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# BEHAVIOR SUPPORT MATRIX

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*A Guide for Administrators*



**OUR COLLECTIVE COMMITMENT**

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## **KERN HIGH SCHOOL DISTRICT MISSION**

The mission of the Kern High School District (KHSD) is to provide programs and services to allow ALL students to graduate from high school prepared to succeed in the workplace and at the post-secondary level.

## **KERN HIGH SCHOOL DISTRICT STRATEGIC PRIORITIES**

KHSD has identified four strategic priorities that provide guidance in developing best educational practices that help meet student needs. These priorities include the following:

- Provide Effective Instructional and Co-Curricular Programs
- Recruit and Support a Diverse and Exemplary Staff
- Enhance Student Support Services
- Strengthen School and Community Relations and Climate

The three big ideas of the Professional Learning Communities are used to help foster tangible ideas that lead to the development of programs that support students.

- WE accept learning as the fundamental purpose of our school and therefore are willing to examine all practices in light of their impact on learning
- WE are committed to working together to achieve our collective purpose and, thus, we cultivate a collaborative culture through development of high-performing teams
- WE assess our effectiveness on the basis of results rather than only intentions; individuals, teams, and schools seek relevant data and information and use that data/information to promote ongoing and continuous improvement

## **OUR APPROACH TO BEHAVIORS**

Research has shown that the implementation of consequences, especially when it is used inconsistently and in the absence of instructional intervention strategies, is ineffective. Introducing, modeling, and reinforcing positive social behavior is an important aspect of a student's educational experience such as through a framework such as Positive Behavior Interventions and Supports (PBIS). Teaching behavioral expectations and recognizing students for demonstrating those behaviors is a more effective approach to teaching prosocial skills than waiting for maladaptive behavior to occur before responding.

We believe that all core instruction, including intervention and supports, start in the classroom and KHSD's exemplary teachers, counselors, and staff are engaged in this process. We believe that all students can learn and that all educators want to make a difference. Students will succeed when a positive school culture is promoted, informative corrective feedback is provided, academic success is maximized, and use of pro-social skills is acknowledged.

## **STUDENT BEHAVIORS AND SUPPORTS**

Our job, as a Department, is to help students, and support the staff that are trying to help those same students and families every day. Student success is a collective commitment among the KHSD and its schools. Whenever possible, we breakdown silos and increase collocation between staff, students, parents, community, and other stakeholders. We think that all students can learn and all educators want to make a difference. This Department will work to relentlessly enhance and support student services on each campus that will include a comprehensive, multifaceted, and integrated continuum of school-community

interventions for students in KHSD. Those aforementioned student supports will include social-emotional learning elements and supports related to Multi-Tiered Systems of Support (MTSS), Positive Behavior Intervention and Supports (PBIS), restorative and equitable practices, and/or existing structures that may already be in place. We will work with KHSD schools and community partners to coordinate services and align existing support structures whenever applicable.

## OUR COLLECTIVE COMMITMENT

KHSD's collective commitment is premised upon the following core principles and values:

- KHSD schools (and KHSD District Office) will work to implement PBIS evidence-based tenets, and strive to create more restorative spaces on campus when possible, within a *preventative and proactive* framework for student support structures;
- There is a COLLECTIVE COMMITMENT by KHSD and its schools to coordinate services and align systems and professional development (**eliminate barriers to learning and break down silos when possible**); and
- KHSD and its schools will use data to guide decisions and monitor significant disproportionate patterns/trends (academic and behavior) on campus

PBIS stands for Positive Behavior Intervention and Supports. **PBIS is not a program**, rather it is a “*systems approach*” for establishing the social culture and individualized behavior supports needed for schools to achieve both social and academic success for **ALL** students. Evidence based features include:

- Define expectations and explicit instruction of those behavior/social expectations (develop logical and consistent consequences for problem behavior and couple with intervention/supports);
- Acknowledgement of positive behavior;
- Ongoing collection and use of data for decision making; and
- Administrative Leadership/Structures (coordination of services and alignment of systems) focused on a student experience that is predictable, positive, safe, and consistent.

We believe that all core instruction (and intervention and supports) start in the general education classroom setting usually, and the counselors, faculty, and teachers in KHSD are amazing! We think that all students can learn and that all educators want to make a difference. In addition, KHSD believes that most students will succeed when a positive school culture is promoted, informative corrective feedback is provided, academic success is maximized, and use of pro-social skills is acknowledged.

