

VINELAND SCHOOL DISTRICT

Student Code of Conduct

The *Student Code of Conduct* applies to all students attending school in the Vineland School School District including the following circumstances:

- while on any school grounds;
- while going to or coming from any school;
- during the lunch period, whether on or off the school campus; and
- during, going to, or coming from a school-sponsored activity.

Where appropriate, disciplinary actions should be progressive; where a student's first violation will usually merit a consequence of a lesser degree than subsequent violations, taking into account all factors relevant to the severity of the current violation. Except where specified by Education Code Section 48900.5, a student may be suspended only when there has been a determination that other means of correction have failed to bring about proper conduct or that the student's presence causes a danger to persons. At the principal's discretion, a student with documented discipline problems not requiring expulsion may be removed from the remainder of an optional educational program. Before a removal occurs, the parent will receive a written notice and an opportunity to be heard in front of the principal or principal's designee.

When students behave inappropriately, administrators, faculty, staff shall determine the appropriate level of response (consequences, interventions, and supports) needed to assist the student in bringing about appropriate behavior. Consequences, interventions, and supports shall be applied in a logical, appropriate, fair, and consistent manner. When choosing a response administrators, faculty, staff should consider the following factors:

- Age, health, maturation and disability or special education status of the student
- Student's prior conduct and record of behavior
- Student's understanding of the impact of their behavior
- Student's willingness to repair the harm caused by their behavior
- Seriousness of the behavior offense and the degree of harm caused
- Impact of the incident on overall school community
- Whether the student's violation threatened the safety of any student or staff member
- The likelihood that a lesser intervention or consequence would adequately address the violation

**LEVEL OF BEHAVIOR
and
RESPONSE**

Examples of Classroom Managed Responses

These consequences, interventions, and supports aim to teach correct behavior so students may learn and demonstrate safe, respectful, and responsible behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Below are possible consequences, interventions, and supports that may be used.

Level One Behavior Definition

- Behavior that is disruptive to the school environment of student/others.
- Refusal to comply with reasonable requests.
- Behavior that is generally managed with a brief intervention by an adult present in that setting.

Possible Skills-Based Supports for Repeated or Significant Level 1 Behavior

- For Tier I general behavior Intervention strategies refer to the *Pre-Referral Intervention Manual, 4th Edition*

Other Possible Skills-Based Supports for Repeated or Significant Level 1 Behavior

- Reminder/Redirection of classroom routines and rituals
- Reminder/Redirection on ways to ask for help or solve problems
- Reminder/Redirection on ways to manage emotions
- Reminder/Redirection of appropriate classroom language

Possible Restorative Practices for Repeated or Significant Level 1 Behavior

- Quick individual skill coaching

Possible Teacher / Administrator Actions for Repeated or Significant Level 1 Behavior

- Parent Contact
- Recess Detention
- Lunchtime Detention
- Teacher-Issued Demerits
- Student-Initiated Consequence
- Loss of Classroom Privilege(s) / Restricted Activity
- Loss of Privilege(s) Outside the Classroom / Restricted Activity
- Fidelity check of school-wide systems, structures and supports
- Review (classroom/non-classroom) behavior management plan including social skills teaching and reinforcement
- Classroom/non-classroom supports
- Time out of classroom: less than 15 min.
- Seat change, assigned seating

Possible Administrative Actions That May Result in Removal from Instruction for Repeated or Significant Level 1 Behavior

- There are no possible actions related to this level of behavior

Level 1

**LEVEL OF BEHAVIOR
and
RESPONSE**

Examples of Teacher / Administrative Responses

These consequences, interventions, and supports, used in response to an office discipline referral, aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. Interventions often involve support staff and aim to engage the student's support system to ensure successful learning, consistency, and change the conditions that contribute to the student's inappropriate or disruptive behavior. Below are possible consequences, interventions, and supports that may be used. Level 1 interventions may still apply.

Level Two Behavior Definition

- Repeated or significant incident(s) of Level One infractions.
- Disordered behavior towards another student, staff, volunteer, etc.
- Behavior that is generally managed with a brief intervention by an adult present in that setting, and may include additional brief contact with support staff.

