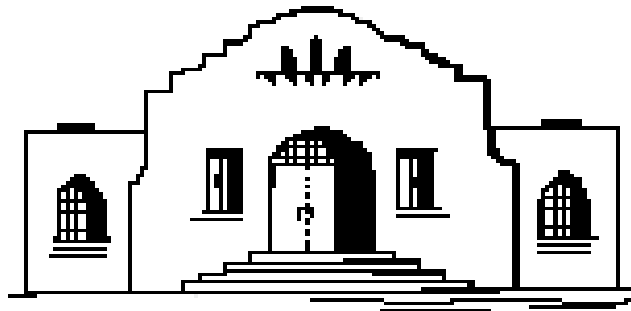


Amador County Public Schools

STUDENT CONDUCT CODES

Grades K-6

2009/2010



PREFACE

A WORD TO STUDENTS:

A school is like a big community. If its members are going to be safe and happy, and things are going to get done, there must be some rules.

Rules do four things:

- they tell people what they can do;
- they tell people what they cannot do;
- they make it possible for people to live and work together
- they set forth possible consequences if not followed

Each school site may have additional rules unique to that school site.

The rules must be fair. They must be the same for everyone. You are responsible for following these rules.

School rules must be followed:

1. While on school grounds.
2. While going to and coming from school.
3. During lunch and recess times.
4. During or while going to or coming from a school sponsored activity.

Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property, even though the offense is not defined in this Student Conduct Code booklet.

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STUDENT RESPONSIBILITIES

WHAT ARE "RESPONSIBILITIES"?

There are some things you should do without being told. Things people should do without being told are called responsibilities.

Here are your important responsibilities:

1. **DO NOT PREVENT OTHERS FROM LEARNING:** Parents send their children to school to learn. If you prevent others from learning by bothering them, or keep the teacher from performing his/her job, you have taken something from them which is important.
2. **COME TO SCHOOL UNLESS YOU ARE SICK:** California law says you must go to school unless you are sick. The reason for this law is to be sure that all children have a chance to get an education. If you miss too much school, you will not be able to learn the things you need to know.
3. **BE ON TIME FOR SCHOOL AND CLASSES:** If you are late for school in the morning, you miss things you need to know. The teacher has to stop what she or he is doing to help you get started. This keeps the teacher from helping all the students. This is also true if you are late after recess and lunch.
4. **FINISH YOUR SCHOOL WORK:** Most of the work you are given at school can be done in class. Sometimes you will have to do some school work at home. You should do all the work given to you. You should feel free to ask your teacher questions about any assigned homework.
5. **TAKE CARE OF SCHOOL PROPERTY:** You have a responsibility to take care of our school. The buildings, the books, everything in your school belongs to all the people in Amador County. If something belongs to everyone, everyone must help take care of it. If these things are destroyed or damaged, it means students or the parents must spend money to replace them.
6. **HELP MAKE SCHOOL A GOOD PLACE TO BE:** It is one of your responsibilities to help make school a good place for everyone. School is a place where good things happen to people. Students make new friends, they are treated with respect, and they learn things which will help them the rest of their lives.
7. **PRACTICE SPORTSMANSHIP:** Sportsmanship means taking turns, staying calm, playing by the rules, letting others play in the game, playing safely and being a good winner as well as a good loser.
8. **BE A PROBLEM SOLVER:** When you have a problem, here are some things you can do:
 - Talk it over -- listen.
 - Find another activity.
 - Say -- "I'm sorry."
 - Take turns.
 - Share.
 - Ignore it.
 - Ask for help.
 - Use words before fighting.

CONSEQUENCES FOR STUDENT MISBEHAVIOR

[Education Code 48900]

Expulsion is the removal of a student from all schools in the Amador County Unified School District for violating the California Education Code as ordered by the Board of Education. The expulsion is for a defined period of time, but an application for readmission must be considered within a specified time period. State laws provides for full due process and rights to appeal any order of expulsion.

The Amador County Unified School District has long maintained a "zero tolerance" policy that is supported by state law. State law mandates the Board of Education expel students for:

- Possession, sale or furnishing of a firearm
- Brandishing a knife
- The sale of drugs
- Committing or attempting to commit sexual assault or battery
- Possession of an explosive

State law requires a school administrator to recommend expulsion if a student commits one of the following offenses:

- Causing serious physical injury to another person except in defense
- Possession of any knife, or other dangerous object of no reasonable use to the student
- Unlawful possession of any drug except for the first time offense of possession of not more than one ounce of marijuana
- Robbery or extortion
- Assault or battery upon a school employee

Suspension is the removal of a student from the classroom for disciplinary reasons for a defined period of time by a teacher or school administrator. A principal or designee may suspend for up to five days. A teacher may suspend for the remainder of the class in which the misbehavior occurred and for the next day's class. A suspension may be extended under certain circumstances.

There are two kinds of suspension:

- On-campus suspension
- Home suspension

Students placed on home suspension are not permitted on or near the school campus, nor are they allowed to participate in any school activities during suspension. They may however, be required to complete assignments and tests which will be made available to them through an intermediary.

Detention is the assignment of a student to a supervised area for a specified time before or after school, at lunch, or during Saturday school.

School Attendance Review Board (SARB) reviews student(s) attendance and disruptive behavior. Students may be referred to SARB for habitual truancy, irregular attendance, habitual insubordination, or disorderly conduct at school. SARB may direct a student to take part in community services. SARB may involve the District Attorney, County Probation Department, Sheriff's Department, City Police Department, and County Health and Human Services in a student's case. SARB may transfer the student to another school or to an alternative education program.

The Search and Seizure Policy governs the district's authority to search individual students and their property and the student's responsibility to submit to searches. Under Board Policy 5145.12 school officials may search when there is a reasonable suspicion the search will uncover evidence that the student is violating the law or the rules of the district or school.