When student problem behavior is unresponsive to preventive school-wide and classroom-wide procedures, information about the student's behavior is used to:

- Understand why the problem behavior is occurring (function);
- Strengthen more acceptable alternative behaviors (social skills);
- Remove antecedents and consequences that trigger and maintain problem behavior, respectively; and
- Add antecedents and consequences that trigger and maintain acceptable alternative behaviors.

PBIS is a systems approach to preventing and responding to school and classroom discipline problems. PBIS develops school-wide systems that support staff to teach and promote positive behavior in all students. Schools that implement PBIS focus on taking a team-based system approach and teaching appropriate behavior to all students in the school. The purpose of PBIS is to create an environment where everyone feels welcome, that promotes unity, and that maximizes learning.

Schools that have been successful in implementing school-wide PBIS describe the following benefits, including but not limited to:

- Increases in attendance and engagement;
- Student self-reports of a more positive and calm environment;
- Teacher reports of a more positive and calm environment;
- Reduction in the proportion of students who engage in behavioral disruptions; and
- Reduction in the number of behavioral disruptions.

## **Why PBIS?**

Previously, in KHSD and around the country, school-wide discipline has focused mainly on reacting to specific student misbehavior by implementing punishment-based strategies including reprimands, loss of privileges, office referrals, suspensions, and expulsions. Research has shown that the implementation of punishment, especially when it is used inconsistently and in the absence of other positive strategies, is ineffective. Introducing, modeling, and reinforcing positive social behavior is an important aspect of a student's educational experience. Teaching behavioral expectations and recognizing students for following them is a much more positive approach than waiting for misbehavior to occur before responding. The purpose of school-wide PBIS is to establish a climate in which appropriate behavior is the norm.

## **Brief Summary of the PBIS Process**

Most concisely stated, the PBIS process is summarized as follows:

- 1. Establish a PBIS Team** – Establish PBIS Universal team; attend training; commit to 3-5 years of PBIS; get school-wide agreement and support. Coordination of services and alignment of systems and focused on a student experience that is predictable, positive, safe, and consistent;
- 2. Establish an On-Going System of Reward** – Acknowledge expected behavior and use tangible rewards and acknowledgements (i.e., cards) and social recognition (i.e., bulletin boards, name over PA system, name in newsletter, etc.);
- 3. Establish a System for Responding to Behavioral Challenges** – Develop an agreement about which behaviors are handled in the classroom and which result in an office referral; use a variety of consequences; use pre-correction and restatement of expected behaviors;
- 4. Establish a Data System to Monitor Progress & Aid in Decision Making** – Develop a system to review the office discipline data to make decisions during implementation of PBIS (also working on MTSS and academic and behavior supports needed and ways to ID students); and
- 5. Encourage Family Involvement** – Building a strong and caring partnership between schools and parents/guardians/community.

## BEHAVIOR SUPPORT MATRIX DEVELOPMENT

The Behavior Support Matrix development team was created with the intent to receive as much input from KHSD wide stakeholders. Teachers, parents, and administrators from a variety of schools met with Dr. Jon Eyer, CEO of KHSD's thought partner and consulting firm, Collaborative Learning Solutions, who chaired the committee, to gauge discipline practices used throughout KHSD. The team evaluated the current practices through the lenses of equity, Cultural Responsiveness, Socioemotional Learning (SEL) Competencies, and Restorative Practices. Through the process the team identified five values to be used to guide the development of the Behavior Support Matrix:

- **Respect:** KHSD believes in high expectations for our school communities built upon a culture that values **respect** for self, others, and is open to individual differences;
- **Growth:** KHSD values a **growth** mindset in which the school community is open to making emotional, behavioral, and academic progress toward personal and professional goals;
- **Safety:** KHSD is committed to creating environments in which all students, educators, and parents feel welcome, safe, and included and are provided with physical, psychological, and emotional **safety**;
- **Responsibility:** KHSD is collectively committed to supporting students, educators, and parents in success in their **responsibilities** and ownership of actions in the educational process; and
- **Empathy:** KHSD believes in understanding and sharing the feelings of everyone in the educational community and that **empathy** is a choice and a skill which can be taught.

The team created a Behavioral Supports Matrix that provides the Deans of Students with suggested instruction and consequence strategies that can be used for violations of the Educational Code sections 48900, 48432.5, and 48915. Through the process, the team identified restorative practices that would benefit students, teachers, school, and community.

