

MODESTO CITY SCHOOLS

Board Policy

BP 5144

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Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at District schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of District discipline policies and practices.

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

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Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with District regulations. (Education Code 49005.2)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and District regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the District's comprehensive safety plan. (Education Code 32282, 35291.5)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for District schools, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form strong, cooperative relationships with parents/guardians.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the District's local control and accountability plan, as required by law.

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Legal References:

EDUCATION CODE

32280-32289.5 School safety plans

35146 closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Parent/Guardian notifications

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

52060-52077 Local control and accountability plan

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973; Section 504

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CALIFORNIA DEPT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

CSBA PUBLICATION

Recent legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

WEBSITES

Public Counsel: <https://publiccounsel.org/>

U.S. Department of Education, Office for Civil rights:

<https://www2.ed.gov/about/offices/list/ocr/index.html>

California Department of Education: <https://www.cde.ca.gov/>

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

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Cross References (cf.):

0450 – Comprehensive Safety Plan (N/A)
0460 – Local Control And Accountability Plan (N/A)
1114 – District-Sponsored Social Media
1312.3 – Uniform Complaint Procedures
1313 – Civility
3512 – Equipment (N/A)
3513.3 – Tobacco-Free Schools
3513.4 – Drug And Alcohol Free Schools
3513.4 – Liability Issues and Parent Groups Organizing Grad Night
3515 – Campus Security
3515.21 – Unmanned Aircraft Systems (Drones)
3515.3 – District Police/Security Department
3515.3 – District Security Department
3515.31 – School Resource Officers (N/A)
3515.4 – Recovery For Property Loss Or Damage
3543 – Transportation Safety And Emergencies (N/A)
4131 – Staff Development
4158/4258/4358 – Employee Security (N/A)
5000 – Concepts And Roles (N/A)
5020 – Parent Rights And Responsibilities
5030 – Student Wellness
5112.1 – Exemptions From Attendance
5112.5 – Open/Closed Campus (N/A)
5112.5 – Closed Campuses
5113.1 – Chronic Absence And Truancy (N/A)
5113.1 - Truancy
5116.2 – Involuntary Student Transfers
5125 – Student Records; Confidentiality
5127 – High School Graduation Ceremonies And Activities
5131 – Conduct
5131.1 – Bus Conduct
5131.2 – Bullying
5131.4 – Student Disturbances
5131.41 – Use Of Seclusion and Restraint (N/A)
5131.5 – Vandalism and Graffiti
5131.6 – Alcohol And Other Drugs
5131.62 – Tobacco
5131.63 – Steroids (N/A)
5131.7 – Weapons And Dangerous Instruments
5131.9 – Academic Honesty
5132 – Dress And Grooming (N/A)
5132 – Student Conduct Code 7-12
5137 – Positive School Climate
5138 – Conflict Resolution/Peer Mediation (N/A)
5138 – Electronic Signaling or Communication Devices

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Cross References (cf.) (cont.):

5141.4 – Child Abuse Prevention And Reporting (N/A)

5141.4 – Suspected Child Abuse Report Procedures

5142 – Safety (N/A)

5144.1 – Suspension And Expulsion/Due Process

5144.2 – Suspension And Expulsion/ Due Process (Students with Disabilities)

5144.4 – Required Parental Attendance (N/A)

5145.2 – Freedom Of Speech/Expression (N/A)

5145.2 – Student Free Speech

5145.3 – Nondiscrimination/Harassment

5145.6 – Parent Notifications

5145.7 – Sexual Harassment

5145.71 – Title IX Sexual Harassment Complaint Procedures (N/A)

5145.9 – Hate-Motivated Behavior (N/A)

5148.2 – Before/After School Programs

6145 – Extracurricular And Cocurricular Activities

6145.2 – Athletic Competition

6145.8 – Assemblies And Special Events (N/A)

6153 – School-Sponsored Trips (N/A)

6153 - Fieldtrips

6159.4 – Behavioral Interventions For Special Education Students (N/A)

6162.54 – Test Integrity/Test Preparation (N/A)

6163.4 – Student Use Of Technology

6164.2 – Guidance/Counseling Services

6164.5 – Student Success Teams

6184 – Continuation Education

6185 – Community Day School (N/A)

9321 – Closed Session

ADOPTED: October 23, 2023