



## STANDARDS OF STUDENT BEHAVIOR

### *Our Mission*

*It is the Mission of the Davis Joint Unified School District, in partnership with parents, to provide a quality education program for all students that develops the knowledge, skills, abilities and values needed for our students to reach their full potential.*

# **Davis Joint Unified School District**

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## **AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER**

The Davis Joint Unified School District does not discriminate on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in employment practices.

# **STANDARDS OF STUDENT BEHAVIOR**

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# DIRECTORY OF SCHOOLS AND DISTRICT OFFICES

## ELEMENTARY SCHOOLS GRADES K-6

### **Birch Lane Elementary**

1600 Birch Lane  
(530) 757-5395  
Kathy Tyzzer, Principal  
birchlane@djuds.k12.ca.us

### **(César) Chávez Elementary**

1221 Anderson Road  
(530) 757-5490  
Denise Beck, Principal  
chavez@djuds.k12.ca.us

### **Fred T. Korematsu**

3100 Loyola Drive  
(530) 757-5358  
Kathy Tyzzer, Principal  
korematsu@djuds.k12.ca.us

### **(Marguerite) Montgomery Elementary**

1441 Danbury Street  
(530) 759-2100  
Principal  
montgomery@djuds.k12.ca.us

### **North Davis Elementary**

555 East 14th Street  
(530) 757-5475  
Judy Davis, Principal  
northdavis@djuds.k12.ca.us

### **Children's Center**

3100 Loyola Drive  
(530) 757-5340  
Maria Furtado-Yuen, Director  
dcc@djuds.k12.ca.us

### **\*Patwin Elementary**

2222 Shasta Drive  
(530) 757-5383  
Michael Parker, Principal  
patwin@djuds.k12.ca.us

### **Pioneer Elementary**

5215 Hamel Street  
(530) 757-5480  
Principal  
pioneer@djuds.k12.ca.us

### **Valley Oak Elementary**

1400 East 8th Street  
(530) 757-5470  
Mary Ponce, Principal  
valleyoak@djuds.k12.ca.us

### **(Robert E.) Willett Elementary**

1207 Sycamore Lane  
(530) 757-5460  
Nancy Medbery, Principal  
willett@djuds.k12.ca.us

### **\*Fairfield Elementary**

26960 County Road 96  
(530) 757-5370  
Michael Parker, Principal  
fairfield@djuds.k12.ca.us

\*For information on Fairfield School, call Patwin Elementary School (757-5383).  
Please avoid non-emergency calls to Fairfield School during class time.

# SECONDARY SCHOOLS

**(Ralph Waldo) Emerson Jr. High**  
2121 Calaveras Ave. (530) 757-5430  
Diane Studley, Principal  
emerson@djuds.k12.ca.us

**(Frances) Harper Jr. High**  
4000 E. Covell (530) 757-5330  
David Inns, Principal  
harper@djuds.k12.ca.us

**(Martin Luther) King, Jr. High**  
635 B Street (530) 757-5425  
Dave Egolf, Principal  
kinghigh@djuds.k12.ca.us

**Davis School for Independent Study**  
526 B Street (530) 757-5333  
Marsha Ludwig, Principal  
dsis@djuds.k12.ca.us

**(Oliver) Wendell) Holmes Jr. High**  
1220 Drexel Drive (530) 757-5445  
Beverley Maul, Principal  
Derek Brothers, Principal  
holmes@djuds.k12.ca.us

**Davis Sr. High**  
315 West 14th Street. (530) 757-5400  
Michael Cawley, Principal  
davishigh@djuds.k12.ca.us

**Leonardo DaVinci High**  
1602 Oak Ave. (530) 757-7154  
Pamela Mari, Principal/Director  
DaVincihighschool@djuds.k12.ca.us

**Davis Adult School**  
315 West 14th Street (530) 757-5380  
Laurel Clumpner, Principal  
das@djuds.k12.ca.us

## DISTRICT OFFICES

<b>Superintendent's Office</b>	757-5300 x 142
superintendent@djuds.k12.ca.us	
<b>Educational Services</b>	757-5300 x 144
education@djuds.k12.ca.us	
Alternative Education	757-5380
Beginning Teacher Support and Assessment	757-5300 x 136
Categorical Programs	757-5300 x 146
Curriculum & Instruction	757-5300 x 150
English Learners	757-5300 x 148
Gifted and Talented Education (GATE)	757-5300 x 132
Special Education & Student Services	757-5300 x 116
<b>Business Services</b>	757-5300 x 122
business@djuds.k12.ca.us	
Customer Service	757-5300 x 101
Facilities	759-2182
Maintenance & Operations	757-5385
Resource Enhancement Management	757-5300 x 119
Student Nutrition	759-2186
Technology	757-5300 x 117
<b>Human Resources/Personnel</b>	757-5300 x 105
hr@djuds.k12.ca.us	

## Davis Joint Unified School District

# INTRODUCTION TO THE STANDARDS OF STUDENT BEHAVIOR

### Philosophy and Purpose

There are two purposes for standards of student behavior in a school discipline plan: to promote learning and growth for students as they develop self-discipline, and to provide a caring and respectful environment for all.