## SOCIAL EMOTIONAL LEARNING, CULTURAL RESPONSIVENESS, AND RESTORATIVE PRACTICES

The Behavioral Matrix team used the Social Emotional Learning lens to help in creating the instructional and consequential responses to violations of the Education (Ed) Code. Often when a student engages in a maladaptive behavior there is a social emotional competency in need of development. The team reviewed the 5 core competencies to ensure that the instructional strategies and consequences were appropriate to the maladaptive behaviors displayed by students.

### 5 Core Competences of SEL

- 1. Self-Awareness:** The ability to accurately recognize one's own emotions, thoughts, and values and how they influence behavior. The ability to accurately assess one's strengths and limitations, with a well-grounded sense of confidence, optimism, and a "growth mindset."
- 2. Social-Awareness:** The ability to take the perspective of and empathize with others, including those from diverse backgrounds and cultures. The ability to understand social and ethical norms for behavior and to recognize family, school, and community resources and supports.
- 3. Responsible Decision Making:** The ability to make constructive choices about personal behavior and social interactions based on ethical standards, safety concerns, and social norms. The realistic evaluation of consequences of various actions, and a consideration of the well-being of oneself and others.
- 4. Self-Management:** The ability to successfully regulate one's emotions, thoughts, and behaviors in different situations — effectively managing stress, controlling impulses, and motivating oneself. The ability to set and work toward personal and academic goals
- 5. Relationship Skills:** The ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups. The ability to communicate clearly, listen well, cooperate with others, resist inappropriate social pressure, negotiate conflict constructively, and seek and offer help when needed.



The team identified the five Culturally Responsive Intervention Characteristics to develop instructional responses to maladaptive behaviors.

## Culturally Responsive Intervention Characteristics

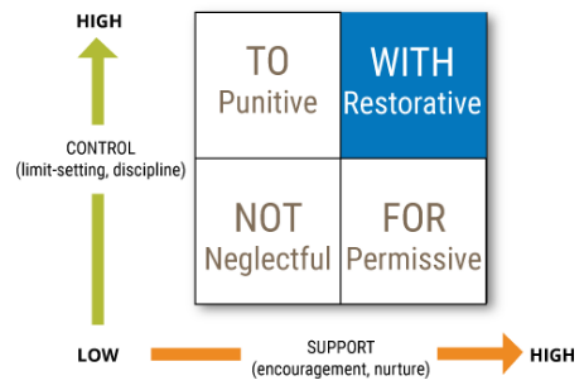
1. **Active Listening** –listening technique that requires all parties, to concentrate, understand, and respond to the speaker.
2. **Student Voice**- giving the student the opportunity to express their values, opinions, beliefs, perspectives, and cultural backgrounds in the instructional process when responding to maladaptive behaviors.
3. **Neutral space for collaboration and shared problem solving**- creating an environment in which judgement factors due to cultural background are minimized.
4. **Adult facilitation where power is set aside** –The adults with the authority to assign consequences for student behavior agree to suspend this role in order to help guide the student to a prosocial resolution.
5. **Shared responsibility** –a solution process in which all parties (teacher, student, counselor, dean, etc.) agree to take ownership of their part in a successful resolution.

## Restorative Practices

Restorative practices as defined in *Defining Restorative* (Watchtel, 2016), is a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making.

The use of restorative practices helps to:

- reduce crime, violence and bullying
- improve human behavior
- strengthen civil society
- provide effective leadership
- restore relationships
- repair harm



Where social capital—a network of relationships—is already well established, it is easier to respond effectively to wrongdoing and restore social order, as well as to create a healthy and positive organizational environment. Social capital is defined as the connections among individuals (Putnam, 2001), and the trust, mutual understanding, shared values and behaviors that bind us together and make cooperative action possible (Cohen & Prusak, 2001).

In public health terms, restorative justice practices provide tertiary prevention, introduced after the problem has occurred, with the intention of avoiding reoccurrence. Restorative practices expands that effort with primary prevention, introduced before the problem has occurred.

The social science of restorative practices offers a common thread to tie together theory, research and practice in diverse fields such as education, counseling, criminal justice, social work and organizational management. Individuals and organizations in many fields are developing models and methodology and performing empirical research that share the same implicit premise, but are often unaware of the commonality of each other's efforts.



## **REMOVAL OF STUDENTS**

In the Behavior Support Matrix exist consequential responses to student behavior that remove the student from the educational setting. KHSD understands that keeping students within the educational environment is of critical importance. Students should only be removed for two reasons:

- The maladaptive behavior is of the degree that requires an intensive instructional intervention prior to the student returning to the educational setting and the removal reflects the appropriate amount of time to set-up the intervention; and/or
- To safeguard the physical and psychological safety of the student or of other students and staff.