- General inspections of school properties such as lockers and desks may be conducted on a regular, announced basis. Any items in a locker shall be considered to be the property of the student whom the locker was assigned.
- To ensure the safety of students and staff, schools may conduct random searches for weapons using metal detectors.
- The district may use specially trained, non-aggressive dogs to detect the presence of substances prohibited by law or district policy. Dogs may be used in the inspection of lockers, vehicles, or personal property, but may not be used to search a person.

THE CALIFORNIA EDUCATION CODE

A student shall not be disciplined, suspended, or recommended for expulsion unless the superintendent, a designee, or the principal of the school in which the student is enrolled determines the student has violated one or more parts of the Code of Conduct.

A student may be disciplined, suspended or expelled for acts enumerated in the Code of Conduct that are related to school activity or school attendance occurring at any district school or within any other school district, including, but not limited to, any of the following:

- While on school grounds
- While going to or coming from school
- During the lunch period whether on or off campus
- During, while going to, or coming from a school sponsored activity

The following table identifies the sections of the California Education Code that govern student conduct and the consequences in the Code of Conduct may be applied. Most violations allow for a range of disciplinary responses within the educational system. Some consequences may occur simultaneously. Additionally, certain violations overlap California Penal Code and may have consequences within the juvenile/adult court systems.

Mandatory Expulsion [E.C. 48915 (c)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Possession, selling or otherwise furnishing a firearm.			X	X
Brandishing a knife.			X	X
Unlawful selling a controlled substance.			X	X
Committing or attempting to commit sexual assault or battery.			X	X
Possession of an explosive.			X	X
Mandatory Recommendation for Expulsion [E.C. 48915 (a)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Causing serious physical injury to another person, except in self-defense.		X	X	X
Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.		X	X	X
Unlawful possession of any drug except for the first offense of possession of not more than an ounce of marijuana.		X	X	X
Robbery or extortion.		X	X	X
Assault or battery upon a school employee.		X	X	X
Acts of Violence [E.C. 48900 (a)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Caused, attempted to cause, or threatened to cause physical injury to another person.	X	X	X	X
Willfully used force or violence upon another person, except in self-defense.		X	X	X
Weapons and Dangerous Objects [E.C. 48900 (b)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Possession, sale, or furnishing of weapons (knife, gun, sharp object, club, or an object that could inflict injury) or explosive.		X	X	X
Explosives, use, or possession.		X	X	X
Drugs and Alcohol [E.C. 48900 (c)]	Alternative to Suspension	Suspension	Expulsion	Citation or Arrest
Possession, use, sale or otherwise furnishing, or being under the influence of alcohol, controlled substances or an intoxicant.		X	X	X
Sale of "Look-Alike" Drugs and Alcohol [E.C. 48900 (d)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Offering, arranging, or negotiating to sell drugs, alcohol, or any intoxicant and then substituting a look-alike substance intended to represent drugs, alcohol, or an intoxicant.		X	X	X
Robbery or Extortion [E.C. 48900 (e)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest

Committed or attempted to commit robbery or extortion.			X	X
Damage of Property [E.C. 48900 (f)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Cause, or attempt to cause, damage to school or private property.	X	X	X	X
Theft or Stealing [E.C. 48900 (g)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Stealing or attempting to steal school or private property.	X	X	X	X
Tobacco [E.C. 48900 (h)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Possession or use of tobacco or nicotine products.	X	X		
Profanity, Obscene Acts [E.C. 48900 (i)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Directed at peers.	X	X	X	
Directed at school personnel.		X	X	X
Drug Paraphernalia [E.C. 48900 (j)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Possessed, offered, arranged, or negotiated to sell any drug paraphernalia.		X	X	X
Willful Defiance or Disruption of School Activities [E.C. 48900 (k)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Failure to follow school rules.	X	X	X	
Failure to follow directive or instruction of staff or teachers.	X	X	X	X
Failure to follow conduct code for school bus passengers.	X	X	X	
Possession of Stolen Property [E.C. 48900 (l)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Knowingly receive stolen school property or private property.	X	X	X	X
Imitation Firearm [E.C. 48900 (m)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Possession of an imitation firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.		X	X	
Sexual Assault or Sexual Battery [E.C. 48900 (n)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Committed or attempted to commit a sexual assault or battery.			X	X

Harassment of a Student Witness [E.C. 48900 (o)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.	X	X	X	X
SOMA - Prescription Drug [E.C. 48900 (p)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, SOMA.	X	X	X	X
Aided or Abetted to Inflict Physical Injury [E.C. 48900 (r)]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Aided or abetted in the infliction or attempted infliction of physical injury to another student.	X	X	X	X
Sexual Harassment [E.C. 48900.2]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Applies for grades 4-12.	X	X	X	X
Acts of Hate Violence [E.C. 48900.3]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Students in grades 4-12 may be suspended or recommended for expulsion for causing, threatening, attempting to cause, or participating in an act of hate violence defined as willfully interfering with or threatening another person's personal or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation. Speech that threatens violence when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence.	X	X	X	X
Other Harassment [E.C. 48900.4]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Students in grades 4-12 may be suspended or recommended for expulsion for intentionally engaging in harassment, threats, or intimidation against a student or group of students when the harassment is severe and pervasive and disrupts classes or creates disorder or an intimidating or hostile educational environment.	X	X	X	X
Terroristic Threats [E.C. 48900.5]	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest
Making terroristic threats against school officials and/or school property.		X	X	X
Attendance	Alternatives to Suspension	Suspension	Expulsion	Citation or Arrest

Truant [E.C. 48260] Absent from school without a valid excuse.	X			
Repeat truant [E.C. 48261]	X			
Habitual truant [E.C. 48262]. Any student truant three or more times per school year. Students who are habitually truant may be referred to the School Attendance Review Board (SARB) for further action.	X			

MORE EXPLANATION: WHAT HAPPENS IF RULES ARE BROKEN?