In this context, teachers and principals are legally considered “parent/guardians on location.” This defines the relationship between school staff and their students. Students are young people, still learning what is right and wrong and learning how to behave consistently as mature people; therefore, it is age-appropriate to not always behave maturely. After being taught and corrected, even disciplined young people typically need to be re-taught about how to behave correctly in school, just as parents/guardians have to teach, and re-teach their children how to behave at home.

School staff regard all of their students as their children/youth to teach and to guide. Thus, just as in a home with parents/guardians, all students at school deserve to be treated consistently with care, hope, and positive disciplinary attitudes. Clear and firm consequences are part of this effort by school staff to educate and to correct student behavior.

The rights of all students are always part of this philosophy. Students deserve to have a psychologically and physically safe environment at school. These rights also mean that students who are accused of wrong doing have a right to be heard and to be respectfully treated even if the school staff determine the student should be disciplined.

### Rights And Responsibilities

The rights inherent in a democratic society can be maintained only if each individual assumes responsibility for his or her own behavior. Students have both rights and responsibilities.

#### **Student Rights**

- To be safe
- To be respected and be treated with compassion regardless of actual or perceived race/ethnic background, gender, age, national origin, religion, physical and/or mental disability, sexual orientation, family structure, political beliefs, physical appearance, or financial status.
- To express opinions, ideas and feelings, keeping in mind the rights of others
- To hear and be heard
- To have property respected
- To be informed about what is expected of them
- To have privacy
- To be academically challenged

## **INTRODUCTION TO THE STANDARDS OF STUDENT BEHAVIOR (Continued)**

### **Student Responsibilities**

- Take advantage of the academic opportunities offered, strive for high achievement, and support and participate in school activities
- Be knowledgeable regarding student rights and responsibilities
- Attend school regularly and punctually
- Follow the school rules
- Respect private and school property
- Be considerate and non-disruptive in classrooms, hallways, study areas, libraries, cafeteria and other eating locations, and buses
- Be clean and dressed in compliance with school rules of sanitation and safety, and in clothing appropriate to the educational environment
- Be considerate in relationships with students, teachers, and staff
- Be respectful of all students, teachers, and staff regardless of actual or perceived race/ethnic group, gender, sexual orientation, physical and/or mental disability, family structure, religion, political beliefs, or age
- Keep language and gestures respectful and free of profanity or obscenities
- Avoid the use of alcohol, tobacco, and other drugs
- Never carry or have access to weapons or other dangerous objects

### **Procedures**

To proactively help all students, the principal/designee meets with students at the beginning of the school year to review and discuss with students the importance of a positive school climate, the positive purposes of school discipline, and the importance of respectful and caring behavior. Part of this leadership effort is accomplished through a school wide assembly or by visits to individual classrooms. The presentation includes explanations of behaviors that are encouraged and those that are not appropriate. The categories of disrespectful behaviors or offenses outlined in the attached table provide examples of what is not allowed.

When a more serious misbehavior, as listed on the “Guidelines for Responsive Discipline in Elementary/Secondary Schools” is reported or observed, the principal, teacher or supervisor conducts an investigation. This fact-finding process may include interviewing students alleged to have been involved (both the alleged offender/s and the alleged offended); interviewing witnesses if needed or appropriate, collecting written or physical evidence related to the incident and reviewing the records of the involved students. This process would include the consideration of past incidents and other relevant circumstances about the students primarily involved.

Since there are times when the fact-finding process may feel like a negative consequence to students, asking about and supportively correcting a student’s misperceptions about the purpose of this process can help avoid such misunderstanding. For example, if student

## **INTRODUCTION TO THE STANDARDS OF STUDENT BEHAVIOR (Continued)**

victims are interviewed during their recess or privilege time, they may feel that they are being punished. Or, if the classroom seat of the innocent or aggrieved student is moved, that student may feel s/he is being punished and unfairly treated. Staff will support the victim in understanding how the process, including staff actions, supports the victim.

Despite strong efforts, sometimes the fact-finding process cannot be conclusive. For example, students may report very different stories about the incident, and interviews of students may or may not be reliable or appropriate. In all cases of more serious misbehaviors, parents/guardians of the students directly involved are notified about the incident, the fact-finding process, and any consequences their own children receive.

Alleged unlawful harassment or hate crimes and physical assaults with intent to hurt are referred to the school administrator for investigation and consequences when appropriate. The referral includes any information the staff member has learned. The teacher or principal should address the sensitive issues surrounding such incidents with the whole class in an appropriate way and at an appropriate time. Anti-bias lessons and book-talks using books that discuss pertinent issues are examples of ways to address the issues with groups of students.