When considering consequences under Education Code sections 48432.5 or 48915, or other related alternatives and KHSD procedures that may result in a student's alternative placement, contact Department of Student Behavior and Supports.



## **STUDENTS RECEIVING SPECIAL EDUCATION SERVICES**

Students receiving Special Education Services should have access to all the instructional interventions available to students not receiving Special Education Services. Before deciding upon an appropriate instructional or consequential response the dean of students should always contact the Program Specialist/Case Manager, when circumstances permit, to ensure the response is appropriate and consistent with the student Individualized Education Program and Behavior Intervention Plan.

## **LAW ENFORCEMENT AND THE CALIFORNIA PENAL CODE**

In the Behavior Support Matrix, any judgement as to the violation of the California Penal Code is made by the campus police officer and not the school administration. Tables in which law enforcement is suggested reflect that at times an Education Code violation will coincide with a Penal Code violation and may result in additional action by campus police officer. Additionally, Penal Code violations exist that are not reflected in the Education Code or corresponding KHSD policy and will not be present or addressed in this KHSD document.

# KERN HIGH SCHOOL DISTRICT BEHAVIOR SUPPORT MATRIX

Category A		Culturally Responsive Intervention Characteristics
Instructional	Consequential	
Parent Phone Contact/Notification <i>(AL)</i> Behavior Agreement <i>(SV, SRI)</i> Conflict Mediation <i>(NS, AL, SV, AF)</i> Reflective Sheet <i>(SV)</i> Environment Change <i>(NS)</i> Written Apology <i>(SV)</i> Reteach Expectations <i>(AF)</i> Peer Mediation <i>(NS, AL)</i> Teacher-Student Conference <i>(AL, SV, SR, AF)</i> Goal Setting <i>(SV, SRI)</i> Remind/Redirect <i>(AF)</i> Teach a replacement behavior <i>(SV, AF, AL, SRI)</i>	Warning Restitution Loss of Privilege Lunch School Detention Campus Beautification	AL= Active Listening SV= Student Voice NS= Neutral Space for collaboration and shared problem solving AF= Adult facilitation where power is set aside SR= Adults and students take shared responsibility for resolution
Category B		Long-Term Interventions
Instructional	Consequential	This table represents immediate Instructional and Consequence responses to behavior. A student may also be screened for additional tiered supports for any single behavior or patterns of behavior and may be referred for an SST, for a 504, or connected to
Parent Phone Contact/Notification <i>(AL)</i> Behavior Agreement <i>(SV, SRI)</i> Supervised Time-Out Role Play <i>(SV, NS, AF, SRI)</i> Return to Class Conference <i>(AL, SRI)</i> Change of Schedule <i>(NS)</i> After School Program Involvement Partial Restorative Conference <i>(AL, SV, NS, AF, SRI)</i> Classroom Circle <i>(AL, SV)</i> Parent-Teacher Conference <i>(AL, NS)</i>	Restitution Campus Beautification After School Detention Period Suspension	
Category C		Responses Outside the Matrix
Instructional	Consequential	The categories represent guidelines that may not encompass all possible appropriate responses in all situations outlined under Behavior in the following matrix. If a situation warrants a response outside of the guidelines, please provide stakeholders with a
Parent Phone Contact/Notification <i>(AL)</i> Behavior Agreement <i>(SV, SRI)</i> Mentoring System <i>(AF)</i> Home Visit Mostly Restorative Conference <i>(AL, SV, NS, AF, SRI)</i> OCI <i>(AL, SV, NS, AF, SRI)</i> Modified Check-in, Check-out (non EBI) <i>(AL, SV, AF)</i>	Restitution Period Suspension Suspension (1 - 2 Days) In School Suspension Saturday School	
Category D		
Instructional	Consequential	
Parent Phone Contact/Notification <i>(AL)</i> Behavior Agreement <i>(SV, SRI)</i> Restorative Conference <i>(AL, SV, NS, AF, SRI)</i>	Restitution Period Suspension Suspension	
Category E		
Instructional	Consequential	
Parent Phone Contact/Notification <i>(AL)</i> Behavior Agreement <i>(SV, SR)</i> Family Restorative Conference <i>(AL, SV, NS, A, SR)</i>	Suspension Restitution Involuntary Transfer Waiver/referral agreement process Expulsion	

