

## **STUDENT DISCIPLINE**

The purpose of this regulation is to implement BP 5144 and to ensure that student behavior and discipline are maintained in such a manner as to provide a positive learning environment for all students in Monterey County Office of Education (MCOE) operated programs.

### **Definitions**

*Corporal punishment* involves the willful infliction of, or causing the willful infliction of, physical pain on a student as a consequence for violation of school rules.

*Truant* means a student who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.

### **Administration**

Rules for student discipline shall be developed for MCOE programs. In developing these rules, MCOE shall solicit the participation, views and advice of one representative selected by each of the following groups: parents, teachers, site administrators, and school security personnel, if any, and, for junior high and high school programs, students enrolled in the school [Education Code (E.C.) 35291.5].

These rules shall be filed with the Monterey County Superintendent of Schools (County Superintendent) on an annual basis. These rules shall be revised as necessary and shall undergo a site-level review and adoption process at least every four years as a part of the Comprehensive Safety Plan.

It shall be the duty of each MCOE employee to enforce the rules and procedures on school discipline adopted under this regulation.

### **Corporal Punishment**

Corporal punishment shall not be used as a disciplinary measure against any student [E.C. 49001].

For the purposes of this regulation, corporal punishment does not include a staff member's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to property [E.C. 44807].

### **Disciplinary Intervention Strategies**

Disciplinary strategies that may be used in developing site disciplinary rules include but are not limited to

1. Discussion or conference with parents/guardians
2. Recess restriction [E.C. 44807.5]

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

- a.. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate
  - b. The student shall remain under a certificated employee's supervision during the period of restriction
  - c. Teachers shall inform the MCOE site principal of any recess restrictions imposed
3. Detention during and/or after school hours

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day [5 CCR 353].

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the MCOE site principal or designee shall notify parents/guardians of the detention at least one day in

advance so that alternative transportation arrangements may be made. The student shall not be detained unless the MCOE site principal or designee has spoken to the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs.

Students shall remain under the supervision of a certified employee during the period of detention.

Students who have been truant may be required to attend make-up classes conducted on one day of a week-end.

#### 4. Community Service

As part of - or instead of - disciplinary action, the MCOE site principal or designee may, at their discretion, require a student to perform community service on school grounds, or with written permission of the student's parent/guardian off school grounds, during non-school hours. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs [E.C. 48900.6].

This community service option is not available for a student who has been suspended pending expulsion [E.C. 48915]. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension pursuant to this section.

4. Reassignment to an alternative educational environment
5. Removal from class in accordance with law, MCOE policy, and regulations
6. Suspension and/or expulsion

### **Training in Crisis Prevention**

All certificated MCOE staff shall be provided with a 15-hour training program in the prevention and management of student behavioral crises within their first year of employment.

Subsequently, all certificated MCOE staff shall be provided with an annual 4-hour updated review in the prevention and management of student behavioral crises.

### **Behavior Support Plans**

When a student's negative behavior appears to indicate a significant disability in the social/emotional area, an individualized behavior support plan shall be developed for that student.

This plan shall be developed by the MCOE site Student Study Team, or other such team as may be assigned by the MCOE site principal or designee. This team shall consist, at a minimum, of a site administrator, student teacher, and certificated staff member with expertise and training in the area of positive behavior management.

Written, voluntary, informed consent will be obtained from the parent/guardian prior to implementing any individualized behavior support plan.

The MCOE site principal shall be responsible for monitoring the scope and effectiveness of the use of behavior support plans with each student.

If it is determined that the student requires a more intensive behavioral intervention program than would be provided through the use of a positive behavior support plan, the team shall consider referral for a Special Education assessment.

### **Notification to Parents and Students**

At the beginning of the school year, the Monterey County Superintendent of Schools or designee shall notify parents/guardians, in writing, about the availability of MCOE rules relating to discipline.

In addition, at the beginning of each school year, the MCOE principal or designee shall notify students and parents/guardians, in writing, regarding school rules related to discipline. Transfer students and their parents/guardians shall receive such notice upon enrollment.