Listed below are more of the important rules everyone needs to know. It is also important to know what may happen if the rules are broken. Under each rule you will find out what happens the first time the rule is broken and what happens if it continues to be broken. These consequences are guidelines only. A school may impose more discipline if the circumstances warrant such action.

These rules are listed in alphabetical order.

BUS MISCONDUCT

[BP/AR 5131.1]:

What this means: Some of these things include but are not limited to bothering the bus driver and/or other students, pushing or kicking others, fighting, not staying in your seat, eating, throwing objects, taking inappropriate objects on the bus, or misbehavior at bus stop.

If this rule is broken:

You will receive a citation for minor offenses and will not be allowed back on the bus until a parent has signed the citation. All exceptions must be made through the Transportation Department (223-0871).

If this rule continues to be broken:

You may be suspended from bus ridership for a minimum of 2 days. It is the responsibility of your parents to contact the school administration.

If this rule continues to be broken:

You may be suspended from bus ridership until a conference has been completed with the parents and school administration for a minimum of 5 days and possibly for the rest of the school year.

Any serious violation could result in maximum disciplinary action the first time a rule is broken.

CHEATING

[Education Code 48900 (k)]:

What this means: Cheating is when you copy other students' work and turn it in so that the teacher thinks it is your work. Cheating is also when you get a copy of a test and/or the answers and use them in a dishonest way.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents.
- (b) You will be given a failing grade on the assignment.

If this rule continues to be broken:

- (a) Your parents may be contacted.
- (b) You will be suspended for 1 day and
- (c) You will be given a failing grade on the assignment.

If this rule continues to be broken:

- (a) Your parents may be contacted.
- (b) You will be suspended for up to 5 days and
- (c) You will receive a failing grade in that subject area.

Any major offense will result in the maximum penalty the first time you break the rule.

DISOBEDIENCE

[Education Code 48900(k)]:

What this means: Disobedience means refusing to do what you are told. While you are at school, in the classroom, on the playground, or in the school bus, you are expected to treat with respect the people who work at the school and follow their directions.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents, and/or
- (b) You may be sent to the principal or designee for a possible loss of privileges or suspension for up to 5 days if the problem is serious.

If this rule continues to be broken:

- (a) Your parents may be contacted.
- (b) You may lose some privileges, and/or
- (c) You may be suspended for up to 5 days.
- (d) If none of these things helps, you may be sent to an alternate educational program, or another school site.

DISRESPECT

[Education Code 48900 (k)]:

What this means: Disrespect is when you insult, abuse or are being rude to your teachers or other school personnel.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents, and/or
- (b) You will be sent to the principal or designee for possible loss of privileges or suspension for up to 5 days if the problem is serious.

If this rule continues to be broken:

- (a) Your parents will be contacted.
- (b) You may lose some privileges, and/or
- (c) You may be suspended for up to 5 days.
- (d) If none of these things help, you may be sent to an alternate educational program, or other school site.

DRESS CODE

[Education Code 48900(k), 48907, 48950, 35183; BP/AR 5132 & 5136]:

What this means: Students shall not exhibit any dress, grooming, or appearance which disrupts, or tends to disrupt, the education process, or affects the health or safety of individuals. Clothing must not reveal breasts and/or cleavage, gluteal fold, buttocks, midriff, belly, lower back or any undergarments, including undershirts. All apparel and accessories* shall be safe and free of writing, pictures, insignias or symbols that:

- a. are crude, vulgar, profane, sexually suggestive;
- b. advocate negative prejudice concerning race, ethnicity, gender identify, or religion;
- c. advocate the use of tobacco, drugs and/or alcohol;
- d. are affiliated with gang involvement.

School administration and staff may impose additional dress requirements to accommodate certain sports, classes (e.g. shop classes) and special school activities (including, but not limited to, promotion exercises and award ceremonies).

Disciplinary Action:

First Offense: Warning, plus correction at school and a phone call home. Accessories will be collected and student may pick up at the end of the day.

Second Offense: Letter and call home, plus correction at school; detention or remain in the office for the rest of the day.
Accessories: collected, may be retrieved by parent.

Third Offense: Letter and call home, plus correction; one-day suspension (Ed Code 48900). Accessories may be retrieved by parent or student at end of school year.

FIGHTING

[Education Code 48915(a) and 48900(a)]:

What this means: Fighting is physical aggression involving more than one person. Self-defense may be a mitigating factor, but only if there is clear evidence that self-defense was necessary.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents, and/or
- (b) You may be sent to the principal or designee for a possible suspension up to 5 days or loss of privileges if the problem is serious, and/or

If this rule continues to be broken:

- (a) Your parents may be contacted, and/or
- (b) You may be sent to the principal or designee for a possible suspension for up to 5 days or loss of privileges.
- (c) If none of these things help, you may be sent to another school or alternate educational program.
- (d) If you cause serious physical harm to another student, you will be recommended for expulsion. Law enforcement may be called.

HARASSMENT

[Education Code 32050, 32051, 48900.4]:

What this means: Harassment is when you participate in or have any part in doing something that injures, degrades, or disgraces another person.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents and/or
- (b) You will be sent to the principal or designee for possible loss of privileges or suspension for up to 5 days.

If this rule continues to be broken:

- (a) Your parents may be contacted.
- (b) You may lose some privileges, and/or
- (c) You may be suspended for up to 5 days, and/or
- (d) If none of these things help, you may be sent to an alternative educational program, or other school site.

INTIMIDATION

[Education Code 48900(o) & 48900.4]:

What this means: Intimidation means that you do something that causes fear or discomfort to another (i.e. to “bully” someone). Acts of intimidation produce an atmosphere at school which is uncomfortable or unfriendly.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents and/or
- (b) You will be sent to the principal or designee for possible loss of privileges or suspension for up to 5 days.

If this rule continues to be broken:

- (a) Your parents may be contacted.
- (b) You may lose some privileges, and/or
- (c) You may be suspended for up to 5 days, and/or
- (d) If none of these things help, you may be sent to an alternative educational program, or other school site.

