to school site administration and/or the District 504 Coordinator, Toni Staser, at (310) 551-5100 ext. 2250. Reasonable accommodation to assist handicapped pupils under this section may be provided through a Section 504 Service Plan developed at the school. For additional information see the District's Section 504 handbook available on the District website at [www.bhusd.org](http://www.bhusd.org) or at school offices.

## COUNSELING SERVICES (High School) HIGH SCHOOL COUNSELING SERVICES



### About the NormanAid

#### Student Support Center

The NormanAid Center provides confidential mental health services such as intervention counseling, peer counseling, conflict mediation, self-help library, Maple Center Counseling, Normanonym, and the Student Support Blog. If you would like to speak with someone, stop by Room 288 to make an appointment or contact Mrs. Norman-Franks (see contact information under Intervention Counselor)

#### Visiting the NormanAid Center

Students need to obtain permission from their teachers in order to receive services at the NormanAid Center. Students are welcome to drop in during lunchtime. Though drop-in counseling is sometimes available, it is recommended that students make an appointment.

#### Intervention Counselor Mrs. Norman-Franks

Mrs. Norman-Franks supervises and oversees the services at the NormanAid Center. Students are able to meet with Mrs. Norman-Franks on a short-term basis to assess how to best support the student. Mrs. Norman-Franks makes referrals to the various counselors working at the NormanAid Center as well as to outside agencies. Mrs. Norman-Franks may be contacted directly by email at [anorman@bhusd.org](mailto:anorman@bhusd.org), by phone at (310) 551-5100 ext. 8717, or by leaving a note for her at the NormanAid Center.

#### Frequently Asked Questions

**Q:** How can I sign up for counseling?

**A:** Come to the NormanAid Center to fill out a request for counseling form. A counselor will be in touch with you.

**Q:** Is everything I say going to be kept confidential?

**A:** Yes, with a few exceptions. Confidentiality may be kept unless you inform your counselor that you are going to harm yourself or someone else, or someone else is harming you. Confidentiality will only be broken to the appropriate authorities.

**Q:** What if I don't want to see a counselor but I want to recommend someone?

**A:** You can make a referral by talking to someone at the NormanAid about your concern for someone else. You can also make an anonymous referral on Normanonym.

**Q:** How often can I utilize the NormanAid Center?

**A:** The NormanAid Center is here to support you as often as you need; however, due to the limited availability of counselors, students typically receive individual counseling once a week. We encourage you to come to the NormanAid Center if you ever feel the need to talk with someone.

**Q:** Do my parents need to know that I am seeing someone at the NormanAid Center?

**A:** We encourage students to be open with their parents about the services students receive at school. If you are being seen by a Maple or Peer Counselor, a parent consent form is required. Counselors will not share details of counseling sessions with parents unless a breach of confidentiality is necessary to protect the student's safety and wellbeing.

**\*\*NormanAid Student Support Center is located in Room 288**

**Take advantage of the programs and resources we have for you!**



### **NORMANONYMOUS**

Normanonymous is an **anonymous** website which allows BHHS students and parents to express concern about another BHHS student confidentially.

1. Did you see or hear about something or someone and want to share this information **anonymously**?
2. Do you have a friend who is drinking or doing drugs and needs help?
3. Do you know someone who is being bullied or engaging in risky behaviors?
4. Do you know someone who needs someone to talk to but is not able to talk to someone?

If you know someone who is experiencing these or any other issues and want to make an **anonymous** report to help someone, Normanonymous is available for you to use.

To access Normanonymous, go to [www.normanaid.blogspot.com](http://www.normanaid.blogspot.com) and click on the Normanonymous Form on the left.



The NormanAid Student Support Blog is for BHHS students who wish to receive support and talk with a staff member at the NormanAid Center about something concerning you (this can be anonymous if you wish!).

1. Are you experiencing challenges at school that you would like support with?
2. Are you having problems with friends, relationships, or family members and would like to speak with someone else?
3. Do you have any questions or concerns about anything but would like to ask anonymously?
4. Is there something else on your mind that you would like to talk about but don't know how?

If you are experiencing these and would like support, or just a simple response to a question or concern, the Norman Aid Student Support Blog is available for you to use.

To access the Norman Aid Student Support Blog, go to [www.normanaid.blogspot.com](http://www.normanaid.blogspot.com). If you wish to post something, click on the Student Support Blog Form on the left.

### **Peer Counseling Program**

If you are a student and prefer to talk to someone your own age versus a school counselor, please come in to the Norman Aid Center and sign up for Peer Counseling. Fill out a request with your information to let us know you are interested and someone will call you in for a screening shortly.

### **The Maple Counseling Center**

The Maple Counseling Center has contracted with the Beverly Hills School District to provide counseling services to students on-site at Beverly Hills High School. Maple counselors see students for a multitude of issues including school stress, time management/study skills, peer pressure, self-esteem issues, family or friend relationships concerns, depression, and/or anxiety, just to name a few.