## IDENTIFIED BEHAVIOR WITH RESPONSE

Behavior	A	B	C	D	E	Law Enforcement
<b>General Behaviors:</b>						
Classroom disruption	X	X				
Disruption of school activities 48900(k)	X	X				
Major school disruption (severely disrupts schools activities or potentially causes harm to others) e.g., Falsely pulling a fire alarm, food fight, et... 48900(k)*			X			X
Defiance of authority 48900(k)	X	X	X			
Electronics violation	X					
Cell phone violation	X					
Academic dishonesty	X	X				
Dress code violation	X					
P.e. non-suit	X					
Shop or lab safety	X	X				
Tardy or tardies	X	X				
Committed obscene act 48900(i)		X	X			
Committed obscene act (involving consensual sexual acts or nudity) 48900(i)			X	X		
Engaged in profanity 48900(i)		X	X			
<b>Weapons:</b>						
Possessed, sold, or furnished a knife or dangerous object 48900(b) or 48915(a)(1)(B)*			X	X	X	X
Brandished a knife at another person 48915(c)(2)*					X	X
Possession of an imitation firearm 48900 (m)			X	X	X	X
Possessed, sold, or furnished a firearm 48915(c)(1)*				X	X	X
Possessed, sold, or furnished explosives (non firecracker) 48900(b) or 48915(c)(5)*				X	X	X

\* -Confer with Department of Behavior and Supports

Behavior	A	B	C	D	E	Law Enforcement
<b>Physical Injury</b>						
Threatened or attempted to cause physical injury 48900(a)(1)		X	X	X	X	
Caused physical injury to another person 48900(a)(1)			X	X	X	
Caused serious injury to another person 48915(a)(1)(A)*			X	X	X	X
Willfully used force or violence on another 48900(a)(2)			X	X	X	X
Aiding or abetting attempted injury or injury on another 48900(t)	X	X	X			
<b>Harrassment, Threats, Bullying, and Assault:</b>						
Harassed, threatened, or intimidated a pupil who is a complaining witness 48900(o)			X	X	X	
Engaged in sexual harassment 48900(.2)			X	X	X	
Engaged in harassment, threats, or intimidation against school personnel or property 48900(.4)			X	X	X	X
Engaged in harassment, threats, or intimidation against school pupils 48900(.4)			X	X	X	X
Threatened, attempted, or participated in hate violence 48900(.3)				X	X	X
Terroristic threats on school officials or school property 48900(.7)				X	X	X
Attempted to committ or committing sexual assault and/or battery 48915(c)(4)* / 48900(n)				X	X	X
Committed assault and/or battery on a school employee 48915(a)(1)(E)*				X	X	X
Engaged in or attempted to engage in hazing 48900(q) or bullying 48900(r)			X	X	X	
Engaged in bullying via electronics, burn page, false profile, credible impersonation, or cyber sexual bullying 48900(r)			X	X	X	

\* -Confer with Department of Behavior and Supports

Behavior	A	B	C	D	E	Law Enforcement
<b>Controlled Substances:</b>						
Possessed or used nicotine products 48900(h)		X	X			
Sold a controlled substance 48900(c) or 48915(c)(3) (See Ed Code)				X	X	X
Possession of a controlled substance 48900(c) or 48915(a)(1)(C) (see Ed Code)			X	X	X	X
Under the influence of a controlled substance 48900(c)			X	X	X	X
Use of a controlled substance 48900(c)			X	X	X	X
Furnished a controlled substance 48900(c)			X	X	X	X
Offered, sold, or arranged to sell a look-alike substance 48900(d)			X	X		X
Possessed, offered, arranged, or negotiated to sell drug paraphernalia 48900(j)		X	X			X
<b>Theft and Property Damage:</b>						
Caused damage less than \$400 to school or private property 48900(f)		X	X			
Caused damage of \$400 or more to school or private property 48900(f)			X	X		X
Stole or knowingly received stolen school or private property 48900(g) or 48900(l) (See Ed Code)		X	X			
Attempted or committed robbery or extortion 48900(e)				X	X	X
Committed robbery or extortion 48900(e) or 48915(a)(1)(D)				X	X	X