PROFANITY

[Education Code 48900(i)]:

What this means: Swear words are not to be used at school.

If this rule is broken:

- (a) Your teacher will talk to you and may talk to your parents, and/or
- (b) You may be sent to the principal or designee for a possible suspension up to 3 days or loss of privileges may result, if the problem is serious.

If this rule continues to be broken:

- (a) Your parents may be contacted, and/or
- (b) You may lose some privileges, and/or
- (c) You may be suspended for up to 5 days.
- (d) If none of these things help, you may be sent to an alternate educational program.

SCHOOL ATTENDANCE

[Education Code 48260; BP 5113]:

What this means: You must attend school every day on time unless you are ill or have a dental or doctor appointment. If you are absent or late for school for any other reason, you are unexcused. All unexcused absences will be reviewed by the principal or designee.

If this rule is broken:

- (a) Your teacher will talk to you about why you were absent or late for school.
- (b) The teacher/school may call your parents regarding your attendance.

If the rule continues to be broken:

- (a) Your parents will be notified by mail if you are absent and/or late in excess of 30 minutes without an excuse for 3 days.
- (b) Your parents will be asked to meet with the principal or designee.
- (c) If you continue to miss school and/or are late to school you and your parents will have to meet with a group called the School Attendance Review Board (SARB).
- (d) If you have any more unexcused absences and/or are late for school after this meeting, your parents may be referred Court.

SCHOOL PROPERTY

[Penal Code 594; Education Code 48900(f); BP 5131.5]:

What this means: You are expected to take care of things the school lets you use. If you damage or destroy something on purpose, you have broken this rule.

If the rule is broken:

- (a) Your teacher will talk to you and/or
- (b) You will be sent to the principal or designee to talk about care of school property, and/or
- (c) Your parents will be told, and/or
- (d) You will be expected to pay for the damage. If you cannot pay, you may be required to work off the cost.

If this rule continues to be broken:

- (a) Your parents will be asked to come to school for a meeting with you and the principal or designee, and/or
- (b) You will have to pay for the damage. If you cannot pay, you may be required to work off the cost, and/or
- (c) You may be suspended (sent home) from school for up to 5 days.

SMOKING/POSSESSION OF TOBACCO PRODUCTS

[Education Code 48900(h) & 48901; BP 5131.62]:

What this means: If you possess or use tobacco or tobacco products on school premises. This includes cigarettes, cigars, chewing tobacco, snuff, pipes, etc.

First Offense:

- (a) Your parent/guardian will be contacted.
- (b) Mandatory attendance in a diversion class will be required. If you fail to attend class, you will be suspended for 1 day.

Second Offense:

- (a) Your parent/guardian will be contacted.
- (b) 1 day suspension and mandatory attendance in diversion class. If you fail to attend class, you will be suspended for 3 additional days.

Third Offense:

- (a) 3 days suspension.

Fourth Offense

- (b) 5 days suspension and possible recommendation for expulsion.

Students who fail to attend the diversion class on an assigned date or fail to successfully participate in or complete the diversion class will be assigned an additional day of suspension and be re-assigned to the diversion class.

THINGS YOU MUST NOT BRING TO SCHOOL

[Education Code 48900 (b) (c) (k); and AR 5131.7]:

What this means: There are certain things you must not bring to school because they are dangerous to you and others. These include but are not limited to: fireworks, hand-cuffs, chains, lighters, unauthorized pills and medicine, knives, or weapons of any type including look-alikes, laser pointers, pagers, live ammunition, or any other dangerous objects.

NOTE: Toy guns are considered objects of a dangerous nature. (Penal Code 417.2, 417.4) Pagers cannot be on campus without permission from the principal. (Education Code 48901.5)

If this rule is broken:

- (a) Your parents will be asked to come to school for a meeting with you, your teacher, and the principal or designee, and/or
- (b) You will be sent to the principal or designee for suspension up to 5 days and possible recommendation for expulsion.
- (c) Dangerous items may be returned to your parents or proper authorities, and/or
- (d) Depending on the item, an appropriate law enforcement agency will be notified.
- (e) If none of these things help you, you may be sent to an alternate educational program.

STUDENT RIGHTS

A "right" is something which belongs to you and should not be taken away by anyone. Your classmates and teachers have the same rights.

Here are some of your important rights:

1. **YOU HAVE A RIGHT TO BE YOURSELF AT SCHOOL:** This means you should not be treated unfairly because you are tall or short, a boy or a girl, have blond or black hair, light or dark skin, or because it takes you a little longer to get the right answer. And you have the right to be treated fairly no matter what grade you are in.

2. YOU HAVE A RIGHT TO BE RESPECTED AND TREATED WITH KINDNESS AT SCHOOL: This means that others should not laugh at you, make fun of you, or hurt your feelings. No one is to embarrass you at school.
3. YOU HAVE A RIGHT TO LEARN ABOUT YOURSELF AT SCHOOL: This means you may talk about your ideas and feelings if it does not take away the rights of others.
4. YOU HAVE A RIGHT TO BE SAFE AT SCHOOL: This means no one should make you afraid to come to school. They should not hurt you or threaten to hurt you.
5. YOU HAVE A RIGHT TO TELL YOUR SIDE OF A PROBLEM: This means that you will be given the opportunity to tell your side of the story before punishment is determined.

PARENT INFORMATION: PROCEDURES FOR DEALING WITH VIOLATIONS

Due Process: No student can be suspended or expelled for alleged misconduct without due process. "Due process" means notice of the alleged misconduct and an opportunity to respond.

STUDENTS ARE GENERALLY ENTITLED TO:

- (1) oral or written notice of the charges;
- (2) an explanation of the evidence;
- (3) an opportunity to present his/her side of the story.

PARENTS ARE GENERALLY ENTITLED TO:

- (1) An attempt at contact from the school employee in person or by telephone.
- (2) Written notice of the suspension within one school day of the suspension.