### **Norman Aid Student Guidebook**

Please take the time to review the Student Guidebook created by the NormanAid Center for more information and resources about BHHS, being successful in school, friendships, and more. Handbooks can be found at the NormanAid Center and are available on the BHHS website at <http://www.bhhs.bhusd.org>.

## **Career Counseling**

**Sexual Bias** (EC 221.5) Students may select and attend classes commencing in grade 7, including nonacademic and electives, without regard to sex and are to be counseled toward career choices based on interest and ability and not sex. Additionally, parents may participate in counseling sessions and decisions regarding their child.

## **Counseling Notification**

**Annual Notification, Counseling** (EC 51229) requires school districts to provide annual notification to parents or guardians of students in grades 9 to 12 that explains college admission requirements, describes career technical education, and provides information about how students may meet with school counselors. To view this notice titled Annual Notification, Counseling, see BHHS website or visit school counseling office.

## **COLLEGE ADMISSION REQUIREMENTS AND HIGHER EDUCATION INFORMATION**

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age.

In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above.

In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college.

For more information on college admission requirements, please refer to the following webpages:

[www.cccco.edu](http://www.cccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.



[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses. Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: [www.cde.ca.gov/ds/si/rp](http://www.cde.ca.gov/ds/si/rp).

You may meet with a school counselor to choose courses at your school that will meet college admission requirements or enroll in career technical education courses, or both. For more information, please make an appointment with your student's counselor.

## **COUNSELING SERVICES (K-8)**

1. Individual counseling is a component of the school counselor's role. Students are seen for emotional, behavioral and academic concerns. Referrals are typically given to the counselor from the teacher, parent or self-referrals made by students. Students are seen on a weekly basis and sometimes are seen in groups depending on the issue that arises.

Students at risk meet with the school counselor due to low grades on their progress reports and report cards. Parents and students meet with the counselor or with the assistant principal to help set goals for academic achievement.

2. The Student Study Team is a part of the school counselor's role in helping with academic and behavioral difficulties. The team meets on a regular basis to help identify ways to help students with their success at school.

Testing is another aspect of the school counselor with regards to GATE testing and STAR testing. GATE testing is administered in the fall and in the spring. Students are tested in a group while others are tested on an individual basis. STAR testing is coordinated with the assistant principal and is conducted in the spring semester. Results are analyzed and data is compiled in order to better meet the needs of the students.

3. Classroom lessons are provided by the school counselor to primary and intermediate grades. The school counselor teaches lessons on the district's character education themes as well as playground topics, and grade level situations that may arise in a school day.

4. The 4th and 5th Grade Conflict Manager Program is coordinated by the school counselor who oversees the program. The program begins in the fall with an application and interview process in which 30-35 students are chosen. The students are then trained to help students in grades K-3 solve their friendship difficulties on the playground. The program has been in effect for 10 years and is a success with the primary students.

**UNIFORM COMPLAINT PROCESS**  
**Uniform Complaint Procedures**  
**Authorized by**  
**California Code of Regulations, Title 5, Sections 4600-4671**

Contact Persons for Programs and Services Covered Under Uniform Complaint Procedures:

| <b>Program</b>  | <b>Contact the Office of:</b>   | <b>Telephone:</b>         |
|---|---|---------------------------|
| Child Nutrition, School Nutrition and Child Care Food   | Executive Director, Food Services   | (310) 551-5100, Ext. 2200 |
| Consolidated Categorical Aid: State Programs for Students of Limited English Proficiency (EIA/LEP); Title I and Title III | Director of Students Services and Special Projects<br>Educational Services K-12 | (310) 551-5100, Ext. 2387 |
| Gender Equity   | Chief Administrative Officer  | (310) 551-5100, Ext. 2236 |
| Special Education   | Director of Special Education   | (310) 551-5100, Ext. 2226 |
| School Safety Plan  | Chief Administrative Officer  | (310) 551-5100, Ext. 2236 |
| Career Development  | Director, Career Development  | (310) 551-5100, Ext. 8225 |
| Nondiscrimination Requirement and Civil Rights  | Chief Administrative Officer  | (310) 551-5100, Ext. 2236 |

**If you have a complaint, contact a teacher, principal, site administrator or:**

**Chief Administrative Officer**  
**255 SOUTH LASKY DRIVE**  
**BEVERLY HILLS, CALIFORNIA 90212**  
**(310) 551-5100 EXT. 2236**

## **UNIFORM COMPLAINT PROCEDURES**

### **WHAT IS A COMPLAINT?**

A complaint is a written and signed statement alleging violation of a federal or state law or regulations, which may include an allegation of unlawful discrimination.

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; \*\*\* 5) unlawful imposition of pupil fees for participation in educational activities in public schools; and 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3.