### **Educating Students**

It is our goal that all students are given the support they need to expand and enrich their competency in intrapersonal skills, decision-making, reasoning, problem-solving and good citizenship. Using a variety of means, students are taught self-control and to demonstrate a respectful regard for others. Strategies include classroom presentations of concepts that are infused through their normal curriculum program, large and small group discussions, and individualized support.

The following charts frequently refer to “counsel student.” This is a typical instructional part of all consequences. The degree and type of “counsel” is determined by the principal/designee. “Counsel” may include activities that successfully restore respectful relationships and/or conflict resolution/management work with the principal, counselor or psychologist. In some cases, it may be appropriate for students to participate in a staff-facilitated, face-to-face meeting. Such efforts intend to create better understanding and a positive relationship among the students at school. However, face-to-face mediation efforts or conflict resolution processes may not be appropriate in situations where a student is persistently harassing others. In such situations, a face-to-face mediation/conflict resolution session can reinforce the power position of the offending student and encourage the wrong psychological patterns. Parent/guardians would be involved in determining whether or not facilitated mediation that involves non-school staff (e.g. mediators from an outside agency) should occur.



**INTRODUCTION TO THE STANDARDS OF STUDENT BEHAVIOR  
(Continued)**

**Suspension and Alternatives to Suspension**

The more clarity students have about what constitutes misbehavior, and that any misbehavior will be known and correctly responded to in a timely way, the more likely it is that students will behave correctly. Consistency in the application of progressive consequences, rather than inconsistent use of dramatic consequences, is much more likely to result in positive behaviors.

Suspension is one of the most severe consequences that can be used for misbehavior. It is a legal declaration that the student has lost, for a short duration, his/her right to a free and public education. The accumulation of suspensions can lead to the most serious consequence, expulsion from the school district.

As the law itself emphasizes, reasonable alternatives to suspension should be exhausted before suspension is used, because the purpose of school is to educate and students need to be at school for that purpose to be served. Suspension is the consequence after all other reasonable means of correction have failed (E.C. 48900.5). Any listing of "suspension" as a consequence on the "Guidelines for Responsive Discipline in Elementary/Secondary Schools" automatically means that an appropriate alternative consequence to suspension could be used. However, when suspension is called for and an alternative consequence is determined by the principal/designee to be reasonable and appropriate, the student's record shall show that while a formal suspension was considered, an alternative consequence to a suspension was used.

## GUIDELINES FOR RESPONSIVE DISCIPLINE IN ELEMENTARY SCHOOLS

***Minor misbehaviors are handled at an immediate, informal level. The following are guidelines of the district's formal set of progressive consequences in response to serious or repeated misbehaviors. In cases where the level of offense is unusually severe, the administrator may move more quickly to more serious consequences.***

OFFENSE	POSSIBLE OPTIONS OF CONSEQUENCES FOR 1st TIME OR LESS SERIOUS OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR	POSSIBLE OPTIONS OF CONSEQUENCES FOR SERIOUS OR REPEATED OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR
<p><b>LEVEL 1</b></p> <ul style="list-style-type: none"> <li>• Name calling: personal attacks about family, body, intelligence, gender, etc.</li> <li>• Disruption of school or classroom activities: referred by teacher or staff member for behaviors that interfere with learning</li> <li>• Defiance of authority: ranges from breaking school rules to defiance directed at school staff</li> <li>• Disrespect of property (vandalizing or theft): school or private</li> <li>• Disrespect: foul language or obscene gestures</li> <li>• Physical roughness with no intent to hurt: rough play</li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• Loss of recess or related privileges/time</li> <li>• Contact/notify parent/guardian</li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• All day loss of social recesses OR related privileges/time out</li> <li>• Behavior contract or reflection writing</li> <li>• Removal from class</li> <li>• Contact or conference with parent/guardian</li> </ul>
<p><b>LEVEL 2</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 1 offense <sup>1</sup></li> <li>• Comments that insult or degrade a person because of his/her actual or perceived race, ethnic background, national origin, physical appearance, financial status, religion, age, sex, gender<sup>2</sup>, gender identity, physical disability, mental disability, sexual orientation, family structure or association with a person or group with one or more of these actual or perceived characteristics. (Always referred to office)</li> <li>• Harassment: Repeated unwelcome comments of a sexual nature</li> <li>• Threatening/Intimidation</li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• Loss of recess or time out</li> <li>• Contact or conference with parent/guardian</li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• Behavior contract or reflection writing</li> <li>• Removal from class</li> <li>• Suspension</li> <li>• Conference with parent/guardian</li> </ul>

<sup>1</sup>. Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.