A. SUSPENSIONS [EDUCATION CODE 48910 AND 48911]:

Definition: A suspension is a temporary removal from school or from a normal school schedule and all school activities for violation of school rules.

- (1) A student may not be suspended for more than 5 days at a time.
- (2) A student may not be suspended for more than 20 days per school year unless transferred to a second school within the District. "20 days per school year" may include suspensions from another school district during that same school year (Education Code 48903)
- (3) The Superintendent or the Board of Trustees may suspend for a longer period of time if there is an expulsion recommendation pending. This "extension of suspension" shall be conducted under Education Code 48911(g).

If your student is enrolled in a Special Education program, he or she may also be suspended or expelled under these procedures after certain meetings and determinations are made. This process is covered in Board Policy 5114.2

Parent Conference:

When a student is suspended, the principal or designee will make a reasonable effort to contact and inform the parent, guardian, or persons listed on the emergency card. In no case shall a student be sent home during the school day without first notifying the parent or guardian.

Written Notice of Suspension:

In addition, within one school day, the principal or designee will send a notice to the parent or guardian containing the following information:

- (a) A statement of the facts leading to the decision to suspend.
- (b) The date and time when the student will be allowed to return to school.
- (c) If necessary, a request that the parent (or guardian) attend a conference to discuss the student's behavior. If such a request is made, the parent (or guardian) is required by law to respond without delay to any request from school officials to attend a conference regarding their child's behavior. [Education Code 48911(f)].

B. EXPULSION [Education Code 48915, 48918 & BP/AR 5114]:

Definition: An expulsion is the long-term removal of a student from attendance at any school in the District by the Board of Trustees.

Expulsion hearing:

- (1) Expulsion requires a formal hearing before an appointed administrative panel. The panel will make recommendations to the Board of Trustees.
- (2) Parents/guardians must receive written notice that the District is considering expulsion ten (10) days prior to the assigned hearing.

This notice will include the date, time, place of the hearing, a statement of the specific facts and charges, a copy of the disciplinary rules, notice of parents rights and responsibilities.

- (3) The student and his/her parents (or a legal representative) have the right to inspect and obtain copies of all documents to be used at the hearing, to call witnesses, to question school officials or other witnesses, question other evidence, and present information on behalf of the student.

Special Education students may be expelled if:

- (1) An IEP team meeting is held and
- (2) The team determines that the misconduct was not caused by or was not the direct manifestation of the students handicap and
- (3) The team determines that the student is appropriately placed. (See also BP/AR 5114.2)

Appeal:

If the Board of Trustees decides to expel the student, its decision may be appealed to another County Board of Education within 30 days of the date of the Board action.

**AMADOR COE/USD
Board Policy**

BP 5145.7 (a)

Students

Sexual Harassment

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored school or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

Definition of Sexual Harassment

Sexual harassment means unwelcome sexual advances, request for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting. (Education Code 212.5)

There are two types of sexual harassment:

1. When submission to or rejection of the conduct by an individual results in decision affecting the employment or education of that individual.
2. The conduct unreasonably interferes with an individual's job performance or education, or creates an intimidating, hostile or offensive working or learning environment.

Sexual harassment is further defined as deliberate or repeated unsolicited verbal, visual, or physical conduct of a sexual nature which is unwelcome. This would include but not limited to:

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.

4. Sexual jokes, stories, drawings, pictures or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominately single-sex class.
7. Purposefully limiting a student's access to educational tools.
8. Cornering or blocking of normal movements.
9. Displaying sexually suggestive objects in the educational environment.
10. Any act of retaliation against an individual who reports a violation of the district's

Sexual harassment policy or who participates in the investigation of a sexual harassment complaint. Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender. Definitions of sexual harassment are found in BP 4119.11.
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)
(cf. 5145.3 – Nondiscrimination/Harassment)

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

(cf. 1312.1 – Complaints Concerning District Employees)

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action (5CCR4964)

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)

**Amador COE and USD
Administrative Regulation**

AR 5145.7(a)

Students

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when: (Education Code 212.5)

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact on the individual's academic performance, or of creating an intimidating, hostile or offensive 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 benefits and services, honors, programs, or activities available at or through the school.

Types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual flirtations or propositions
2. Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, notes, stories, drawings, pictures or gestures
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Touching an individual's body or clothes in a sexual way
8. Purposefully cornering or blocking normal movements
9. Limiting a student's access to educational tools
10. Displaying sexually suggestive objects

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980) (cf. 5145.6 - Parental Notifications)
2. Be displayed in a prominent location near each school principal's office (Education Code 231.5)

Note: Education Code 231.5 defines "prominent location" as the location or locations in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted.

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 231.5)

4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct (Education Code 231.5) Investigation of Complaints at School (Site-Level Grievance Procedure)

Note: OCR guidelines acknowledge that procedures adopted by schools to address student harassment complaints will vary considerably, and the extent to which they are considered prompt and equitable will depend on the complexity and severity of the harassment. The OCR maintains that a procedure applicable to peer sexual harassment complaints cannot be prompt or equitable unless it is widely disseminated and written in language appropriate to the age of the school's students so that students understand how it works.

1. The principal or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:
 - a. The student who is complaining
 - b. The person accused of harassment
 - c. Anyone who saw the harassment take place
 - d. Anyone mentioned as having related information
2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.
3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
 - a. The Superintendent or designee
 - b. The parent/guardian of the student who complained
 - c. The parent/guardian of the person accused of harassing someone
 - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
 - e. Child protective agencies responsible for investigating child abuse reports
 - f. Legal counsel for the district(cf. 5141.41 - Child Abuse Prevention)
4. When the student who complained and the person accused of harassment so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.
5. The principal or designee shall tell the student who complained that he/she has the right to file a formal complaint at any time in accordance with the district's uniform complaint procedures. If the student wishes to file a formal complaint, the principal or designee shall assist the student in doing this.