### **WHAT ARE THE RESPONSIBILITIES OF THE COMPLAINANT?**

#### **THE COMPLAINANT:**

1. Attempts to resolve the complaint with the site or program administrator;
2. Receives complaint procedures from the Office of the Superintendent;
3. Files a written complaint and follows the steps in the local complaint procedures;
4. May appeal to the California Department of Education (CDE) for resolution if he or she is dissatisfied with the decision of the District;
5. May appeal to the State Superintendent of Public Instruction if he/she is dissatisfied with the determination of the CDE;
6. May appeal to the Office for Civil Rights (OCR) if he/she is dissatisfied with the decision of the District;
7. The complainant may appeal to the State Superintendent at any time during the review and investigation of the complaint by the District and the complainant may pursue any other administrative or judicial remedy at any time.

## **THE RESPONSIBILITIES OF THE DISTRICT**

### **THE DISTRICT:**

1. Attempts to resolve the complaint with the site or program administrator;
2. Designates the Assistant Superintendent, Human Resources to be responsible for complaint resolution;
3. Follows complaint procedures consistent with the California Code of Regulation, Title 5, Section 4600-4671;
4. Annually notified parents, employees, committees, students, and other interested parties of local complaint procedures, including the right to appeal the District's decision. Complainants may also seek any civil law remedies that may be available;
5. Protects complainants from retaliation.
6. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

### **THE DISTRICT'S PROCEDURE FOR FILING A COMPLAINT**

Any individual, public agency or organization alleging a violation of federal or state statutes may file a written complaint with the Chief Administrative Officer.

Discrimination complaints must be filed no later than six months from the occurrence or when they are first acknowledged. The District and the CDE must protect the confidentiality of the parties and the facts related to the case.

1. Completes an investigation and a written report within 60 days of receipt of a complaint. The District must give the filing party an opportunity to present evidence relevant to the complaint. The District must also advise the complainant regarding rights of appeal to the CDE or OCR;
2. Submits, on notification of an appeal, the following to the CDE or OCR:  
The original complaint;
  - a) A copy of the District decision;
  - c) A summary of the nature and extent of the investigation conducted by the local agency if not covered in the District decision;
  - d) A report of any action taken to resolve the complaint;
  - e) A copy of the District complaint procedures;
  - f) Such other relevant information as the State Superintendent may require.
3. May appeal to the State Superintendent of Public Instruction if the District is dissatisfied with the decision of the CDE.

## **THE RESPONSIBILITIES OF THE CALIFORNIA DEPARTMENT OF EDUCATION**

### **THE CALIFORNIA DEPARTMENT OF EDUCATION:**

1. Keeps a file for every written complaint received;
2. Refers each complaint to the District for local resolution when appropriate;
3. Requests a report of a District action, when appropriate;
4. Conducts a mediation or investigation when:
  - a) The District fails to act within 60 days or an agreed-upon timeline;
  - b) A complainant appeals the District decision;
  - c) The Department determines that direct intervention is necessary.
6. Requires corrective actions by the District concerning compliance issues identified through investigations of complaints;
7. Provides technical assistance to correct compliance issues.

## Supplemental Uniform Complaint Procedure (Williams)

(EC § 35186) The District has established policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or miss-assignment. Content of classroom notice amended to require mention that there should be no teacher vacancies or miss-assignments, as defined. The District uses Uniform Complaint Procedures (5 CCR §§ 4600 *et seq.*) to identify and resolve complaints regarding those issues within a specific timeline for investigation and resolution of complaints. (EC § 35186 amended by AB 831, Ch. 118, Statutes of 2005).

**Complaints Regarding Categorical or Special Programs** (5 CCR § 4622) The District has established Uniform Complaint Procedures to resolve alleged acts of The District has established Uniform Complaint Procedures to resolve alleged acts of discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in **Section 422.55 of the Penal Code and EC 220**, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics, which apply to all State and Federally funded programs. These uniform procedures require the complainant to submit a written complaint to the Chief Administrative Officer, who will coordinate an investigation and response within 60 days of receipt of the written complaint. A complainant may appeal the District's decision to the California Department of Education by filing a written appeal within 15 days after receiving the District's decision. If a district is found to have violated a State or Federal law and/or regulation, and the district does not take corrective action to comply, then various civil remedies may be available. Contact the Chief Administrative Officer for additional information or assistance.

## **APPENDIX:**

### **PARENT AND STUDENT ACKNOWLEDGEMENT AND CONSENT ITEMS**

#### **A. NEW FAMILIES**

##### **INFORMATION FOR INTERNET SAFETY AND STUDENTS**

The Beverly Hills Unified School District prides itself on providing a safe learning environment for its students. An emerging national concern is the inappropriate use of the Internet by students. This problem has the potential to be harmful, and we ask your support in assisting us with this challenge.

Across the nation, schools have seen an increase in negative student behavior because of messages written using electronic technology, posted to popular social networking Web sites. Many sites contain instant messaging components that allow students to chat with other students and to post statements that ordinarily would not be said in a face-to-face conversation.

The popularity of these Web sites seems to be growing. Facebook.com, for example, is said to have over 1 billion members and has become the most popular “social media exchange” site among students nationwide.