\* -Confer with Department of Behavior and Supports

## FUNCTIONAL DEFINITIONS OF INSTRUCTIONAL RESPONSES

Instructional	Definition
<b>After School Program Involvement</b>	Student agrees to participate in an after school athletic sport, club, or programs.
<b>Behavior Agreement</b>	KHSD written agreement signed by Dean of Students, student, and parent that outlines school expectations, conversation/dialogue with all stakeholders recommended.
<b>Change of Schedule</b>	Modifying a student's schedule in the event it will increase student behavior success.
<b>Classroom Circle</b>	Process led by a trained staff member in response to a wrongdoing by students to resolve conflicts, heal relationships, support, increase positive decision-making, and exchange information.
<b>Conflict Mediation</b>	Process by trained school staff to resolve student interpersonal conflicts between students.
<b>Environment Change</b>	Temporarily moving a student to a different location to encourage more prosocial behavior.
<b>Goal Setting</b>	Working with the student to create behavior goals to avoid future negative behaviors.
<b>Home Visit</b>	Staff member visiting a student's place of residence due to truancy or other concerns regarding the student's well-being.
<b>Mentoring System</b>	Pair the student with a peer (Link crew member, older student) or staff member to model and support prosocial behavior and self-regulation.
<b>Modified Check-in/Check-out (non EBI)</b>	A quick goal setting strategy that involves the student setting specific and measurable behavior goals with a staff member to gauge success for a brief period of time (2 to 3 times a week).
<b>On Campus Intervention (OCI)</b>	Intervention class during the school day for students that need short-term support around a specific maladaptive behavior.
<b>Parent Phone Contact/Notification</b>	Contact of the parent by Dean of Students, Community Specialist, or Counselor.
<b>Parent-Teacher Conference</b>	Conference between Student, Parent(s), Counselor and Teacher(s) to help increase positive student behavior and/or academic success.
<b>Peer Mediation</b>	Processed by designated students to resolve students' interpersonal conflicts.
<b>Return to Class Conference</b>	Conference can be used when a student is removed from class between student and teacher facilitated by Dean or Counselor prior to student returning to class. Outlines student's actions and works to find appropriate behavior for class.

Functional Definitions of Instructional Responses (Continued)

Instructional	Definition
<b>Reflective Sheet</b>	Reflective sheet that allows student to reflect on behavior and the consequences to themselves and others in regards to safety. Should incorporate guided questions and goal settings.
<b>Remind/Redirect</b>	Remind/Redirect the student to engage in pro social behavior which can be done through verbal cues, physical proximity, and eye contact.
<b>Restorative Conference (Partial)</b>	Restorative Conference by trained staff member only involving the one party (ex. Victim, Offender, et...)
<b>Restorative Conference (Mostly)</b>	Restorative Conference by trained staff member only involving the two parties (ex. Victim and Offender, Victim and Friends, et...)
<b>Restorative Conference</b>	Structured Meeting by trained staff member between victim, offender, friends, and bystanders that deal with consequences of wrong-doing and repairs harm.
<b>Restorative Conference (Family)</b>	Restorative Conference that involves the family and comes up with plan to support the student in prosocial behaviors
<b>Role Play</b>	Staff member role-plays the situation for which the student was sent to the office and works with the student to respond in an appropriate fashion determined collaboratively.
<b>Supervised Time-Out</b>	Supervised time out occurs when a student needs a break from their normal school due to conflict.
<b>Teach replacement behavior</b>	Work by staff member with the student to teach an appropriate response.
<b>Teacher-Student Conference</b>	Conference between the student and teacher facilitated by Counselor or Dean.
<b>Written Apology</b>	Student written apology to teacher or other staff.

## FUNCTIONAL DEFINITIONS OF CONSEQUENTIAL RESPONSES

Consequential	Definition
<b>After School Detention</b>	Keeping student on school premises after normal school hours for a defined period of time under staff supervision.
<b>Campus Beautification</b>	Keeping student on school premises for a defined period of time under staff supervision to help improve or maintain the appearance of the campus.
<b>Detention</b>	Keeping student on school premises during normal school hours for a defined period of time under staff supervision.
<b>Expulsion</b>	Action by the KHSD Board of Trustees to deny the right of school attendance with a time limit; [E.C. 48915-48918] expulsion is for a defined period of time, but an application for readmission must be considered within a specified time period; state law provides for due process and right to appeal any order of expulsion.
<b>In School Suspension</b>	Temporary denial of all school class attendance in which the student remains on the campus usually lasting a partial day or more for causes of action committed on school property, school buses, at school functions, or elsewhere.
<b>Involuntary Transfer</b>	The involuntary transfer of a student to a KHSD continuation school or program for disciplinary reasons, and for a defined period of time; such as transfer may be conducted in accordance with law and KHSD regulation. [E.C. 48432.5]
<b>Loss of Privilege</b>	Removal of a school privilege for causes of action committed on school property. Privileges include but are not limited to Academic Competitions, After School Program Participation, Athletic Participation, Club Involvement, and Graduation Activities.
<b>Lunch School Detention</b>	Restricting a student during lunch for a defined period of time under staff supervision. The student must be given the opportunity to eat lunch.
<b>Out of School Suspension</b>	Temporary denial of school attendance where the student is off campus usually lasting a partial day or more for causes of action committed on school property, school buses, at school functions, or elsewhere.
<b>Period Suspension</b>	Temporary denial of a period of a specific class more for causes of action committed on school property typically in a class. Teachers may period suspend students from their class provided the teacher sets-up a conference with the parent.
<b>Restitution</b>	Payment on behalf of the student for objects damaged or destroyed.
<b>Saturday School</b>	Requiring student on school premises on Saturday for a defined period of time under staff supervision.