(cf. 1312.3 - Uniform Complaint Procedures)

6. In reaching a decision about the complaint, the principal or designee may take into account:
 - a. Statements made by the persons identified above
 - b. The details and consistency of each person's account
 - c. Evidence of how the complaining student reacted to the incident
 - d. Evidence of past instances of harassment by the accused person
 - e. Evidence of past harassment complaints that were found to be untrue
7. To judge the severity of the harassment, the principal or designee may take into consideration:
 - a. How the misconduct affected one or more students' education
 - b. The type, frequency and duration of the misconduct
 - c. The number of persons involved
 - d. The age and sex of the person accused of harassment
 - e. The subject(s) of harassment
 - f. The place and situation where the incident occurred
 - g. Other incidents at the school, including incidents of harassment that were not related to sex

8. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.
9. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If he/she verifies that sexual harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the harassment on the person harassed, and prevent retaliation or further harassment.
10. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

Enforcement

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing staff in-service and student instruction or counseling
3. Notifying parents/guardians
4. Notifying child protective services
5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Regulation AMADOR COUNTY UNIFIED SCHOOL DISTRICT

approved: April 24, 2002 Jackson, California

Amador COE and USD

BP 5113(a)

Board Policy

BP 5113

Students

Absences And Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Truancy)

Excused Absences

Note: Pursuant to Education Code 42238.8, the determination of an absence as excused or unexcused is irrelevant for accounting purposes. However, verification of excused absences is still relevant for purposes of enforcement of compulsory education laws and for the determination of whether a student is truant. Pursuant to Education Code 48260, students with a valid excused absence are not truant. In addition, this classification is important since California's welfare system (CalWORKS), Welfare and Institutions Code 11253.5, sets family grant eligibility requirements based upon whether a child is "regularly attending school." See BP/AR 5113.1 - Truancy.

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 46010, 48216, 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students, and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students in grades K-6 should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Note: Pursuant to Education Code 46014, the Board may allow students to be absent for religious exercises or instruction. If the Board allows such absences, it must first adopt a resolution permitting an excused absence for this purpose. The Board is also mandated to adopt regulations governing students' attendance at such exercises or instruction and the reporting of these absences; see AR 5113.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. (Education Code 46014)

Note: The following paragraph is for use by districts that authorize teachers to assign failing grades for excessive unexcused absences pursuant to Education Code 49067.

A student's grades may be affected by excessive unexcused absences in accordance with Board policy and regulations.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6154 - Homework/Makeup Work)

The maximum number of allowable absences in any one semester in nine (9) days unless a waiver is granted. A waiver is granted in instances of reasonable accommodation of a disability documented by medical evidence or for rare or extreme circumstances as determined by the principal. Attendance is recorded on a period by period basis; therefore, each class is considered on an individual basis. Any student who is absent more than nine times may have his/her grade lowered and ultimately may lose grade/credit in that course. An alternative for such students may be enrollment in summer school, adult or continuation education.

A student who has an injury or a serious illness that requires an absence of seven (7) days or more may be dropped from the regular attendance rolls and be placed on home, independent study or hospital teaching. Such as student shall not have those days counted in the cumulative total of absences.

Other absences that DO NOT count toward the maximum allowable are:

- a. authorized school activities; and
- b. school business (counseling, testing, etc.).

Absences that count toward the maximum allowable and that are considered excessive beyond nine (9) include:

- a. illness
- b. appearance in court
- c. attendance at an employment conference
- d. carrying out responsibilities as a custodial parent
- e. medical and dental appointments
- f. suspension absences
- g. family vacation absences; and
- h. unauthorized absences.
- i. Religious retreats, activities and/or holidays

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550-2558.6 Computation of revenue limits

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade
ELECTIONS CODE
12302 Student participation on precinct boards
FAMILY CODE
6920-6929 Consent by minor
VEHICLE CODE
13202.7 Driving privileges; minors; suspension or delay for habitual truancy
WELFARE AND INSTITUTIONS CODE
601-601.4 Habitually truant minors
11253.5 Compulsory school attendance
CODE OF REGULATIONS, TITLE 5
306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

66 Ops.Cal.Atty.Gen. 245, 249 (1983)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CDE MANAGEMENT ADVISORIES

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

CSBA ADVISORIES

0520.97 Welfare Reform and Requirements for School Attendance

WEB SITES

CSBA: <http://www.csba.org>

Policy AMADOR COUNTY UNIFIED SCHOOL DISTRICT

adopted: October 27, 1999 Jackson, California

Revised/Approved: 06/06/07

**Amador COE and USD
Administrative Regulation**

AR 5113(a)

AR 5113

Students

Absences And Excuses

Excused Absences

A student's absence shall be excused for the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic appointments (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family (Education Code 48205)
 - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)
 - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's immediate household. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including but not limited to: (Education Code 48205)

- a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)
9. Participation in religious instruction or exercises in accordance with district policy: (Education Code 46014)
- a. In such instances, the student shall attend at least the minimum school day
 - b. The student shall be excused for this purpose on no more than four days per school month

Method of Verification

When students who have been absent return to school, they shall present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

- 1. Written note from parent/guardian, parent representative, or student if 18 or older. (Education Code 46012)
- 2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
- 3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including information outlined above.
- 4. Physician's verification
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.

“Every Day Counts:

Student attendance is the most critical factor in school success. There simply is no substitute for regular school attendance.

EXCESSIVE ABSENCES

Students in Grades 1-6 who miss school and/or are tardy more than 30 minutes for a total of more than 18 days may be required to attend after-school tutoring, Saturday school, summer sessions or other remedial programs provided outside the regular school day.

Students in Grades 2-8 who miss school and/or are tardy more than 30 minutes for over 18 school days fail to meet one of the District's three criteria for promotion and therefore are at-risk of retention.

A student's grades may be affected by excessive absences. (Education Code 49067) The following procedures and consequences apply to students in grades 7-12.