<sup>2</sup> Gender is defined as "a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth." {5CCR§ 4910 (K).}

**GUIDELINES FOR RESPONSIVE DISCIPLINE IN  
ELEMENTARY SCHOOLS  
(Continued)**

<b>OFFENSE</b>	<b>POSSIBLE OPTIONS OF CONSEQUENCES FOR 1st TIME OR LESS SERIOUS OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR</b>	<b>POSSIBLE OPTIONS OF CONSEQUENCES FOR SERIOUS OR REPEATED OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR</b>
<p><b>LEVEL 3</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 2 offense <sup>1</sup></li> <li>• Physical aggression with an intent to hurt: Push, hit, kick, strike with object (if causes injury or is directed at a staff member, could result in highest level of consequence) <sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• K-3 students: lose recess/time out</li> <li>• 4-6 students: removal from class</li> <li>• Contact or conference with parent/guardian</li> </ul>	<ul style="list-style-type: none"> <li>• Counsel student</li> <li>• Formal apology (verbal or written)</li> <li>• Behavior contract</li> <li>• K-3 students: Removal from class or suspension</li> <li>• 4-6 students: Suspension (single to multiple day)</li> <li>• Conference with parent/guardian</li> </ul>

<sup>1</sup> Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.

<sup>2</sup> Self-Defense: The student reasonably believed he/she was in imminent danger of bodily injury and immediate use of force was necessary to defend against that danger, the student used no more than reasonable force to defend against that danger, and there was no obvious opportunity to retreat.

## GUIDELINES FOR RESPONSIVE DISCIPLINE IN SECONDARY SCHOOLS

All of the following are considered to be willful disruption of school activities or otherwise defiance of school personnel engaged in the performance of their duties {E.C. 48900(k)}.

OFFENSE	TYPICAL OPTIONS OF CONSEQUENCES FOR 1ST TIME OR LESS SERIOUS OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR	TYPICAL OPTIONS OF CONSEQUENCES FOR SERIOUS OR REPEATED OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR
<p><b>LEVEL 1</b></p> <ul style="list-style-type: none"> <li>• Failing to follow classroom procedures</li> <li>• Cheating <sup>1</sup></li> <li>• Littering or spitting</li> <li>• Failing to follow school rules about the use of bicycles, skateboards, radios, tape recorders, or other inappropriate items at school</li> <li>• Wearing clothes inappropriate for school (See Dress Code and Gang Policy) <sup>1</sup></li> <li>• Showing affection in a way inappropriate for school</li> <li>• Gambling</li> <li>• Misbehaving at a school sponsored activity</li> <li>• Violating the District Gang Policy <sup>1</sup></li> <li>• Behavior which a reasonable person would believe insults and/or degrades a person. <sup>1</sup></li> <li>• AUP violations equivalent to the above behaviors. <sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Parent/guardian notification</li> <li>• Counseling by the student's teacher, counselor, or an administrator</li> <li>• Reflective writing/discussion</li> <li>• Written apology to staff, class, student, and/or parent/guardian</li> <li>• Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Counseling by the student's teacher, counselor, or an administrator</li> <li>• Conference with parent/guardian</li> <li>• Face-to-face mediation if appropriate</li> <li>• Referral to community resources</li> <li>• Referral to counseling/training program</li> <li>• Exclusion from extracurricular and co-curricular activities</li> <li>• Suspension</li> </ul>
<p><b>LEVEL 2</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 1 offense <sup>2</sup></li> <li>• Being rude to school staff</li> <li>• Using foul language, or obscene hand gestures or symbols</li> <li>• Forgery of notes or signatures</li> <li>• Throwing food, water balloons, or other objects</li> <li>• Participation in unauthorized games, which could lead to personal injury or harm</li> <li>• Writing/discussion or drawing on school property.</li> <li>• AUP violations equivalent to the above behaviors. <sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Parent/guardian notification and/or conference</li> <li>• Counseling by the student's teacher, counselor, or an administrator</li> <li>• Reflective writing/discussion</li> <li>• Written apology to staff, class, student and/or parent/guardian</li> <li>• Detention</li> <li>• Exclusion from extracurricular and co-curricular activities</li> <li>• Assigned to an alternative correctional study program</li> <li>• Possible suspension</li> </ul>	

<sup>1</sup> Denotes that parent/guardian notification is required

<sup>2</sup> Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.

<sup>3</sup> See AUP for violations and consequences.