Unfortunately, child predators, “cyber bullies,” and con artists are using some of these Web sites. To our knowledge, there are no adults officially responsible for monitoring the content on such Web sites, and some students use the sites to participate in online bullying or to threaten harm to other students. The so-called “cyber bullies,” mostly children between the ages of 9 and 14, use the anonymity of the Web to hurt others without witnessing the consequences. Students who are bullied online sometimes do not report these occurrences for fear that they will be barred from using the Internet.

Outside of our schools, there have been instances of adults posing as youths and gaining access to student chat rooms. In some cases, these contacts have led to tragedy. Some unsuspecting students post enough personal information that predators are able to locate students’ home or school addresses, thereby becoming easy targets for predators.

The School District has blocked the use of these social networking Web sites from our school computers. We will continue to block objectionable material, as we deem appropriate. Parents should be aware of what their children are writing on the Internet and what others are posting in reply. These Web sites are public domain, and anything posted there can be seen by anyone who has Internet access. Although most of what is written is not immoral, offensive, or illegal, some of it is. If you choose to do so, you may investigate this site by personally logging on to the site. The services are free, and users may register using an e-mail address. Once you have registered, you can search by name and e-mail address to see if your child is registered. You can narrow the search results by en-

tering the name of your city. You will be able to view the kinds of personal information, messages, diaries, and photographs that students post to this Web site.

### **HELPFUL TIPS AND RESOURCES / INTERNET SAFETY**

We encourage you to talk with your son or daughter about the potential danger of the Internet. Ask if they have an account with Facebook, MySpace or similar Web sites. If your child is using such a site with your permission, you may want to review his or her profile to ensure that no personal and identifiable information has been posted.

We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet. Some Web sites offer parental or family guidance for Internet safety; for example, Common Sense Media, SafeKids.com, located online at <http://www.safekids.com>, and Web Wise Kids, located online at <http://www.webwisekids.org>, by telephone at 866-WEB-WISE or by e-mail at [webwisekids2@aol.com](mailto:webwisekids2@aol.com).

The Beverly Hills Unified School District will continue to provide Internet security within our schools. It is important that parents also monitor Internet use at home.

Thank you for your support and cooperation in keeping our students safe.

### **PHOTO/STUDENT WORK RELEASE INFORMATION**

1. I understand that my child's photograph and class work could appear on the Beverly Hills Unified School District websites and publications and any such publication is not for profit and neither my child nor my family will be compensated for any such use.
2. I understand that **no last names, home addresses, email addresses, or telephone numbers** will appear within any photograph or published work. Students will only be identified by first name.
3. I also understand that the Beverly Hills Unified School District has no control over non-District media sources and their use of my child's likeness, name or photograph.
4. Subject to the above conditions, you may grant or deny permission for the publishing of the student's photograph and/or student work done by the student's on the **Beverly Hills Unified School District websites and any other District-related publications.**
5. You may grant or deny permission for the Beverly Hills Unified School District to release your student's photograph and/or work done by the student to **local area newspapers** (*The Courier, The Beverly Hills Weekly, the Los Angeles Times, etc.*) with the understanding that such newspapers may print your student's name *in full* along with any such photographs and/or student work. The Beverly Hills Unified School District has no control over non-District media sources and their use of your child's likeness, name or photograph.

### **EXAMINATION BY PRIVATE PHYSICIAN FORM**

**Transitional Kindergarten through 1<sup>st</sup> Grade Only** must have their Medical Doctor and Dentist complete the **Exam by a Private Physician form**

**Oral Health Assessment** (AB 1433, Chapter 413, Statutes of 2006).

Adds CEC § 4945.2 Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year.

## B. NEW AND RETURNING FAMILIES

### TECHNOLOGY ACCEPTABLE USE (AUP)

**PERSONAL RESPONSIBILITY:** The Beverly Hills Unified School District encourages the use of technology including Internet access to provide learning and communication opportunities for students to support Beverly Hills Unified School District's (BHUSD) educational mission. Since the Internet is a vast and expanding resource that holds appropriate and inappropriate opportunities for students, this policy is set forth to communicate student expectations for acceptable use. Students should be aware that computer files and communications over electronic networks including email and voice mail are not private. The district reserves the right to monitor these systems at any time without advance notice or consent.

**PRIVILEGES:** The use of technology at BHUSD is a privilege, not a right. The employees of BHUSD may request that the system administrators deny, revoke, or suspend specific user access. The system administrators (operating under the aegis of the Board of Education and the District Office) will decide what appropriate use is. Their decision is final.

**EXPECTATIONS:** Use of technology by BHUSD students is permitted and encouraged where such use is suitable for educational purposes and supports the goals and objectives of BHUSD. The Internet is to be used in a manner that is consistent with the BHUSD standards of student conduct.