- 1. Seven (7) days of absence: Letter to parent requesting a parent school contact regarding the approaching limit and consequence.
- 2. Nine (9) days of absence: Letter to parent warning that the student is about to reach the limit. [Final warning]
- 3. Ten (10) days of absence: Student's grade may be lowered up to one full grade point.
- 4. Fourteen (14) days of absence: Student's grade may be lowered to an "F" (fail).

The teacher will make the grade assignment at the end of the semester.

WAIVER: A student who accumulates more than nine (9) days of absence may apply for a waiver, in writing, to the principal.

The waiver is designed for:

- 1. Instances of reasonable accommodation of a disability documented by medical evidence, or
- 2. Rare or extreme circumstances as determined by the principal.

Criteria for granting a waiver shall include but not be limited to:

- 1. Current/cumulative G.P.A.

2. Student efforts to compensate for missed day(s)
3. Numbers and reasons for excused/unexcused absences
4. Truancies
5. Other significant factors such as a well documented need for reasonable accommodation of a disability

A waiver request will be evaluated and approved or denied by the principal and guidance/attendance team within ten (10) days of receipt. It is the student's/parents' responsibility to provide required documentation. It is the responsibility of the attendance office to notify teachers of students who have been granted attendance waivers. Waivers must be requested by the last day of the semester in which the absence occurred.

When a waiver is granted the teacher will provide the opportunity for the student to complete work missed in a reasonable time frame for grade and credit. **A waiver of the excessive absences DOES NOT** enhance/guarantee student achievement/grade(s). A waiver allows the student to receive a grade, A through F, for completed work/course and exempts the student from the mandatory requirement of having grades lowered as set forth in the excessive absences provision of BP 5113. A student may receive a waiver and still receive a low(er) grade from the teacher if warranted due to lack of skill development as a result of absences. **There is no substitute for regular school attendance.** Pursuant to Education Code 49066, the teacher has final authority in the matter of grade assignment.

Students who fail a course may complete the work by attending approved adult education courses, by completing the course in summer school, by enrolling in an appropriate community college/university course, or by retaking the course.

Regulation AMADOR COUNTY UNIFIED SCHOOL DISTRICT
 approved: October 27, 1999 Jackson, California
 revised: November 21, 2002
 revised: May 23, 2007

**Amador COE and USD
 Administrative Regulation**

AR 6154(a)

Instruction

Homework

Homework can have positive effects on achievement, study habits and character development and can serve as a vital link between the school and family. Effective homework assignments should be tied to classroom instruction. Homework is most beneficial when the assignment is fully explained, including the purpose of the assignment, and the student receives prompt feedback upon completion. Students should be acknowledged for their efforts to complete assignments; however, not all homework assignments will be graded. Students are more likely to complete homework when they see it as useful to what is being taught and it is counted as part of their grade. Parents/guardians should provide a structured environment (time and place) for their child to do homework. Parents/guardians should also convey the expectation that homework will be completed and notify the teacher if there are problems meeting the guidelines (below).

Teachers need to monitor how long students take to complete assignments. The principal needs to monitor consistency in homework assignments within each grade level and across grade levels and subjects as part of the School Homework Plan.

Homework should have different purposes at different grade levels. In general, homework should not introduce a new skill. Homework will often consist of work not completed in school. Homework should not require specialized materials at home.

In the case of homework, more isn't necessarily better. For example, if five questions are sufficient to reinforce a concept, 15 questions may discourage students and can lead to negative attitudes.

Homework assigned should also take into consideration the student's obligations to home, community and other school-related activities.

Parent/guardian shall be notified when student repeatedly fails to do his/her homework. As a minimum guideline, this would include three consecutive missed or incomplete homework assignments or any time the student fails to complete 30% or more of homework assigned (whether it is graded or not). It is important that this information be shared expeditiously, by one of the following methods: (1) teacher phone call or visit, (2) a written note home, requiring a signed response, or (3) a school-generated automated phone message.

Guidelines

Kindergarten assignments should stimulate students to talk often with their parents/guardians and encourage parents/guardians to

read to their children. (15-20 minutes, week nights)

Grades 1-3, homework should promote the development of skills and encourage family participation. (20-30 minutes, week nights)

Grades 4-6, homework should continue to reinforce skill development and encourage family participation. Assignments should help develop study habits and may include occasional special projects. (30-45 minutes, week nights)

Grades 7-8, homework should provide regular activities which promote development of skills and provide students with opportunities to grow academically. Teaching staff should coordinate assignments so that students do not receive an overload one day or very little the next. (45-90 minutes, week nights – time will increase significantly for advanced classes)

Grades 9-12, homework should provide learning activities outside regular school hours, activities that emphasize independent research reports, special reading and problem-solving activities. Teaching staff should coordinate assignments. (80-120 minutes, five nights; time will increase significantly for Advanced Placement or Honors classes)

Regulation
Approved: April 1, 2004
Revised: June 27, 2007

AMADOR COUNTY UNIFIED SCHOOL DISTRICT
Jackson, California

Amador COE/USD

AR 5121(a)

Administrative Regulation

Students

Grades/Evaluation Of Student Achievement

Grades for Achievement

Grades communicate the achievement status of students to parents and others. A grade is a result of several decisions. Achievement grades should be based on standards, performances, presentations, and tests/examinations. Decisions on grading should be based on craftsmanship, persistence, creativity as well as correctness.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code 49067)

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5124 - Communication with Parents/Guardians)

An 'Incomplete' is given only when a student's work is not finished because of illness or other excused absence. If not made up within two weeks, the Incomplete shall become an F.

Teachers shall have clear, written explanations for how they grade. This may include a frame of reference, such as:

A	(90-100%)	4.0 grade points
B	(80-89%)	3.0 grade points
C	(70-79%)	2.0 grade points
D	(60-69%)	1.0 grade points
F	(0-59%)	0 grade points

The explanation may also answer questions about homework grading, incomplete work grading, extra credit, the 'weight' of different assignments (are first efforts on new learning weighed the same as later achievement?) and/or how effort and citizenship are evaluated.