**GUIDELINES FOR RESPONSIVE DISCIPLINE IN  
SECONDARY SCHOOLS  
(Continued)**

OFFENSE	TYPICAL OPTIONS OF CONSEQUENCES FOR 1ST TIME OR LESS SERIOUS OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR	TYPICAL OPTIONS OF CONSEQUENCES FOR SERIOUS OR REPEATED OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR
<p><b>LEVEL 3</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 2 offense <sup>1</sup></li> <li>• Behavior which a reasonable person or group would believe insults or degrades a person because of his/her physical appearance, financial status, or family structure (such as adoption, single parent, etc.)</li> <li>• Using intimidating or oppressive language or behavior</li> <li>• Encouraging others to fight</li> <li>• Unauthorized use or possession of school/district forms</li> <li>• Plagiarism</li> <li>• Possession or use of tobacco {E.C. 48900(h)}</li> <li>• Habitual profanity or vulgarity {E.C. 48900(i)}</li> <li>• AUP violations equivalent to the above behaviors. <sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Parent/guardian notification and/or conference</li> <li>• Counseling by the student's teacher, counselor, or an administrator</li> <li>• Reflective writing/discussion</li> <li>• Written apology to staff, class, student, and/or parent/guardian</li> <li>• Detention</li> <li>• Exclusion from extracurricular and co-curricular activities</li> <li>• Assigned to an alternative correctional study program</li> <li>• 1-3 days of suspension for first offense</li> </ul>	<ul style="list-style-type: none"> <li>• Counseling by the student's teacher, counselor, or an administrator</li> <li>• Conference with parent/guardian</li> <li>• Face-to-face mediation if appropriate</li> <li>• Referral to community resources</li> <li>• Referral to counseling/training program</li> <li>• Exclusion from extracurricular and co-curricular activities</li> <li>• 2-5 days of suspension</li> </ul>

<sup>1</sup> Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.

<sup>2</sup> See AUP for violations and consequences.

# GUIDELINES FOR RESPONSIVE DISCIPLINE IN SECONDARY SCHOOLS

(Continued)

## OFFENSES AGAINST THE CIVIL RIGHTS OF A PERSON

For the same word/s or action/s, violations in this category are inherently more serious than Category 3. Thus, the school administration is usually expected to enact more serious consequences for violations in this category than a similar word or action might warrant in Category 3 when a person's protected civil rights are not violated.

OFFENSE	TYPICAL OPTIONS OF CONSEQUENCES FOR 1ST TIME OR LESS SERIOUS OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR	TYPICAL OPTIONS OF CONSEQUENCES FOR SERIOUS OR REPEATED OFFENSES THAT OCCUR WITHIN THE SCHOOL YEAR
<p><b>LEVEL 4A</b></p> <ul style="list-style-type: none"> <li>Behavior which a reasonable person or group would believe insults or degrades a person because of his/her actual or perceived race, ethnic background, national origin, religion, sex, gender<sup>1</sup>, gender identity, age, physical disability, mental disability, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.</li> </ul>	<ul style="list-style-type: none"> <li>Counseling by the student's teacher, counselor, or an administrator</li> <li>Conference with parent/guardian</li> <li>Reflective writing/discussion</li> <li>Written apology to staff, class, student, and/or parent/guardian</li> <li>Detention</li> <li>Exclusion from extracurricular and co-curricular activities</li> <li>Assigned to an alternative correctional study program</li> <li>1-3 days of suspension for first offense</li> </ul>	<ul style="list-style-type: none"> <li>Counseling by the student's teacher, counselor, or an administrator</li> <li>Conference with parent/guardian</li> <li>Face-to-face mediation if appropriate</li> <li>Referral to community resources</li> <li>Referral to counseling/training program</li> <li>Exclusion from extracurricular and co-curricular activities</li> <li>2-5 days of suspension</li> </ul>
OFFENSE	MANDATORY CONSEQUENCES	
<p><b>LEVEL 4B</b></p> <ul style="list-style-type: none"> <li>Repeated violation of Category 4A</li> <li>Word/s or action/s which a reasonable person would believe <u>intimidates, harasses, or threatens physical force or harm to</u> a person because of his/her actual or perceived race, ethnic background, national origin, religion, sex, gender<sup>1</sup> or gender identity, age, physical disability, mental disability, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Usually, this would include but not be limited to those words and behaviors from a person <u>which demonstrate hostility toward the victim's actual or perceived</u> race, ethnic background, national origin, religion, sex, gender or gender identity, age, physical disability, mental disability, or sexual orientation.</li> </ul>	<p>These three consequences shall apply to any violation of Level 4B:</p> <ul style="list-style-type: none"> <li>Conference with parent/guardian; and</li> <li>2-5 days of suspension OR possible recommendation for expulsion if other means of correction have failed in the past or due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others; and</li> <li>Pupil is prohibited from attending all co-curricular and extra-curricular activities, practices, and contests beginning on the first day of suspension and continuing for a minimum of one week, but no more than nine weeks. A week is defined as seven consecutive calendar days.</li> </ul> <p>Law enforcement may be notified.</p> <p><i>These are the mandatory consequences for the listed behavior. The site administrator may lessen these consequences only for significant, extenuating circumstances. Justification shall be put in writing and forwarded to the Superintendent within 2 days of the decision.</i></p>	
<p><sup>1</sup> Gender is defined as "a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth." {5CCR§ 4910 (K).}</p>		