## ED CODE VIOLATION DEFINITIONS

### THE FOLLOWING IDENTIFIES THE SECTIONS OF THE EDUCATION CODE THAT GOVERN STUDENT CONDUCT REGARDING SUSPENSION AND EXPULSION.

#### SUSPENSION

If a student's behavior is a threat to the safety, health or emotional well-being of others, and previous methods of prevention and intervention have not been successful, that student may be suspended in accordance with state law and KHSD policy. Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated Education Code section 48900(a)-(e) or if the student's presence causes a danger to persons. [E.C. 48900.5]

State law allows for the suspension of a student if a student commits or engages in any of the acts listed below, where such conduct or acts relate to school activities or attendance, such as, but not limited to when such acts or conduct take place: while on school grounds, going to or from school, during lunch period (on or off campus), during, or while going to or from, a school-sponsored activity, or for certain conduct which occurs after school hours and off KHSD property, but which is reasonably likely to cause or causes a substantial disruption of a school activity or attendance:

- **Assault/Battery [E.C. 48900(a)]** Causing, attempting to cause, or threatening to cause physical injury to another person. Exceptions may be made in a situation where witnesses and evidence support a case of self-defense.
- **Weapons [E.C. 48900(b)]** Possessing, selling or otherwise providing any weapon—including firearms, knives, explosives, or other dangerous object.
- **Alcohol/Intoxicants/Controlled Substances [E.C. 48900(c)]** Unlawfully possessing, using, selling or otherwise providing alcohol, intoxicants or controlled substance, including prescribed medications. Also applies to being under the influence of alcohol, intoxicants or controlled substances.
- **Substance in Lieu of Alcohol/Intoxicants/Controlled Substances [E.C. 48900(d)]** Delivering, providing or selling items which are claimed to be alcohol, intoxicants or controlled substances but were not such items.
- **Robbery or Extortion [E.C. 48900(e)]** Committing or attempting to commit robbery or extortion. Extortion occurs when threats are made with the intent to obtain money or something of value.
- **Property Damage\*\* [E.C. 48900(f)]** Causing or attempting to cause damage to school property or private property.
- **Property Theft\*\* [E.C. 48900(g)]** Stealing or attempting to steal school or private property.
- **Tobacco or Nicotine Products [E.C. 48900(h)]** Possessing, providing or using tobacco, or any item containing tobacco or nicotine products, including but not limited to cigarettes, cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
- **Obscenity [E.C. 48900(i)]** Committing an obscene act or engaging in regular profanity, swearing or vulgarity.
- **Drug Paraphernalia [E.C. 48900(j)]** Unlawfully possessing, offering, arranging for, or negotiating to sell any drug items.

- **Disruption or Defiance [E.C. 48900(k)(1)]** Disrupting school activities or otherwise refusing to follow the valid authority of school personnel, including supervisors, teachers, school officials or other school staff performing their duties.
- **“Disruption of school activities”** is defined as follows: when a student’s conduct, presence or actions disrupts or threatens to disrupt normal KHSD or school operations, threatens the health or safety of anyone on KHSD or school property, or causes or threatens to cause damage to KHSD property or to any property on school grounds.
- **“Willful defiance of valid authority”** is defined as follows: when a student defies the valid authority of a KHSD or school official or KHSD or school staff in a manner that has an impact on the effective or safe functioning of KHSD or school operations, such as continuing to remain at the scene of a fight or to instigate a disturbance after being told to stop the subject behavior; repeated disobedience to or defiance of school personnel when other interventions have not been successful in modifying the misbehavior; or in the proper instance one-time or first-time disobedience to or defiance of school personnel that has an impact on the effective or safe functioning of KHSD or school operations.