- a) The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.
- b) Students shall use the district's system responsibly and primarily for educational purposes.
- c) Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion, or political beliefs. Harmful matter includes matter, taken as a whole, or in part, which to the average person, applying contemporary statewide standards, depicts or describes matter in a patently offensive way, sexual conduct, and which lacks serious literary, artistic, political or scientific value for minors.
- d) Students shall use appropriate language while using the district's online service. Every student is a representative of our school and district on a non-private system. Every student must be cognizant of what is published as it can be viewed globally.
- e) Unless otherwise instructed by school personnel, students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students shall also be cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians. Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.
- f) Students shall not use the system to encourage the use of drugs, alcohol or tobacco nor shall they promote unethical practices or any activity prohibited by law or Board policy, or administrative regulations.
- g) Students shall not use the system to engage in commercial or other for-profit activities.
- h) Students shall not use the system to threaten, intimidate, harass, or ridicule other students.
- i) Copyrighted material shall be posted online only in accordance with applicable copyright laws. Federal Copyright Law (17 USC) will be observed in the use and distribution of information retrieved from or sent over the network/Internet. Any materials utilized for



research projects should be given proper credit as with any other printed source of information. Downloading of copyrighted material may be done for personal use only, and copyrighted material may not be placed on the system for distribution without the author's permission. Software shall only be added when the original copy of the software's license is kept on file at the appropriate district location.

- j) Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."
- k) Students shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify, use or forge other users' mail or electronic files.
- l) As representatives of the school, students shall report any security problem or misuse of the network, technological resources, or technology-related services to the teacher or principal.
- m) Students shall not intentionally waste limited resources such as paper, ink, and hard drive space. Users are responsible for maintaining up-to-date file folders. Email should be read and deleted regularly. File server space is limited.
- n) Whenever a student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's technological resources, as appropriate.

**CONSEQUENCES:** Inappropriate use of technology shall result in disciplinary action in accordance with law and Board policy. Upon violation of this contract, consequences include, but are not limited to:

- a) Written notification, referral, and/or documentation of offense
- b) Lose Internet privileges
- c) Lose computer privileges
- d) Suspension
- e) Expulsion
- f) Legal action and prosecution by authorities

#### **ANNUAL PESTICIDE NOTIFICATION**

*(Applicable Only for the Current School Year)*

**Notification of Use of Pesticide Products** (EC 17612 and 48980.3) The law requires that the school district provide to all staff and parents or guardians of pupils at a school site a written notification of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product and contain the Internet access address on information about pesticides and pesticide use reduction as found Section 13184 of the Food and Agricultural Code. EC § 17610.1 added in 2005 to prohibit application of certain pesticides on school sites. (AB 405, Ch. 566, Statutes of 2005).

- Parents/guardians can register with the school to receive notification of individual pesticide applications. If you register for this notification you shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

- Parents/guardians seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by accessing the Department's web-site at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

## CONCUSSION INFORMATION

*(Applicable Only for the Current School Year)*

**Concussion and Head Injuries (EC 49475)** Requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. These provisions would not apply to an athlete engaged in an athletic activity during the regular school day or as part of a physical education course. A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district, charter school, or private school that elects to offer an athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. ***If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider.*** On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Symptoms may include one or more of the following: *Headaches • "Pressure in head" • Nausea or vomiting • Neck pain • Balance problems or dizziness • Blurred, double, or fuzzy vision • Sensitivity to light or noise • Feeling sluggish or slowed down • Feeling foggy or groggy • Drowsiness • Change in sleep patterns • Amnesia • "Don't feel right" • Fatigue or low energy • Sadness • Nervousness or anxiety • Irritability • More emotional • Confusion • Concentration or memory problems (forgetting game plays) • Repeating the same question/comment •*

**What can happen if my child keeps on playing with a concussion or returns to soon?** Athletes with the signs and symptoms of concussion should be removed from play immediately. Continuing

to play with the signs and symptoms of a concussion leaves the young athlete especially vulnerable to greater injury. There is an increased risk of significant damage from a concussion for a period of time after that concussion occurs, particularly if the athlete suffers another concussion before completely recovering from the first one. This can lead to prolonged recovery, or even to severe brain swelling (second impact syndrome) with devastating and even fatal consequences. It is well known that adolescent or teenage athlete will often under report symptoms of injuries. And concussions are no different. As a result, education of administrators, coaches, parents and students is the key for student-athlete's safety.

**If you think your child has suffered a concussion.** Any athlete even suspected of suffering a concussion should be removed from the game or practice immediately. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance. Close observation of the athlete should continue for several hours. **Education Code 49475** now requires implementation of long and well-established return to play concussion guidelines that have been recommended for several years: "A student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time and for the remainder of the day" **and** "a student-athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. ***If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider.*** You should also inform your child's coach if you think that your child may have a concussion. Remember it is better to miss one game than miss the whole season. In addition, when in doubt, the athlete sits out.