**GUIDELINES FOR RESPONSIVE DISCIPLINE IN  
SECONDARY SCHOOLS  
(Continued)**

OFFENSE	MANDATORY CONSEQUENCES
<p><b>LEVEL 5</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 3 or 4 offense <sup>1</sup></li> <li>• Engaging in harassment, threats, or intimidation directed against a pupil or group of pupils (E.C. 48900.4)</li> <li>• Sexual Harassment (E.C. 48900.2)</li> <li>• Participating in initiation and hazing activities as defined in Board Policy and Penal Code 245.6(b)</li> <li>• Willfully used force or violence upon the person of another, except in self defense. {E.C. 48900(a)(2)} <sup>2</sup></li> <li>• Starting or engaging in a fight {E.C. 48900(a)}</li> <li>• Causing, attempting to cause, or threatening to cause physical injury to another person {E.C. 48900 (a)}</li> <li>• Committing an obscene act {E.C. 48900(i)}</li> <li>• Aiding or abetting the infliction or attempted infliction of physical injury to another person {E.C. 48900(r)}</li> <li>• Vandalizing school property or private property {E.C. 48900(f)}</li> <li>• Stealing or knowingly receiving stolen school or private property {E.C. 48900(g)}</li> <li>• Possession of, using, furnishing, or being under the influence of any controlled substance {E.C. 48900(c)}</li> <li>• Tampering with a fire alarm and/or participating in a bomb threat (E.C. 48900.7)</li> <li>• Making terrorist threats against school officials, school property, or both {E.C. 48900.7}</li> <li>• Possessing, offering, or arranging to sell any drug paraphernalia {E.C. 48900 (j)}</li> <li>• AUP violations equivalent to the above behaviors. <sup>3</sup></li> </ul>	<p>These three consequences shall apply to any violation of Level 5:</p> <ul style="list-style-type: none"> <li>• Conference with parent/guardian; and</li> <li>• 1-5 days of suspension OR possible recommendation for expulsion if other means of correction have failed in the past or due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others; and</li> <li>• Pupil is prohibited from attending all co-curricular and extra-curricular activities, practices, and contests beginning on the first day of suspension and continuing for a minimum of one week, but no more than nine weeks. A week is defined as seven consecutive calendar days.</li> </ul> <p>Law enforcement may be notified.</p> <p><i>These are the mandatory consequences for the listed behavior. The site administrator may lessen these consequences only for significant, extenuating circumstances. Justification shall be put in writing and forwarded to the Superintendent within 2 days of the decision.</i></p>

<sup>1</sup> Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.

<sup>2</sup> Self Defense: The student reasonably believed he/she was in imminent danger of bodily injury and immediate use of force was necessary to defend against that danger, the student used no more than Reasonable force to defend against that danger, and there was no obvious opportunity to retreat.

<sup>3</sup> See AUP for violations and consequences.

**GUIDELINES FOR RESPONSIVE DISCIPLINE IN  
SECONDARY SCHOOLS  
(Continued)**

OFFENSE	MANDATORY CONSEQUENCES
<p><b>LEVEL 6</b></p> <ul style="list-style-type: none"> <li>• Repeatedly committing a Level 5 offense <sup>1</sup></li> <li>• Hate crimes committed or attempted against a person or his/her property (Penal Code 422.6 and E.C. 48900.3)<sup>2,5</sup></li> <li>• Possession of any knife, explosive, or other dangerous object of no reasonable use to the student. {E.C. 48915 (a)(2)}</li> <li>• Assault or battery, as defined by Section 240 and 242 of the Penal Code upon any school employee. {E.C. 48915(a)(5)}</li> <li>• Possession of an imitation firearm {E.C. 48900(m)}</li> <li>• Causing serious physical injury to any person, except in self-defense. {E.C. 48915(a)(1)}<sup>3</sup></li> <li>• Unlawful possession of any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code {E.C. 48915 (a)(3)}</li> <li>• Unlawfully offering, arranged to sell, or selling the prescription drug SOMA. {E.C. 48900(p)}</li> <li>• Robbery or extortion {E.C. 48915(a)(4)}</li> <li>• AUP violations equivalent to the above behaviors.<sup>4</sup></li> </ul>	<p>These consequences shall apply to any violation of Level 6:</p> <ul style="list-style-type: none"> <li>• Conference with parent/guardian; and</li> <li>• 5 day suspension and recommendation for expulsion unless the principal or superintendent finds that expulsion is inappropriate due to the particular circumstance. Such circumstance(s) shall be put in writing and forwarded to the Superintendent within 2 days of the decision not to recommend expulsion.</li> <li>• Law enforcement will be notified</li> </ul>
<p><b>IN COMPLIANCE WITH EDUCATION CODE 48915, THE FOLLOWING OFFENSES WILL RESULT IN 5 DAYS OF SUSPENSION, MANDATORY RECOMMENDATION FOR EXPULSION, MANDATORY EXPULSION AND THE NOTIFICATION OF LAW ENFORCEMENT</b></p>	
<p><b>LEVEL 7</b></p> <ul style="list-style-type: none"> <li>• Possessing, selling or otherwise furnishing a firearm {E.C. 48915(c)(1)}</li> <li>• Brandishing a knife at another person {E.C. 48915(c)(2)}</li> <li>• Unlawfully selling a controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code. {E.C. 48915(c)(3)}</li> <li>• Committing or attempting to commit a sexual assault or committing a sexual battery. {E.C. 48915(c)(4)}</li> <li>• Possessing an explosive as defined in 18 USC 921 {E.C. 48915(c)(5)}</li> </ul>	
<p><sup>1</sup> Repeatedly committing an offense at any level may result in a consequence of a more serious nature. These increased consequences may be listed as part of the next level.</p> <p><sup>2</sup> Hate Crimes: A criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race, ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.</p> <p><sup>3</sup> Self-Defense: The student reasonably believed he/she was in imminent danger of bodily injury and immediate use of force was necessary to defend against that danger, the student used no more than reasonable force to defend against that danger, and there was no obvious opportunity to retreat.</p> <p><sup>4</sup> See AUP for details of violations and consequences.</p> <p><sup>5</sup> Gender is defined as "a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth." {5CCRS 4910 (K).}</p>	