*\*\*Note, no KHSD student may be recommended for expulsion for violation of Education Code 48900(k) (1). [E.C. 48900(k) (2)]*

- **Receiving Stolen Property\*\* [E.C. 48900(l)]** Receiving stolen school or personal property.
- **Possessing Imitation Firearm [E.C. 48900(m)]** Possessing an imitation firearm or simulated firearm that is substantially similar in physical properties to an existing firearm.
- **Sexual Harassment [E.C. 48900(n)]** Committing or attempting to commit a sexual assault or committing a sexual battery.
- **Threats and Intimidation [E.C. 48900(o)]** Harassing, intimidating or threatening a student who is a witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.
- **Prescription Drug Soma [E.C. 48900(p)]** Offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- **Hazing [E.C. 48900(q)]** Engaging in, or attempting to engage in any activities used for initiation or pre-initiation into a student organization, or student body or related activities, which causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace, resulting in physical or mental harm.
- **Bullying [E.C. 48900(r)]** Bullying means any severe or pervasive or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from services, activities, or privileges provided by a school. [E.C. 48900(r)] Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code sections 48900.2, 48900.3, or 48900.4 that has any of the effects described above on a reasonable student. [E.C. 48900(r)]
- **Aided or Abetted to Inflict Physical Injury [E.C. 48900(t)]** Aiding or abetting in the infliction or attempted infliction of physical injury to another student. However, the KHSD cannot seek to expel a student for violation of Education Code section 48900(t) until juvenile court proceedings

are completed and the juvenile has been convicted of being an aider or abettor of a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury.

- **Sexual Harassment [E.C. 48900.2]** Engaging in prohibited sexual harassment that includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature.
- **Hate Violence [E.C. 48900.3]** Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (E.C. 233; Penal Code 422.55)
- **Other Harassment, Intimidation or Threats [E.C. 48900.4]** Harassing, intimidating, or threatening a student or group of students, or school personnel, with the actual or expected effect of disrupting class work or creating substantial disorder, or creating a hostile educational environment.
- **Terrorist Threats [E.C. 48900.7]** Making terrorist threats against school officials and/or property, or both.

The superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion to address student misconduct. [E.C. 48900(v), 48900.5]

## **\*\* "SCHOOL PROPERTY" INCLUDES, BUT IS NOT LIMITED TO, ELECTRONIC FILES. [E.C. 48900(U)]EXPULSION**

Expulsion, as ordered by the Board of Trustees of the KHSD, is the removal of a student from all schools within KHSD for violating the Education Code at school or at a school activity off school grounds. The expulsion is for a defined period of time, but an application for re-admission must be considered within a specified time period. State law provides for full due process and rights to appeal any order of expulsion.

A student shall be recommended for expulsion for violation of any of the acts set forth in Education Code section 48915(a)(1)(A)-(E), unless the Superintendent, Superintendent's designee, principal or principal's designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

Serious Physical Injury [E.C. 48915(a) (1) (A)] Causing serious physical injury to another person, except in self-defense.

- **Possession of Knife or Dangerous Object [E.C. 48915(a) (1) (B)]** Possessing a knife or other dangerous object of no reasonable use to the student.
- **Unlawful Possession of a Controlled Substance [E.C. 48915(a)(1)(C)]** Unlawful possession of any drug except for (1) the first time offense of possession of not more than one ounce of marijuana, or (2) for the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician.
- **Robbery or Extortion [E.C. 48915(a)(1)(D)]**
- **Assault or Battery on a School Employee [E.C. 48915(a)(1)(E)]**
- State law requires a school administrator to recommend expulsion if a student commits certain violations of the Education Code. A student shall immediately be recommended for expulsion for violation of any of the acts set forth in Education Code section 48915(c)(1)-(5):

- **Possession, Selling or Furnishing a Firearm [E.C. 48915(c)(1)]** Possessing, selling or otherwise furnishing a firearm (verified by an employee of KHSD). However, possession of an imitation firearm, as defined in Education Code section 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.
- **Brandishing a Knife [E.C. 48915(c)(2)]** Brandishing a knife at another person.
- **Selling a Controlled Substance [E.C. 48915(c)(3)]** Unlawfully selling a controlled substance.
- **Sexual Assault or Battery [E.C. 48915(c)(4)]** Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code section 48900(n).
- **Possession of an Explosive [E.C. 48915(c)(5)]**

#### **Other Acts and Conduct**

For all other acts and conduct for which a student is subject to discipline under Education Code sections 48900 through 48900.7 and which are not specifically listed or addressed under Education Code sections 48915(a) or 48915(c), a student may be recommended for expulsion where other means of correction are not feasible or have repeatedly failed to bring about proper conduct, or where due to the nature of the student's conduct violation, the presence of the student causes a continuing danger to the physical safety of the student or others. [E.C. 48915(b) and (e)]