**For current and up-to-date information on concussions, please visit:**

<http://www.cdc.gov/ConcussionInYouthSports/>

## **STUDENT CONTACT INFORMATION**

*(Applicable Only for the Current School Year)*

The primary purpose of student contact (a.k.a. directory) information is to allow the Beverly Hills Unified School District to include this type of information from your child's education records in certain school publications. Directory information includes names, addresses and telephone listings, information that is generally not considered harmful or an invasion of privacy if released. The Family Educational Rights and Privacy Act (FERPA) and Education Code 49073 permits the School District to disclose appropriately designated "directory information" without written consent, unless you have advised the District that you do not want your student's directory information disclosed without your prior written consent.

## **MILITARY CONSENT INFORMATION JUNIORS AND SENIORS ONLY**

To All Parents of Beverly Hills High School Juniors and Seniors:

We have been asked by the military to provide them with the names, addresses and telephone numbers of all juniors and seniors at Beverly Hills High School. A recent federal law, the Elementary and Secondary Education Act (ESEA) Reauthorization, concerns the access of Armed Forces Recruiters to student directory information. This law requires school districts to provide student directory information to the military except when the parent or student has specifically requested that this information not be released.

Please indicate on **STUDENT CONTACT INFORMATION FORM** your wishes to the school district regarding the inclusion of your child's name address and telephone number in the information provided to the military.

## **FAMILY LIFE EDUCATIONAL PROGRAM**

*(Applicable Only for the Current School Year)*

**Sexual Health and HIV/AIDS Prevention Education** Students enrolled in District programs or activities may receive instruction in health education, which may include sexually transmitted disease prevention and alcohol/drug abuse prevention. Parents or guardians may submit a written request to excuse their child from participation in any class involving comprehensive sexual education or HIV/AIDS prevention education, or from participation in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks.

**Health Education and AIDS Prevention Instruction** (EC 51938, EC 51201.5 (d), 51240, 51554, 51555 and WIC 18976.5). Whenever any part of health, family life education, and sex education classes conflicts with the religious training or beliefs of the parents or guardian the pupil shall be excused from that part of the instruction, including AIDS prevention instruction, when the parent or guardian requests it in writing. Written notice explaining the purpose of the required AIDS prevention instruction and information stating the parent or guardian's right to request a copy of EC 51201.5 and 51553, related to AIDS prevention instruction, will be provided to the parent or guardian of each pupil in grades 7 to 12 at the beginning of each year or upon new enrollment. This notice shall further specify that any parent may request that his/her child not receive AIDS prevention instruction. Further, before a pupil enrolled in kindergarten or grades 1 to 6 receives instruction on sexually transmitted diseases, AIDS, human sexuality, or family life, written notification shall be provided to the parent or guardian stating that instruction will be given and that the parent or guardian has the right to request a copy of Sections 51201.5 and 51553, related to AIDS prevention instruction. This applies whether the instruction is provided by a teacher employed by the district or in any setting by an outside agency or guest speaker unless the pupil's parents have been properly notified as specified.

**Sex Education Classes** (EC 51550) Parents will be notified in writing prior to any instruction or class or portion of a class being conducted in which human reproductive organs and their functions or processes are described, illustrated, or discussed. The parent or guardian will be notified in writing of the opportunity to review any written or audiovisual materials used in the instruction, at reasonable times and places, prior to holding the class. Parents may request in writing that their child not attend the instruction or class. This section does not apply to words or pictures in any textbook, adopted pursuant to law, on physiology, biology, zoology, general science, personal hygiene or health.

## **RIGHT TO REFRAIN FROM HARMFUL OR DESTRUCTIVE USE OF ANIMALS** (EC 32255 et seq.)

Any student with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his or her teacher regarding this objection. The student must obtain a note from his or her parent or guardian requesting exemption from participation in an education project involving the harmful or destructive use of animals.

Students and parents are to be informed by teachers a) that live or dead animals or animal parts will be used in a course of study and b) of the students' right to refrain from participation. Should students choose to refrain from participation in the use of animals, then teachers may work with the students to develop alternative education projects, which require a comparable time-effort investment, or the students may be excused from that project. Further, students shall pass all examinations related to the course of study in order to receive full credit. However, an alternative test(s)

may be provided if the usual, test(s) require the harmful or destructive use of animals. Parents must substantiate student's objections with written notes before an alternative plan can be developed.

## **OVERVIEW OF DISCIPLINE PLAN**

### **EXPELLABLE OFFENSES:**

Only the Board may expel a student. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion".

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following (EC 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.

### **Mandatory Recommendation and Mandatory Expulsion (ec 48915(c)):**

The principal, Superintendent or Designee shall recommend that the Board expel any student found at school or at a school activity to be:

6. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm;
7. Brandishing a knife as defined in EC 48915(g) at another person;
8. Unlawfully selling a controlled substance listed in Health and Safety code 11053-11058;
9. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in as defined in Penal Code 261, 266(c), 286, 288, 288(a) or 289, or committed a sexual battery as defined in Penal Code 243.4 (EC 48900(n));
10. Possession of an explosive;
11. Upon finding that a student committed any of the above acts, the Board shall expel the student (EC 48915(d)).

### **Mandatory Recommendation for Expulsion (ec 48915 (a)(1))**

The principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds; unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causing serious physical injury to another person, except in self-defense;
2. Possession of any knife (as defined in EC 48915(g)), explosive or other dangerous object of no reasonable use to the student;
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for either of the following:
  - a) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
  - b) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
4. Robbery or extortion;
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

\*\*If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

### **Permissive Expulsion, Supplemental Findings Required (ec 48915(b) and (e))**

Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to EC 48918(d), the governing board may order a pupil expelled upon finding that the pupil committed an act listed under EC 48915(c) as listed above or in subdivi-

sion of EC 48900 (a) through (m) or EC 48900.2, 48900.3 or 48900.4. A decision to expel shall be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

## **BEVERLY HILLS UNIFIED SCHOOL DISTRICT DRUG POLICY SUMMARY**

The use, possession or distribution of any abusive substance is detrimental to the health and well-being of students. The District recognizes the special needs of students who are identified as having a substance abuse problem and will provide appropriate assistance and referral sources.

1. Steps and action have been implemented for the following: the use, possession or distribution of abusive substances: (1) on school grounds; (2) at a school sponsored or authorized activity; (3) coming to or going from school; (4) during the lunch period, whether on or off campus; (5) during, or while going to or coming from a school sponsored activity, or (6) anywhere else in such circumstances where the act is related to a school activity or school attendance.
2. Students are encouraged to utilize the service of District personnel and community resources to provide the help and remedies for students involved in the use, possession or distribution of abusive substances.
3. Students, if using alcohol or drugs, are encouraged to discuss and seek help with any staff member. Students will not be punished or disciplined for disclosing past use when seeking help from an intervention or recovery program.
4. Student are not allowed to smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school sponsored events, or under the supervision of District employees. Students who violate this policy will be subject to disciplinary procedures.
5. Your person and property while on school grounds can be subject to search.
6. Unlawful use, possession or sale of drugs or alcohol will lead to the following action:
  - a. Suspension from school in accordance with District procedures.
  - b. Expulsion procedures may be initiated.
  - c. Notification of the Beverly Hills Police Department
  - d. Parent notification and conference on both the suspension and initiation of expulsion procedures.
  - e. Return to school after suspension or expulsion may be contingent upon completion of an approved drug education counseling program.

## **BULLYING AND HARASSMENT NOTIFICATION PROCEDURES**

The District has established Uniform Complaint Procedures to resolve alleged acts of discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in **Section 422.55 of the Penal Code and EC 220**, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics, which apply to all State and Federally funded programs. These uniform procedures require the complainant to submit a written complaint to the Chief Administrative Officer, who will coordinate an investigation and response within 60 days of receipt of the written complaint. A complainant may appeal the District's decision to the California Department of Education by filing a written appeal within 15 days after receiving the District's decision. If a district is found to have violated a State or Federal law and/or regulation, and the district does not take corrective action to comply, then various civil remedies may be available. Contact the Chief Administrative Officer for additional information or assistance.

## **IMMUNIZATION REQUIREMENTS** (EC 49403 and 48216, HSC 120335, 120365, and 120370)

1. Requires the school district exclude any pupil not properly immunized and to notify the parent or guardian that they have two weeks to supply evidence that the pupil has been properly immunized or that the pupil is exempt from the immunization requirements as specified in HSC 120365 or 120370. Notification to also refer the parent or guardian to usual sources of medical care to obtain the immunization(s).

2. Unless a pupil's parent or legal guardian provides the school with an acceptable signed waiver; a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. The School district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

**\*\*Beginning January 1, 2014, the signed waiver to exempt a pupil from meeting immunization requirements shall include a form prescribed by the State Department of Public Health signed by 1) the health care practitioner who provided information to the parent or legal guardian regarding the benefits and risks of the immunization and the health risks of the communicable diseases; and 2) the parent or legal guardian, indicating that he or she received the information provided by the health care practitioner.**

State law requires the following immunization before a child may attend school:

- a) All new students to the Beverly Hills Unified School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, and rubella immunizations.
- b) All Kindergarten students must also provide proof of vaccination against hepatitis B and Vercelli (chickenpox).
- c) All seventh grade students must also provide proof of a second measles, mumps, and rubella vaccination
- d) **All seventh through twelve grade students must also provide proof of pertussis booster.**
- e) A tuberculosis skin test (Mantoux) is required for all kindergarten students and all new students who have never attended a California school.

## **FREE AND REDUCED PRICE SCHOOL LUNCHES** (EC 49500)

Free or reduced price lunches are available at school for pupils whose parents or guardians qualify and complete the required application form.

## **PARENTS RECEIVING TIMELY INFORMATION DURING LOCKDOWN**

If a BHUSD school is ever in the middle of an emergency, our staff may be unable to provide timely updates. You can receive alerts from our Police Department via their Nixle System. BHPD has provided the following directions below to assist our community to understand how the Nixle emergency alert system works and how to get connected to the system. Please review this information and get connected!