Possible Skills-Based Supports for Repeated Level 1 Behavior

- For Tier I general behavior Intervention strategies refer to the *Pre-Referral Intervention Manual, 4th Edition*

Other Possible Skills-Based Supports for Repeated or Significant Level 2 Behavior

- Re-teaching classroom routines & rituals
- Re-teaching ways to ask for help, solve problems, manage emotions
- Self-charting of behaviors
- Skill practice/role play
- Individual skill coaching for targeted student & aggressor in bullying/harassment incidents

Possible Restorative Practices for Repeated or Significant Level 2 Behavior

- Guided conversations using restorative questions
- Peace-keeping Circle for problem solving
- Community Service (as restitution)
- Peer mediation (not to be used for bullying or harassment incidents)
- Reflective essay
- Restorative back to class plan
- Restitution for property incidents

Possible Teacher / Administrator Actions for Repeated or Significant Level 2 Behavior

- Parent Contact
- Recess Detention
- Lunchtime Detention
- Administrator-Issued Demerits
- Student-Initiated Consequence
- Loss of Classroom Privilege(s) / Restricted Activity
- Loss of Privilege(s) Outside the Classroom / Restricted Activity
- Develop a student skill plan
- Initiate behavior intervention plan
- Formalize check-in/out plan with adult

Possible Administrative Actions That May Result in Removal from Instruction for Repeated or Significant Level 2 Behavior

- There are no possible actions related to this level of behavior

Level 2

**LEVEL OF BEHAVIOR
and
RESPONSE**

Examples of Administrative Removal Responses

Level 3 consequences, interventions, and supports involve short-term removal of a student from the school environment due to the severity of the behavior or because Level 1 and Level 2 consequences have failed to bring about proper conduct. Level 1 and Level 2 interventions may still be applied in addition to those listed in Level 3. The duration of the suspension is to be limited as much as practicable while adequately addressing the behavior.

Level Three Behavior Definition

- Repeated or significant incident(s) of Level Two infractions.
- Behaviors targeted at or targeting others.
- Behaviors interfering with safety equipment.

Possible Skills-Based Supports for Repeated Level 2 Behavior or Significant Level 3 Behavior

- Small group skill instruction
- Lessons in anger management, conflict resolution, bus safety, etc.

Possible Restorative Practices for Repeated Level 2 Behavior or Significant Level 3 Behavior

- Restorative back to class plan
- Staff-led mediation for incidents involving equal power between persons
- Community Service (as restitution)
- Restitution for property incidents

Possible Teacher / Administrator Actions for Repeated Level 2 Behavior or Significant Level 3 Behavior

- Parent Contact
- Recess Detention
- Community Service
- Lunchtime Detention
- Administrator-Issued Demerits
- Student-Initiated Consequence
- Loss of Classroom Privilege(s) / Restricted Activity
- Loss of Privilege(s) Outside the Classroom / Restricted Activity
- Referral to Student Assistance Team
- Student-staff conference
- Change in classroom assignment
- Loss of transportation (bus) privileges no more than 1 day for bus behaviors

Required Administrative Actions That May Result in Removal from Instruction for Significant Level 3 Behavior

- Suspension from School (1-3 days)

Level 3

**LEVEL OF BEHAVIOR
and
RESPONSE**

Examples of Administrative Removal Responses

Level 4 involves the removal of the student from the school environment due to the severity of the behavior or because Level 1, 2, or 3 consequences and interventions have failed to bring about proper conduct. These consequences focus on protecting the safety of the school community and ending self-destructive and dangerous behavior. Level 1, 2 and 3 interventions may still be applied, if applicable.

Level Four Behavior Definition

- Repeated or significant incident(s) of Level Three infractions. Behaviors that involve safety issues.

Possible Skills-Based Supports for Repeated Level 3 Behavior or Significant Level 4 Behavior

- Not applicable to this level of behavior

Possible Restorative Practices for Repeated Level 3 Behavior or Significant Level 4 Behavior

- Restorative transition back to class plan
- Neutral party mediation
- Family Group Conference
- Community Service (as restitution)
- Restitution for property incidents

Possible Teacher / Administrator Actions for Repeated Level 3 Behavior or Significant Level 4 Behavior

- Parent Contact
- Community Service
- Administrator-Issued Demerits
- Alternative Educational Placement
- Refer to or review with Student Assistance Team
- Loss of Classroom Privilege(s) / Restricted Activity
- Pre-assessment team referral for alcohol or drug incidents
- Loss of Classroom Privilege(s) / Restricted Activity
- Loss of Privilege(s) Outside the Classroom / Restricted Activity
- Loss of transportation (bus) privileges (1-4 days for behavior on the bus)

Required Administrative Actions That May Result in Removal from Instruction for Significant Level 4 Behavior

- Suspension from School (3-5 days)
- Referral for Expulsion if other means of correction have not brought about proper conduct or are not feasible or there is a continuing danger to the physical safety of the student or others

Level 4

**LEVEL OF BEHAVIOR
and
RESPONSE**

Mandatory Recommendation for School Expulsion

Mandatory removal from school and referral for expulsion for acts as specified in Education Code.