Teachers should provide the clear, written explanations to parents as early in the school year as possible. As much as possible, teachers should collaborate with each other and articulate on these with each other.

Pass/Fail Grading

The superintendent or designee may identify courses or programs for which students may, with parent/guardian permission, elect to earn a Pass or Fail grade instead of an A-F grade.

Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive a Fail grade shall not receive credit for taking the course.

Peer Grading

At their discretion, teachers may use peer grading of student tests, papers and assignments as appropriate to reinforce lessons.

(cf. 5125 - Student Records)

Grade Weighting for Advanced Placement/Honors Courses

When calculating a student's grade point average, extra grade weighting shall not be assigned a course that covers a subject required for admission to the University of California or the California State University unless the superintendent or designee has submitted the course curriculum to the President of the University of California and received confirmation that the university approves the course for extra grade weighting and includes the course on its list of honors courses. Applications of this requirement shall follow a four-year implementation schedule beginning with ninth-grade students in the 2005-06 school year. (Education Code 51220.3)

(cf. 6141.5 - Advanced Placement)

Repeating Classes

With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, but the student shall receive credit only once for taking the course.

The highest grade received shall be used in determining the student's overall grade point average.

Withdrawal from Classes

A student who drops a course during the first two weeks of the semester may do so without any entry on his/her permanent record card. A student who drops a course after the first two weeks of the semester shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances. Students enrolled in an Advanced Placement class may withdraw before the end of the first quarter without penalty.

Unexcused Absences

Teachers who withhold class credit because of excessive unexcused absences shall so inform the class and parents/guardians at the beginning of the semester.

When an unexcused absence occurs, the student and parent/guardian shall again be notified of the district's policy regarding excessive unexcused absences.

(cf. 5113 - Absences and Excuses)

The student and parent/guardian shall have a reasonable opportunity to explain the absences. (Education Code 49067)

If a student receives a failing grade because of unexcused absences, the student's record shall specify that the grade was assigned because of excessive unexcused absences. (Education Code 49067)

(cf. 5125 - Student Records)

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Instruction

Student Use Of Technology

The Governing Board intends that technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

- (cf. 0440 - District Technology Plan)
- (cf. 1113 - District and School Web Sites)
- (cf. 4040 - Employee Use of Technology)
- (cf. 5131 - Conduct)
- (cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

- (cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities)
- (cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall provide age-appropriate instruction regarding the district's acceptable use agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

- (cf. 6143 - Courses of Study)

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

Note: 20 USC 6777 mandates that districts adopt an Internet safety policy as a condition of receiving technology funds under Title II, Part D of the No Child Left Behind Act (20 USC 6751-6777) for the purpose of purchasing computers with Internet access or paying for direct costs associated with accessing the Internet. 47 USC 254 mandates that districts adopt an Internet safety policy in order to qualify for federal universal service discounts for Internet access (E-rate discounts). This mandate applies to districts that receive E-rate discounts for Internet access, Internet services, or internal connections, but not to districts that receive discounts for telecommunications services only.

Note: Both 20 USC 6777 and 47 USC 254 require that the policy include the operation and enforcement of a "technology protection measure" that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors. As part of the funding application process, a district is required to certify that it has the required policy in place and is enforcing the operation of the "technology protection measure." For the first year that a district is applying for funds, 20 USC 6777 and 47 USC 254 allow the district to certify that it does not yet have the policy or technology protection measure in place, but that it is in the process of putting the policy or measure in place for the second funding year.

Note: The following paragraph is mandated for use by districts that use E-rate or federal technology funding sources and may be adapted by other districts that choose to install technology protection measures.

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

Note: Districts receiving E-rate discounts are also mandated by 47 USC 254 to adopt a policy that addresses (1) access by minors to "inappropriate matter" on the Internet; (2) safety and security of minors when using email, chat rooms, and other forms of direct electronic communication; (3) unauthorized access, including "hacking" and other unlawful online activities by minors; (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and (5) measures designed to restrict minors' access to harmful materials. The following paragraph may be revised to reflect district practice. See the accompanying administrative regulation for additional language implementing this mandate.

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

Before using the district's technological resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision.

Legal Reference:

EDUCATION CODE

51006 Computer education and resources

51007 Programs to strengthen technological skills

51870-51874 Education technology

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's online privacy protection

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Governance and Policy Services Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

K-12 Network Technology Planning Guide: Building the Future, 1995

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1223.94 Acceptable Use of Electronic Information Resources

MY SPACE.COM PUBLICATIONS

The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues

WEB SITES

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

California Department of Education: <http://www.cde.ca.gov>
Center for Safe and Responsible Internet Use: <http://csriu.org> and <http://cyberbully.org>
Federal Communications Commission: <http://www.fcc.gov>
U.S. Department of Education: <http://www.ed.gov>
Web Wise Kids: <http://www.webwisekids.org>

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Revised/Approved: 09/26/07 AMADOR COUNTY UNIFIED SCHOOL DISTRICT
Jackson, CA

Amador COE and USD
Administrative Regulation

AR 5131(a)

Students

Use of Electronic Signaling Devices

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to purposes related to the health of the student. (Education Code 48901.5)

Electronic devices such as cell phones, while valuable in many circumstances as safety and information tools, can be extremely disruptive or used for illegal purposes in the school environment; therefore, such usage is restricted as follows:

Such electronic signaling device use is prohibited in the classroom during instructional time. This includes silent messaging. Equipment shall be in the 'off' position.

Should it be determined that student use of an electronic device at any time has invaded another person's privacy or results in passing on private or testing information from one student to another, disciplinary action will be taken.

Students bring such equipment to school at their own risk. The school is not responsible for loss or damage to such equipment. Cell phone use at the K-6 level is prohibited during the school day except for any student covered under Education Code 48901.5. In such case, the school and family should have a collaborative plan that covers communications.

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