### **Welcome to Nixle**

This BHPD Community Information Service keeps you and your family safe, informed, and connected to your community 24/7.

With emergency alerts, important advisories, community updates, and traffic information, you will

receive up-to-date information impacting the areas near you by cell phone, e-mail and on the web. To learn more about Nixle, visit <http://www.nixle.com/about.html>.

**To Sign Up for Nixle:**

- <https://local.nixle.com/accounts/login/>
- Text your ZIP CODE to 888777

**PARENTS ACTIONS DURING LOCKDOWN**

During an actual lockdown crisis at a school parents/guardians should not enter the school as Police have secured the area. The BHPD will give parents/guardians direction on how and where to reunite with students. Be familiar with each school's off-campus reunification areas. A school may initiate a lockdown to assure the safety of students, staff, and visitors. A lockdown is only instituted if there is a clear and present danger to the people in the school. Parents/Guardians will not have access to students or staff during a lockdown. Parents/Guardians are expected to cooperate with the incident commander. After the lockdown is concluded, the Principal, Superintendent, or designee will send a factual notice to parents/guardians regarding the lockdown.

**ADMINISTRATION OF PRESCRIBED MEDICATION FOR STUDENTS**

(EC 49423) Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken. Students who must take physician-prescribed medication at school may be assisted by the school nurse or other designated personnel if the school receives the following: a) a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken, and b) a written statement from the parent or guardian asking school personnel to assist in administering the medication as set forth in the physician's statement. Forms for this information are available at your child's school.

**Continuing Student Medication** (EC 49480) Parents of a pupil on a continuing medication regimen for a non-contagious condition, shall inform the school of the medication being taken, the current dosage, and the name of the supervising physician. With parent or legal guardian consent, the school nurse may communicate with the physician to determine possible effects of the medication on the pupil's behavior and symptoms of any adverse side effects.

**GUIDELINES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION WHEN CHILDREN NEED MEDICATION AT SCHOOL**

1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
2. If you child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).
3. If you child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, **who is licensed to practice in California**. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instruction or doctor (EC 49423).



4. As parent or guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and take by him or herself.
5. All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
6. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine and instructions for when to take the medicine and how much to take.
7. Pick up all discontinued, outdated, and /or unused medicine before the end of the school year.
8. Know and follow the medicine policy of your child's school.

### **ADMINISTRATION OF EPILEPSY MEDICATION (EC 49414.7)**

If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the pupil's parent or guardian may request the pupil's school to have one or more of its employees receive training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available.

### **EMERGENCY TREATMENT FOR ANAPHYLAXIS – EC 49414**

Requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors to provide emergency medical aid to persons suffering or reasonably believed to be suffering from a life-threatening severe allergic reaction (anaphylaxis).

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives. Recent changes to EC 49414 now require school districts to provide epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history.

### **STUDENT INSURANCE**

The Beverly Hills Unified School District makes every effort to protect your child from injuries. Despite these steps, accidents can and do happen while participating in activities that take place on campus, field trips, and during extracurricular activities and sports.

The Beverly Hills Unified School District advises you that the optional voluntary student insurance you choose to purchase does not necessarily constitute primary health/medical or hospitalization coverage for your child, and, in most cases, acts as excess to your own health care insurance. However, if your child is not covered by other insurance, the plan provides benefits on a primary basis. Brochures will be available at your school site. Please read the brochure carefully. If interested,

please complete the application, enclose your payment and follow the instructions in the brochure. Retain this brochure in a safe place in case your child is hurt. This program is not sponsored, endorsed, nor is it in any way connected with the Beverly Hills Unified School District. This information is provided as assistance should you voluntarily choose to participate. Should you have any questions, please call the insurance administrator, Myers-Stevens & Co., Inc. at 1-800-827-4695 or 1-949-348-0656.

Additionally, your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance, visit [www.CoveredCA.com](http://www.CoveredCA.com)



# Beverly Hills Unified School District

CREATING A WORLD CLASS EDUCATION

## B O A R D O F E D U C A T I O N

|                    |                |
|--------------------|----------------|
| Dr. Brian Goldberg | President      |
| Howard Goldstein   | Vice President |
| Lisa Korbatov      | Member         |
| Lewis Hall         | Member         |
| Noah Margo         | Member         |

## A D M I N I S T R A T I O N

|                         |                               |
|-------------------------|-------------------------------|
| Steve Kessler           | Superintendent                |
| Jennifer Tedford, Ed.D. | Chief Academic Officer        |
| La Tanya Kirk-Carter    | Chief Administrative Officer  |
| Yolanda Mendoza         | Chief Human Resources Officer |
| Chris Hertz             | Director of Student Services  |
| James Albenese          | Director of Special Education |

**BEVERLY HILLS UNIFIED SCHOOL DISTRICT**  
255 South Lasky Drive  
Beverly Hills, CA 90212  
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