Approved by the Board of Education on February 15, 2007



Davis Joint Unified School District  
**INCIDENT REPORT**

**Parents/Guardians:** Complete this form and submit it to your child's school office to report an incident regarding inappropriate student behavior.

School: \_\_\_\_\_

Name of Individual reporting the incident: \_\_\_\_\_

Contact information for person listed above:

\_\_\_\_\_ Phone

\_\_\_\_\_ Home Address

\_\_\_\_\_ E-Mail Address

Date and Time of incident: \_\_\_\_\_

Person's involved (if possible, include name, school, and grade): \_\_\_\_\_

Describe the facts, if known, leading up to the incident and describe the facts of the incident you are reporting (facts of what happened):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check if the name of the individual reporting the incident is to be kept confidential.



Office Use Only  
 Date Received \_\_\_\_  
 By: \_\_\_\_\_

# DISTRICT COMPLAINT FORM

Any staff member, parent/guardian, student, community member or applicant who has a complaint regarding an employee, a district policy, or other condition of the Davis Joint Unified School District may submit the complaint by completing this form and filing it with the school principal or appropriate District administrator. For detailed explanation of the complaint report process, see reverse side. (If your complaint report alleges an issue of discrimination or failure to comply with certain specified state or federal laws, please use the Federal/State Uniform Complaint Form instead of this form. See more detailed explanation on reverse side, at the bottom of the page.)

Name of Complainant \_\_\_\_\_ Date Complaint Filed: \_\_\_\_\_

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

The complainant is a:  Staff member  Parent/Guardian  Student  Applicant  Community Member

A. Statement of the problem: (Please be as precise as possible, include specific facts: names, dates, times, location, witnesses, etc. Attach additional pages, if necessary.)

B. Remedy sought:

**SAMPLE**  
 Form may be obtained from a school site main office, the district office customer service desk, or from the district's website: [www.djusd.k12.ca.us](http://www.djusd.k12.ca.us)

C. Is a conference requested?  Yes Initial conference will occur with the administrator \_\_\_\_\_ at site or department level.  No

All complaints will be responded to by the \_\_\_\_\_ appropriate administrator. A copy of the response will be mailed to you. If you are not satisfied with the response, you should re-contact that administrator and explain your dissatisfaction. If you are still not satisfied, resubmit the complaint to the responding administrator's supervisor. That supervisor can be identified by calling 757-5300 ext. 101.

D. Signature of Complainant \_\_\_\_\_

To be completed by the appropriate responding administrator.

Finding of Facts:

Administrative responses/action taken:

\_\_\_\_\_

\_\_\_\_\_

Name/Responding Administrator

**DISTRICT COMPLAINT PROCESS**  
(Administrative Procedures)

The District encourages the early, informal resolution of complaints at the site level when appropriate and whenever possible. Usually, complaints are satisfactorily responded to at the informal discussion level. However, procedures below describe both the informal and formal processes to bring closure to incidents. The following steps summarize the Administrative Procedures.

Step 1: Informal Levels

- A. *Informally discuss your complaint with the school employee who directly supervises the situation being complained about, such as the teacher about a classroom situation.*
- B. *If you are not satisfied, or if the complaint is about something at the school, discuss your complaint with the school principal. If the complaint is about an employee, the district is required to give the employee the complaint, and to provide the employee an opportunity to respond to the supervisor.*
- C. *If your complaint is about a district level matter, discuss your complaint with the appropriate district office administrator: Business Services (757-5300 ext. 122); Educational Services/Curriculum (757-5300 ext. 144); Personnel/Human Resources (757-5300 ext. 105); Student Services including academic guidance, health, student discipline, and special education (757-5300 ext. 116).*

Step 2: Formal Written Level

- A. *If you wish to take the complaint to the formal (written) level, you may obtain a District Complaint Form from a school site main office, the district office customer service desk, or from the district's website. ([www.djUSD.k12.ca.us](http://www.djUSD.k12.ca.us))*
- B. *Complete the form. Submit it to the school principal/appropriate district administrator. The principal/district administrator will try to make an initial contact with you within 1-5 school days. (A school day is a day when students throughout the district are in school during the normal school year.) The administrator shall make reasonable efforts to give you a written response within ten (10) school days from the date the administrator received your written complaint.*