Level 5

Level Five Behavior Definition

- Behaviors identified as expellable offenses.

Possible Skills-Based Supports for Significant Level 5 Behavior

- Individual coaching by licensed support staff (may be at a new site)

Possible Restorative Practices for Significant Level 5 Behavior

- Family Group Conference, may be as part of a move to a new setting

Possible Teacher / Administrative Actions for for Significant Level 5 Behavior

- Suspension from school (5 days)
- Mandatory Referral for expulsion for required violations of Education Code

Required / Possible Administrative Actions That May Result in Removal from Instruction for Significant Level 5 Behavior

- Out of school removal from instruction 5 or more days (10 days if there is a recommendation for expulsion)
- Recommendation for expulsion for required violations of Education Code
- Consult with/refer to local law enforcement

EDUCATION CODE SECTION 48915:

(a) Mandatory Recommendations, Permissive Expulsions: Except as provided in subdivisions (c) and (e) the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

- (1) Causing serious physical injury to another person, except in self defense.
- (2) Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- (3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis. (For second offense, any amount, expulsion recommendation is mandatory. (AR 5131.6)
- (4) Robbery or extortion.
- (5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Dual finding required for 48915(a) and 48900(a), (b), (c), (d) and (e): Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of section 48900. A decision to expel shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) Mandatory Expulsions (one year from date of expulsion): Principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a fire arm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
- (2) Brandishing a knife at another person. As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade (any size) that locks into place, or a razor with an unguarded blade.
- (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code. (any amount)
- (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- (5) Possession of an explosive.

**INAPPROPRIATE BEHAVIOR
and
APPLICABLE LEVELS OF RESPONSE**

If the inappropriate behavior is assigned to two or more levels, then whenever possible, the lowest level of consequence and intervention should be used first. A Level 3 or above response may only be given if other means of correction have failed to bring about proper conduct; or due to the nature of the act, the student's presence causes a danger to persons; or suspension is authorized by Education Code. Depending upon the severity of the violation, a Level 3 response may be used on a first offense.

Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
<i>Education Code Section 48900 (a)(1)</i>	Caused, attempted to cause, or threatened to cause physical injury to another person.					
	Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.					X
	Attack on student, attempting to cause physical injury		X	X	X	
	Attack on student, causing physical injury		X	X	X	X
	Causing serious physical injury to another person, except in self defense.					X
	Minor physical aggression (without injury)	X	X			
	Mutual fight (with little or no injury)	X	X			
	Mutual fight (with moderate physical injury)			X	X	X
	Threatened to cause physical injury		X	X	X	
	Unintentional, incidental physical contact with school personnel	X	X			
<i>Education Code Section 48900 (a)(2)</i>	Willfully used force or violence upon the person of another, except in self-defense.					
	Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.					X
	Attack on student, causing physical injury		X	X	X	X
	Minor physical aggression (without injury)	X	X	X		
	Mutual fight (with little or no injury)	X	X	X		
	Mutual fight (with moderate physical injury)			X	X	X
<i>Education Code Section 48900 (b)</i>	Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.					
	Brandising a knife at another person					X
	Possessed a knife or other dangerous object		X	X	X	X

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Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
	Possessing, selling, or otherwise furnishing a firearm					X
	Possession of an explosive					X
	Sold or otherwise furnished any knife or other dangerous object			X	X	X
<i>Education Code Section 48900 (c)</i>	Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.					
	Possessed or under the influence of a controlled substance		X	X	X	X
	Possessed or under the influence of an alcohol beverage or an intoxicant of any kind		X	X	X	X
	Sold a controlled substance					X
	Unlawfully possessed of any controlled substance except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis					X
	Used or administered a controlled substance			X	X	X
	Used, sold, or furnished an alcohol beverage or an intoxicant of any kind			X	X	X
<i>Education Code Section 48900 (d)</i>	Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.				X	
<i>Education Code Section 48900 (e)</i>	Committed or attempted to commit robbery or extortion.		X	X		
<i>Education Code Section 48900 (f)</i>	Caused or attempted to cause damage to school property or private property.					
	Attempted to cause damage to property	X	X	X		
	Breaking and entering on District property		X	X	X	
	Minor or accidental damage	X	X			
	Setting fire to property		X	X	X	X

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Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
	Willfully caused damage to property		X	X	X	
<i>Education Code Section 48900 (g)</i>	Stole or attempted to steal school property or private property.	X	X	X		
	Robbery or extortion					
<i>Education Code Section 48900 (h)</i>	Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.					
	Possession of nicotine delivery systems (e.g., vaporizers, hookah pens)	X	X	X		
	Possession of tobacco or any products containing tobacco or nicotine	X	X	X		
	Use of tobacco or any products containing tobacco or nicotine		X	X		
<i>Education Code Section 48900 (i)</i>	Committed an obscene act or engaged in habitual profanity or vulgarity.					
	Habitual use of profanity or vulgarity		X	X		
	Intentional physical or verbal act or conduct that is of a sexual nature or considered obscene by a reasonable person		X	X	X	
	Viewing or displaying obscene or sexually explicit content		X	X	X	
<i>Education Code Section 48900 (j)</i>	Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.		X	X	X	
<i>Education Code Section 48900 (k)</i>	Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.					
	"Cutting" class	X	X			
	Caused a major disruption to the atmosphere of order and safety in the school, such as a riot			X	X	
	Cheating or plagiarism	X	X			

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Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
	Does not allow others to participate in an activity	X	X			
	Engaged in behavior causing an interruption during class or other school activity	X	X			
	Engaged in gambling	X	X			
	Excessive absences/tardies (excused)	X	X			
	Excessive absences/tardies (unexcused)	X	X			
	Failure to follow directions / respond to staff requests	X	X			
	Failure to follow directions leading to potential disruption or harm to self or others	X	X	X		
	Failure to follow directions that directly leads to disruption or the harm of self or others		X	X	X	
	False activation of a fire alarm		X	X	X	
	Inappropriate display of affection	X	X			
	Intentional lying to get another person(s) in trouble		X	X		
	Littering	X	X			
	Lying to get self or others out of trouble	X	X			
	Minor annoying behavior or negative gestures toward other students	X	X			
	Minor name calling or teasing, whether written or verbal, towards other students	X	X			
	Possession of unauthorized items not otherwise included in Education Code	X	X			
	Repeated and chronic behavior that creates an environment preventing teaching and learning		X	X	X	
	Repeated annoying behavior or negative gestures toward other students despite directions to stop by staff		X	X		
	Repeated name calling or teasing, whether written or verbal, towards other students despite directions to stop by staff		X			
	Repeated violations of school rules, District Acceptable Use Agreement, or using District technology without permission		X	X	X	
	Running, making excessive noise, or loitering in a hallway or between classes	X	X			

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Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
	Trespassing; unauthorized attendance at school activities	X	X			
	Unauthorized sale or distribution of goods not otherwise included in Education Code	X	X			
	Use of profanity or vulgarity not directed at others	X	X	X		
	Using District technology without permission	X	X			
	Violation of Board Policy/Administrative Regulation 5123, Dress and Grooming	X	X			
	Violation of District's Acceptable Use Agreement for using District technology ,not resulting in harm	X	X			
	Violation of school rules regarding use of personal technology not resulting in harm	X	X			
	Wearing clothing that does not fit within dress code guidelines and causes a major disruption to a safe school environment	X	X	X		
	Yelling or using aggressive language towards another student	X	X			
<i>Education Code Section 48900 (l)</i>	Knowingly received stolen school property or private property.	X	X	X		
<i>Education Code Section 48900 (m)</i>	Possessed an imitation firearm. As used in this section, means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.		X	X	X	
<i>Education Code Section 48900 (n)</i>	Committed or attempted to commit a sexual assault as defined in Section 261,266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.					X
<i>Education Code Section 48900 (o)</i>	Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.		X	X	X	
<i>Education Code Section 48900 (p)</i>	Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.				X	X
<i>Education Code Section 48900 (q)</i>	Engaged in, or attempted to engage in, hazing as defined in Section 32050.			X	X	
<i>Education Code Section 48900 (r)</i>	Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.					

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Inappropriate Behavior By Education Code		Level 1	Level 2	Level 3	Level 4	Level 5
	Intentional physical or verbal act or conduct including communications made in writing or by means of an electronic act that has an effect described in law	X	X	X	X	X
	Severe or pervasive physical or verbal act(s) or conduct including communications made in writing or by means of an electronic act that has an effect described in law			X	X	X
	Use of electronic device(s) for which it is determined that such use directly causes physical or emotional harm to another person		X	X	X	X