Step 3: Formal Appeals Level

- A. *After getting a written response from the principal/appropriate district administrator, if you wish to take the complaint to the next level, please submit a copy of the completed District Complaint Form to the Director of Student Services. Please include a brief letter to indicate what specifics in the response from the principal/administrator were not satisfactory to you. Normally you can expect to receive a written notice within ten (10) school days that your complaint has been received and read. If appropriate the Director of Student Services will forward the complaint to another district administrator to investigate. The appropriate administrator will conduct a Findings of Facts and will send you a written statement of the "Administrative Response/Actions" within thirty (30) school days after receiving the written complaint.*
- B. *If you are not satisfied and wish to take the complaint to the next level, please submit a copy of the completed District Complaint Form to the District Associate Superintendent. Discuss your complaint with the Associate Superintendent. After the Associate Superintendent has conducted a Findings of Facts and determined an appropriate Administrative Response/Action, a written conclusion will be sent to you. You can normally expect to receive a written response within ten (10) school days following the discussion.*
- C. *If you are not satisfied and wish to take the complaint to the final administrative level, please submit a copy of the completed District Complaint Form to the District Superintendent. Discuss your complaint with the Superintendent. You will receive an initial written response within ten (10) school days following the discussion. After the Superintendent has reviewed the Findings of Facts, already accomplished, conducted any additional findings of facts needed, and determined an appropriate Administrative Response/Action, a written conclusion will be sent to you.*
- D. *If you are not satisfied and wish to take the complaint to the next level, please submit a copy of the District Complaint Form to the Board of Education, and you may ask the Board to respond to your complaint. If so, the administrative assistant for the board office or the superintendent will assist you in that process. The Board of Education will send you a written acknowledgement of having received your request within twenty (20) school days following the request for a hearing.*

**If you remain dissatisfied after the Board's review and response, you may wish to seek outside assistance at your own expense.**



Office Use Only  
 Date Received \_\_\_\_  
 By: \_\_\_\_\_

**Uniform Complaint Form  
 Federal/State**

To be used only if this complaint is about a legally protected class of people who are protected against unlawful discrimination (based on race, ethnicity, color, gender, sexual orientation, mental or physical disability, religion, or age) or failure to comply with state or federal law in these programs: adult basic education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs and special education programs.

Name of Complainant: \_\_\_\_\_ Date Complaint Filed \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

*Please see the directions on the reverse side of this form.*

**Specific Complaint** (You may attach additional information if more space is needed).

**Remedy Sought:**

**SAMPLE**  
 Form may be obtained from a school site main office, the district office customer service desk, or from the district's website: [www.djUSD.k12.ca.us](http://www.djUSD.k12.ca.us)

Please explain.

\_\_\_\_\_  
 Signature of Complainant

\_\_\_\_\_  
 Date

This Uniform Complaint Form is to be filed at the Office of the Executive Director of Student Support Services, Davis Joint Unified School District, 526 B Street, Davis, CA 95616

-over-

Federal/State Uniform Complaint Procedures

Side 1 of 2

**Step 1: Filing of Complaint**

Any individual, public agency or organization may file a written complaint of alleged non-compliance by the district. Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint. The use of medication shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

**Step 2: Complaint Resolution**

The district encourages the early, informal resolution of complaints at the site or district level when appropriate and whenever possible.

**Step 3: Investigation of Complaint**

The compliance officer shall contact the complainant within five days of receiving the formal complaint. Depending on the nature of the complaint and the person(s) involved, the Director of Student Services may refer the complaint to other administrators to work or assist in resolving the complaint. In such cases, the Director of Student Services shall continue to monitor the process to assure compliance.

The complainant and/or his/her representative and the district's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute (e.g., the complainant and persons, if any, who are the focus of the complaint) may discuss the complaint and question each other or each other's witnesses.

***The compliance officer/designee may elect to provide the complainant and/or other parties to the dispute with a draft of findings of fact and request a critique of that document by the complainant prior to Step 4.***

**Step 4: Official Response**

Within 30 days of formally receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board. Such a filing shall include the specific facts that comprise all of the facts that cause the complainant to feel the response is not satisfactory, and all of the main reasons that cause the complainant to feel that the administrative response is unsatisfactory. The filing shall also factually identify what specific district actions would provide an appropriate remedy to the complaint.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision is final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant.

**Step 5: Final Written Decision and Conclusions**

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district shall arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

1. The findings of facts, and disposition of the complaint, including corrective actions, in any.
2. The rationale for the above disposition
3. Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal
4. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

If an employee is disciplined as a result of the complaint, this report shall simply state that effective corrective action was taken and that the employee was informed of or of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

**Appeals to the California Department of Education**

If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 calendar days of receiving the district's decision.

**Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the district's complaint procedures; however, for discrimination complaints a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies.