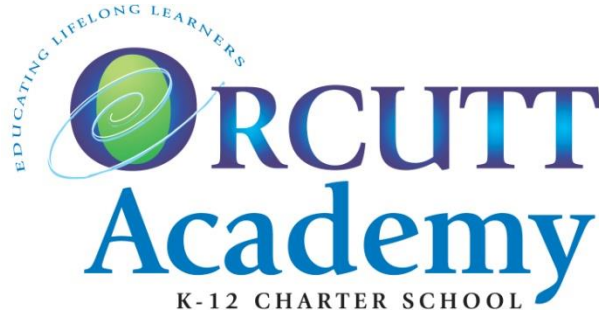


ORCUTT ACADEMY K-8 SCHOOL



“Home of the Spartans”
Rms. 7, 8A, 8B, 13,14, 20, and 21
P.O. Box 161
480 Centennial Street
Los Alamos, CA 93440
(805) 960-1000

<http://www.orcutt-schools.net>
or oak8.net

Student Handbook 2016-2017

Orcutt Academy K-8 School is a learning community, which values the application of academic learning in the “real world” while promoting intercultural understanding and respect for others. The creation of new knowledge is encouraged and expected, thereby equipping graduates for successful academic and work force experiences... as life-long learners.

This handbook belongs to:

Name

Address

City

Phone

ORCUTT ACADEMY K-8 SCHOOL



TABLE OF CONTENTS

Principal’s Message.....	3
School Telephone Directory	4
Bell Schedule	5- 6
Calendar of Events.....	7
Student Services.....	8-9
School Advisory Council.....	10
Parental Involvement	11
Curriculum Overview	12
Student Conduct.....	13
Discipline	14-25
Cell Phones/Video Surveillance Cameras/Care of School Property.....	26
District School Bus Policy	27-28
Dress and Grooming	29-30
General Campus-Wide Rules	31-33
Sexual Harassment.....	34-38
Student Compact/Model for Success	39
Public Displays of Affection.....	40
Academic Honesty.....	41
504 Compliance Notice.....	42
Electronic Network Use Rules/User Agreement	43-44

8/9/2016 new

Principal's Message:

Welcome to the 2016-2017 school year at the Orcutt Academy's K-8 campus! This is my eighth year with OAK-8 (this is the ninth year of existence for OAK-8), and I am very excited to once again be associated with this amazing school.



As you probably know, this is a momentous year for OAK-8 in that we are moving from the triple-grade combination classes we have had since our school's inception to double-grade combination classes. In association with this reconfiguration, we are growing ... from three classes to five, from 81 students to 132. Needless to say, the staff and I have been looking forward to this school year!

One of the primary strengths of our school is its incredible staff. Our returning classroom teachers – Shauna Wilson, Stacey Lovell, and Michelle Clayton – are dedicated, talented educators, and day after day they go above and beyond for our students. Our two new classroom teachers – Cristy Cole and Joanie Carricaburu – are quite caring and dedicated, and I believe they are an excellent match for our school. We also have working with our students some outstanding specialists in Debbie Hart, our Special Education resource specialist; and Tracy Levey, our physical education teacher. We have an excellent support staff that includes our office manager, Reyes Gonzalez; our custodians, Steve Borjas and Ernesto Vela; and many others on campus in Los Alamos. We also have a wonderful hourly support teacher, Chyelin Andreadakis, who does excellent work in support of our students. ALL of the members of this team of educators work well together, and ALL make the welfare of students their first and foremost priority. Simply stated, your children are in good hands!

Although I will continue to have other assignments (director of charter programs and principal of Olga Reed School in Los Alamos) I will work to be as accessible as I can be for the students, families, and staff of this school. For your reference, here is my contact information:

- School office in Los Alamos at Olga Reed: 344-2401
- Direct line at district office: 938-8934
- E-mail: jdana@orcutt-schools.net

In closing, I would just say that I feel honored to be your principal, and I am looking forward to working with all of you. Here's to the coming school year!

A handwritten signature in cursive script that reads "Joe Dana".

Joe Dana, Principal

ORCUTT ACADEMY K-8 SCHOOL



TELEPHONE DIRECTORY

Joe Dana	Principal	(805) 344-2401
Reyes Gonzalez	Office Manager/Attendance	(805) 960-1000
Michelle Romine	District Nurse Administrator	(805) 938-8932
Lana Thomas	Director of Pupil Services	(805) 938-8960

ORCUTT ACADEMY INSTRUCTIONAL STAFF

Cristy Cole	Teacher Grades TK/K
Shauna Wilson	Teacher Grades 1/2
Stacey Lovell	Teacher Grades 3/4
Joanie Carricaburu	Teacher Grades 5/6
Michelle Clayton	Teacher Grades 7/8
Chyelin Andreadakis	Hourly Support Teacher
Debbie Hart	Special Education/Resource
Tracy Levey	Physical Education

*To contact a
teacher or staff
member, please
call the school
office at 960-1000*



BELL SCHEDULE
2016-2017 DAILY SCHEDULES

REGULAR DAY
(M, Tu, Th, F)

	K-2		3-5		6-8	
	From	To	From	To	From	To
MORNING SESSION	8:40 AM	9:40 AM	8:40 AM	9:40 AM	8:40 AM	9:40 AM
RECESS	9:40 AM	9:55 AM	9:40 AM	9:55 AM	9:40 AM	9:55 AM
MORNING SESSION	9:55 AM	11:35 AM	9:55 AM	12:00 PM	9:55 AM	12:20 PM
LUNCH	11:35 AM	12:15 PM	12:00 PM	12:40 PM	12:20 PM	1:00 PM
AFTERNOON SESSION	12:15 PM	3:00 PM	12:40 PM	3:00 PM	1:00 PM	3:00 PM

WEDNESDAY

	K-2		3-5		6-8	
	From	To	From	To	From	To
MORNING SESSION	8:40 AM	9:40 AM	8:40 AM	9:40 AM	8:40 AM	9:40 AM
RECESS	9:40 AM	9:55 AM	9:40 AM	9:55 AM	9:40 AM	9:55 AM
MORNING SESSION	9:55 AM	11:35 AM	9:55 AM	12:00 PM	9:55 AM	12:20 PM
LUNCH	11:35 AM	12:15 PM	12:00 PM	12:40 PM	12:20 PM	1:00 PM
AFTERNOON SESSION	12:15 PM	2:00 PM	12:40 PM	2:00 PM	1:00 PM	2:00 PM

MINIMUM DAYS

First & Last Day of School

Parent-Teacher Conferences

		K-2		3-5		6-8	
		From	To	From	To	From	To
MORNING SESSION		8:00 AM	9:40 AM	8:40 AM	9:40 AM	8:40 AM	9:40 AM
	RECESS	9:40 AM	9:55 AM	9:40 AM	9:55 AM	9:40 AM	9:55 AM
MORNING SESSION		9:55 AM	11:35 AM	9:45 AM	12:00 PM	9:55 AM	12:20 PM
	LUNCH	11:35 AM	12:20 PM	12:00 PM	12:40 PM	12:20 PM	1:00 PM
	AFTERNOON SESSION	12:20 PM	1:30 PM	12:40 PM	1:30 PM	1:00 PM	1:30 PM

Board Approved 5/11/16					ORCUTT UNION SCHOOL DISTRICT GRADES TK-8 INCLUDING CHARTER K-8 2016/2017 SCHOOL CALENDAR					Student Days	Reporting Periods										
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F							
										Aug 8	9	10	11	12 ◆	15 ▲	16 ◆	17 ▲	18 ▼	19	2	
22	23	24	25	26	29	30	31	Sep 1	2	5 ■	6	7	8	9	12	13	14	15	16	19	1
19	20	21	22	23	26	27	28	29	30	Oct 3 ▼	4 ▼	5 ▼	6 ▼	7 ▼	10	11	12	13	14	20	2
17	18	19	20	21	24	25	26	27	28	31 ◆	Nov 1 ◆	2	3	4	7	8	9	10	11 ■	17	3
14	15	16	17	18	21 ●	22 ●	23 ●	24 ■	25 ●	28	29	30	Dec 1	2	5	6	7	8	9	15	4
12	13	14	15	16	19 ●	20 ●	21 ●	22 ●	23 ●	26 ■	27 ●	28 ●	29 ●	30 ●	Jan 2 ■	3 ●	4 ●	5 ●	6 ●	5	5
9 ◆	10	11	12	13	16 ■	17	18	19	20	23	24	25	26	27	30	31	Feb 1	2	3	18	6
6	7	8	9	10	13 ■	14	15	16	17	20 ■	21	22	23	24	27	28	Mar 1	2	3	18	7
6	7	8	9	10	13	14	15 ▼	16 ▼	17 ▼	20	21	22	23	24	27	28	29	30	31	20	8
Apr 3	4	5	6	7	10	11	12	13	14 ●	17 ●	18 ●	19 ●	20 ●	21 ●	24	25	26	27	28	14	9
May 1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	20	10
29 ■	30	31	Jun 1	2	5	6	7	8	9	12	13	14 ▼	15	16	(180 Student Days)				12	11	

- ▲ Pre-service Day (*returning teachers*).....185 + 1 at per Diem
- ◆ In-service Day (*new teachers*).....186 + 1 at per Diem
- Legal Holiday (*no school*).....
- No School - Board Holiday
- ▼ Minimum Day / In-service
- ◆ Staff Development Day

ELEMENTARY SCHOOL PARENT CONFERENCES

K-6 - Parent Conferences - Minimum Day..... Oct 3 - 7
 K-6 - Parent Conferences - Minimum Day..... Mar 15-17

ELEMENTARY SCHOOL SCHEDULE

August 12..... New Teachers Begin
 August 15..... All Staff Meeting - Convocation
 August 16..... Staff Development Day
 August 17..... Teacher Work Day
AUGUST 17..... FIRST DAY OF CLASSES 7th GR. ONLY
AUGUST 18..... FIRST DAY OF CLASSES / Minimum Day
 September 5..... Labor Day
 October 31..... Staff Development Day
 November 1..... Staff Development Day
 November 11..... Veteran's Day
 November 11..... End of First Trimester
 November 21 to November 25..... Thanksgiving Holiday
 December 19 to January 6..... Winter Recess
 January 9..... Staff Development Day
 January 16..... Martin Luther King Day
 February 13..... Lincoln's Birthday Day
 February 20..... Presidents' Day
 March 3..... End of Second Trimester
 April 14 to April 21..... Spring Break
 May 29..... Memorial Day
June 14..... LAST DAY OF SCHOOL

ORCUTT ACADEMY K-8 SCHOOL

STUDENT SERVICES

- Food Services
- Students with Disabilities
- Health Services
- Library Service
- Student Records/Transcripts
- Textbooks

Food Services

A complete Federal Government Type “A” lunch is served each day. Individual items are also served in the cafeteria, snack bar, and at cart locations. Water and juice are also available. Information for free or reduced snack and lunch is available from the cafeteria and the front office.

Students with Disabilities

If you suspect your school age student is having significant learning difficulties or has a disability that prevents him/her from functioning effectively within the regular school program, you should notify school personnel, beginning with your student’s classroom teacher. The school will assist you by meeting with you to determine whether your student requires an evaluation for eligibility for special education services and support due to a disability. (E.C. 56020, et seq.)

Health Services (Board Policy and Administrative Regulation 5141.21)

Health services are provided by a credentialed school nurse and staff. The school nurse provides direct health services, health education, consultation, and assists in providing a healthful school environment.

California State Law requires that an up-to-date immunization record be on file with the Health Office. Students without immunization records on file may not attend class.

Students wishing to leave school due to illness must check out through the office. **District policy requires that every student have an Emergency Card on file signed by a parent/guardian. Students will only be released to those adults listed on the Emergency Card. The Emergency Card must be updated every school year by the parents/guardians.**

A completed District Medication Form is required for students to take any medication at school, including over-the-counter medications. The required form is available in the school office. Please check with the nurse for the policy.

Students are to bring notes to be excused from Physical Education to the PE teacher. Doctor’s notes for excuse from PE will be filed for review by the school nurse. The Orcutt Academy K-8 will excuse a student from PE a maximum of two days with a parent note.

The nurse is available for private and confidential health discussions. Students must have an office pass from the classroom teacher in order to visit the Health Office during classtime.

Confidential Medical Services (Board Policy & Administrative Regulation 5141.24)

Students who request an excuse from school to obtain confidential medical services will be referred to the school nurse who will provide medical advice and consultation. The nurse may include the counselor in this conference. This consultation will include an emphasis on the importance of involving parents or guardians in evaluating medical issues. The law permits school authorities to excuse pupils in grades 7 through 12 to obtain CONFIDENTIAL MEDICAL SERVICES without consent of parent.

*Note: EC §46010.1 is a mandated notification requirement; however, district/governing board implementation is permissive. **THE ORCUTT UNION SCHOOL DISTRICT DOES NOT RELEASE STUDENTS TO OBTAIN CONFIDENTIAL MEDICAL SERVICES.***

Library Services

The Orcutt Academy K-8 Library offers the latest in resources and technological equipment to assist students with research and projects. Library hours will be posted at the beginning of the school year. Library cards or books should never be loaned to other students. All students entering the library during class must present a hall pass signed by the teacher sending the student. No books or materials will be loaned to any student who has overdue materials. Overdue books are assessed a fine of ten cents per day. No food or drink is allowed in the library. Electronic library resources will be available online from home for students.

Student Records/Transcripts

In the event an Orcutt Academy student transfers to another school, a record request from the receiving school can be made to Orcutt Academy K-8 School at P.O. Box 2310, Orcutt, CA 93455.

Textbooks

Students are issued all required textbooks free of charge. It is the student's responsibility to return the same book at the completion of the course in as good a condition as possible. Should a textbook be lost, stolen, misplaced, or damaged beyond normal use, it is the student's responsibility to pay for a replacement. When textbooks are found and returned to the bookroom, the cost of the replacement is refunded.

ORCUTT ACADEMY K-8 SCHOOL
SCHOOL ADVISORY COUNCIL

The Board of Trustees of the Orcutt Union School District will appoint a School Advisory Committee to bring guidance and direction to the school’s instructional planning. All planning, actions, and expenditures that are recommended by the Charter School will be subject to the pre-approval of the Board of Trustees of the Orcutt Union School District. The School Advisory Council will govern themselves under the rules and regulations that govern School Site Councils as specified in Education Code (Section 52850–52860) and by using bylaws that they select and that the Orcutt Union School District Board of Trustees approve.

The School Advisory Council membership will have no less than ten members and no more than twelve members. Membership in each case will be as follows:

Membership Composition of Orcutt Academy School Advisory Committee

School Advisory	Parents and/or Community Members	Principal	Teachers	Students	Other School Personnel
10	5	1	2	1	1
11	6	1	2	1	1
12	7	1	2	1	1

In each case, the School Advisory Council’s membership shall be selected as follows:

- Parents/guardians/community members selected by parent/guardians
- Teachers selected by teachers
- Students selected by students
- Other school personnel selected by other school personnel at the school
- The current principal will attend/participate in all meetings

ORCUTT ACADEMY K-8 SCHOOL

PARENTAL INVOLVEMENT

Parental Involvement – Communication that makes a difference between all stakeholders

Orcutt Academy K-8 School recognizes that students learn best when parents are engaged in their education. Current research from the U.S. Department of Education (Parental Involvement in Resource Centers – 2007) indicates that parental involvement is the single most important ingredient to student success after socioeconomic status. Accordingly, Orcutt Academy K-8 School will reach out to parents and involve them with the school in a meaningful way. This may include representation on the School Advisory Committee, Parent Newsletters, Parent Association meetings, parent-teacher conferences, volunteer opportunities, fundraising, action research, and activities that support the achievement of the school's mission.

One of the most significant ways to accomplish parent involvement is the composition of the School Advisory Council (SAC) which is comprised of all school constituencies, including parents, students, teachers and administrators. The SAC will participate in the development of the school's single school plan and related policies for submission to the Orcutt Union School District Board of Trustees for approval. In addition, the SAC may participate in the interviewing of teaching and staff candidates, sharing in the efforts to improve the school and engaging the support of the community. The SAC may make recommendations about issues related to the School and participate in reviewing parental and community concerns. The director of charter programs is responsible for reporting all SAC recommendations to the Board of Trustees of the Orcutt Union School District through the superintendent or their designee. The SAC will serve as the School Site Council (SSC) and will constitute an English Language Advisory Committee (ELAC) when the School receives categorical funds with these requirements.

The School is committed to working with parents to address parent concerns. Parents will be encouraged to share their ideas and concerns with the School throughout the school year. In addition, Orcutt Academy will utilize the complaint processes already in place and utilized by the Orcutt Union School District. These formal complaint processes will be used to address parental concerns about any particular employee.

ORCUTT ACADEMY K-8 SCHOOL

CURRICULUM OVERVIEW

Career technical education themes will be used to bring meaning to student learning spanning grades K-8. Student engagement will be a hallmark of learning. The learning environment will find students engaged in knowledge acquisition *and* creation using researched methods, including **demonstrations, simulations, and discussion groups**. Student engagement strategies will create opportunities for students to teach others, and learn cooperatively from their peers. Our curriculum will come to life using these “real world” methods. The curriculum will aggressively pursue students’ learning California’s Content and Performance Standards as evidenced by student participation in the California Assessment of Student Performance and Progress (CAASPP) program. Student learning of standards will be accomplished differently on this campus. Carrying forward the “hands-on/mind-on” student engagement method, this campus will use broad themes from science, art and math to promote student learning of grade-level science, math, English and history/social science standards (see chart below for details).

Initial **broad themes** including, but not limited to, those from environmental science and education, alternative energy sources, agriculture education, and Visual and Performing Arts will be used. Partnerships with the following agencies will nurture this curriculum.

Thematic Partnerships at the Grade K-8 Campus

Theme Area	Site Resources
Environmental Science and Education	The Environmental Protection Agency, and The Department of Fish and Game
Alternative Energy	Department of Gas, Cal Poly, PG&E Solar School Program
Agriculture	Cal Poly, North County Career Technical Education (ROP)
Visual and Performing Arts	The Children’s Creative Project, The Orcutt Children’s Arts Foundation, The Getty Art Museum Education Resources

The program at this campus will take full advantage of learning opportunities presented by its rural location. The approximately 70 students in this rural setting will meet in multi-grade level groups, working collaboratively to promote deep learning. Utilization of learning strategies which promote inductive learning (connecting prior knowledge with new knowledge) will be encouraged, thereby giving students the experience of discovery.

Curriculum materials will come from the state approved list of adopted instructional materials. All materials will be sufficient in quantity and will be current adoptions. The manner in which these materials will be used will vary widely to accomplish the Orcutt Academy mission and vision. Autonomy will be extended to the staff as they develop programs that deliver on the school’s mission.

ORCUTT ACADEMY K-8 SCHOOL

STUDENT CONDUCT

Orcutt Academy Charter School realizes the importance of a safe, secure environment to enable learning to flourish for all students. To assure a positive learning climate, Orcutt Academy K-8 has developed a Code of Conduct that defines unacceptable behavior and lists administrative guidelines regarding the penalties for willful violation of this code. Disciplinary action taken by school officials is a direct consequence of unacceptable behavior by a student. Students who choose to exhibit problem behavior will be subject to consequences established by School Board policies, Education code and state law.

Attendance Policy

Regular school attendance in all classes is a critical factor in achieving academic success and is also an important component of responsibility with respect to post K-8 endeavors. The value of the daily class interaction between teachers and their students cannot be duplicated or substituted in any way. Each absence limits student potential to master the subject and be successful in the class. To increase total attendance and limit excessive absences, unexcused absences, truancy, and tardies, the following policies are in effect (Board Policy 5113): Pursuant to California Education Code, it is the duty of each parent, guardian or person having control or custody of a minor, to compel and guarantee regular and prompt attendance to class. Absences from school should be avoided except in the cases of emergency and illness. Each absence must be verified and cleared by a parent/guardian on the day of the absence or no later than 24 school hours after the absence. Such an excuse must be dated and state the exact days and/or periods the student was absent as well as the reason for the absence. Students should report to the attendance office prior to school on the day they return to school. Parents may call the attendance office in lieu of delivering a note.

- Verification must be made by calling the Attendance Office (960-1000) the day of the absence or by bringing a signed note upon return to school explaining the absence with a phone number to verify the absence.
- Absences not cleared within 24 school hours (full day of period absences) are considered unexcused or truant with subsequent disciplinary action taken.
- If a student is absent due to illness or doctor/dental appointments more than 14 days in a school year, the student must provide a doctor's verification for each additional absence. Failure to provide verification from a doctor or school nurse will result in those additional absences being recorded as unexcused. (A.R. 5113 (b))
- Phone calls will be made daily for unverified absences.

In accordance with California Education Code the following are the only acceptable excused absences:

- Personal illness.
- Quarantine under the direction of a county or city health officer.
- Medical, dental, optometrist or chiropractic appointment.
- School related activities of an athletic nature, performing arts, and those related to academic achievement such as AP tests, and other exams as required by the state.
- Attendance at funeral services for a member of the immediate family. 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.
- Jury duty in the manner provided by law, or an appearance in court.

All other reasons for an absence are considered unexcused. A student is allowed three unexcused absences prior to being considered truant. Progressive notification will advise parents/guardians when a student is at risk of becoming a habitual truant. When a student reaches habitual truancy status, the student may be referred to the Student Attendance Review Board (SARB).

ORCUTT ACADEMY K-8

DISCIPLINE

The goal of the discipline policy at Orcutt Academy K-8 School is to enable each individual student, as well as all students collectively, to learn at an optimal level. The discipline policy is designed to provide all students the opportunity to develop positive self-control, self-direction, self-understanding and self-worth. Conduct that is counterproductive to an individual's learning or self-development, which is detrimental or unsafe to another person or property, or that violates law, policies, or commonly accepted standards will not be tolerated.

The Education Code for the State of California, Board Policy, and/or school site procedures provide for administrative action (including expulsion) for the following offenses:

DISCIPLINE TERMS

Attendance

To ensure that all students are given the best opportunity to acquire the necessary skills for success in adult life, school attendance is mandatory in the State of California.

Under Section 46010 of the Education Code, the only legal excuses for an absence or tardy from school are: illness, quarantine, medical, dental and optometric appointments, attendance at the funeral service of an immediate family member, and exclusion based on health code violations or jury duty. With only a few exceptions (defined by Education Code 48205), ABSENCES FOR ANY OTHER REASON ARE CONSIDERED UNEXCUSED AND UNLAWFUL.

This year, school administrators will be working closely with probation, law enforcement and the District Attorney's office to ensure the attendance and accountability of all our Orcutt Academy K-8 School students. Whenever possible, it is suggested that students schedule appointments for hours outside of the school day.

Our Truancy Intervention Program addresses the following goals:

- To improve school attendance through parent and student accountability;
- To reduce juvenile delinquency, future adult criminality and joblessness;
- To create a safe environment with zero tolerance for habitual truancy.

Tardies

As a school, we believe strongly that being punctual is an essential life skill. Punctuality is a skill that better prepares our students for a successful and productive life in the world of work.

3rd Tardy

A list will be generated of all those students who have been marked tardy 3 times. Notification will be mailed home.

6th Tardy

A list will be generated of all those students who have been marked tardy 6 times. Those students may be assigned a lunch-time "mandatory" study session.

9th Tardy

A list will be generated of all those students who have been marked tardy 9 times. These students will meet with the Principal and their parent/guardian. The student will be reminded that attending a charter school is a privilege that can be denied.

Tardies Beyond 9

The principal, parent (s) and student will meet to determine if the student will continue as a student in

Orcutt Academy K-8 School. An involuntary transfer (see description on page 19 of this handbook) will be considered.

Attendance and Grades (Board Policy 5121)

Teachers at Orcutt Academy K-8 School **may** reduce a student's grade as a result of excessive unexcused absences/tardies. Students with excessive unexcused absences may be given a failing grade and receive reduced credit as a result of their excessive absences.

Excused Absences (Education Code 48105)

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments that shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." (Amended by Stats. 1999, Ch. 312, Sec. 1.)

Reference: Education Code [45194](#); Education Code [48200](#); Elections Code [12302](#)

SUSPENSION AND EXPULSION

Suspension and expulsion procedures will be those utilized by the Orcutt Union School District. The procedures for suspension and expulsion are specific and clear, compliant with federal laws governing discipline of special needs students, and include appropriate due process.

Students who violate the school's discipline policies, who are a serious disruption to the education process, and/or who present a health or safety threat may be suspended for up to ten school days. The school will notify and confer with the student's parent or caregiver as soon as possible regarding the suspension. If the violation of the discipline policies is a serious offense that merits expulsion, and/or if the student presents an ongoing threat to health and safety, the school may take action to expel the student. In such cases, the school will send a written notice of the facts, allegations, and student/parent rights to the parent or caregiver and the Orcutt Academy Board of Directors will hold a hearing regarding the offense. If the Board of Directors determines that the case merits expulsion, the student may be expelled or offered reinstatement, as appropriate. These processes will be amended as required by law to protect the rights of students with disabilities or exceptional needs. This includes, but is not limited to, convening an individualized education plan team and conducting a manifestation of determination, if a suspension lasts beyond ten days or in the event that expulsion is recommended.

Suspension and Expulsion (Education Code 48900)

A pupil may not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (q), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, 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.
- (c) 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.
- (d) 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 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.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) 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.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.

- (j) 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.
- (k) 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.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" 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.
- (n) 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.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a 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.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in subdivision (b) of Section 245.6 of the Penal Code.
- (r) A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
 - (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school sponsored activity.
- (s) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (t) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (u) A superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
- (v) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. (Amended by Stats. 2006, Ch. 601, Sec. 3.)

Reference:

Health and Safety Code [11014.5](#)

Health and Safety Code [11053](#)

Penal Code [31](#)

Penal Code 243.4

Penal Code 245.6

Penal Code [261](#)

Penal Code [266c](#)

Penal Code [286](#)

Penal Code [288](#)

Penal Code [288a](#)

Penal Code [289](#)

Suspension for Sexual Harassment (Education Code 48900.2)

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (Added by Stats. 1992, Ch. 909, Sec. 2.)

Suspension for Hate Violence (Education Code 48900.3)

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233. (Amended by Stats. 1999, Ch. 646, Sec. 25.)

Reference:

Education Code 233

Education Code 48900.2

Education Code 48900

Suspension and Expulsion (Education Code EC 48900.4)

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Amended by Stats. 2002, Ch. 643, Sec. 2.)

Reference:

Education Code 48900.2

Education Code 48900

Suspension and Expulsion (Education Code 48900.7)

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or

the personal property of the person threatened or his or her immediate family. (Added by Stats. 1997, Ch. 405, Sec. 1.)

While a student is under suspension, he/she must remain away from the school and school sponsored activities.

INVOLUNTARY TRANSFER

Involuntary transfer refers to the removal of a student from Orcutt Academy K-8 School. The student may be transferred to an alternative education program or a community school operated by Santa Barbara County Schools. In addition, students who do not take advantage of their choice to attend, achieve and/or behave at a charter school can be told to return to their neighborhood school.

A decision to transfer the pupil involuntarily shall be based on finding that the pupil a) committed an act enumerated in Section 48900, or b) has been habitually truant or irregular in attendance from instruction upon which he/she is lawfully required to attend. (EC 48432.5)

EXPULSION

Reasons for Expulsion (Education Code 48915)

(a) 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 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 11053) 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.

(4) Robbery or extortion.

(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) 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) The 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 firearm 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.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(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.

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the school site attended by the pupil at the time of suspension.

(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, at school or at a school activity off of school grounds, violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) 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 fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code. (Amended by Stats. 2001, Ch. 116, Sec. 2.)

Reference:	Education Code 48911
Education Code 48900	Education Code 48918
Education Code 48900.2	Health and Safety Code 11053
Education Code 48900.3	Penal Code 240
Education Code 48900.4	Penal code 242

SUGGESTED SEQUENTIAL DISCIPLINE GUIDE

On the following pages, you will find the Discipline Guide approved by the School Board and Steering and Advisory Committee. As you read, recognize this is a framework guiding discipline for a number of offenses, but it is not a definitive document for all offenses or all consequences.

8/9/2016 new

The Sequential Discipline Plan is considered a guide and does not supercede State Law or local Board Policy. Likewise, this guide does not alter the discretion given the Superintendent, Principal or designee by State law or local Board Policy. Each administrator has the discretion to adjust consequences for each incident/offense (including other intervention steps) as needed, except in cases wherein the education code mandates a specific penalty. *Note: All infractions are cumulative throughout a student's K-8 career.*

	Student Infraction	First Offense	Second Offense	Third Offense
1	Battery* on a student without injury. E.C 48900(a) P.C 242 & 243.2 *Battery is defined as use of force or violence on a person.	Notify Parents; 1-5 day suspension. May recommend student behavior contract.	Notify parents; 3-5 day suspension. May recommend expulsion/transfer if student is in violation of a student behavior contract and/or if degree of offense merits.	Notify parents. Recommend involuntary transfer or expulsion.
2	Battery on a student with injury. E.C 48900 (a) P.C. 242 & 243.2	Notify parents and Sheriff; 5 day suspension; implement student behavior contract; may recommend for expulsion if injury results in physician or hospital intervention.	Notify parents and Sheriff; 5 day suspension; <i>Recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>Recommend for expulsion.</i>
3	Assault/Battery on School Personnel. E.C. 48900 (a) P.C. 243.6	Notify parents and Sheriff; 5 day suspension; <i>Recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>Recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>Recommend for expulsion.</i>
4	Fighting (mutual combat). E.C. 48900 (a) P.C. 243.2	Notify parents; suspension 1-5 days.	Notify parents; suspension 3-5 days; place on student behavior contract.	Notify parents; 5 day suspension; may recommend for involuntary transfer or expulsion.
5	Horse Play (i.e. pinching, pushing, grabbing, or other unwanted touching).	Notify parents; 1-3 after-school tutorial(s).	Notify parents, 1-5 after-school tutorial(s) and/or Sat. tutorial(s). Notify parents Sat. tutorial(s) or suspension.	Notify parents, Sat. tutorial(s) and/or suspension 1-3 days.
6	Possession or use of weapons or look-alike weapons or other dangerous objects of no reasonable educational use (including but not limited to: firecrackers, razor blades, poppers, sling shots, paint guns, lighters, projectiles, baseball bats not in conjunction with sports.)	Notify parents and police; suspend 1-5 days. Retain weapon/object. May recommend for expulsion. (Gun or look-alike gun, <i>recommend for expulsion.</i> Any dangerous objects used in a threatening manner, <i>recommend for expulsion.</i>)	Notify parents and police; 5 day suspension; Retain weapon/object. <i>Recommend for expulsion.</i>	Notify parents and police; 5 day suspension; Retain weapon/ object. <i>Recommend for expulsion.</i>
7	Possession, use or being under the influence of alcohol, controlled substance, intoxicant or caustic of any kind (including super glue, toluene or mixtures) in quantities not requiring a mandated expulsion. E.C. 48900(c) P.C. 11357	Notify parents and Sheriff; 5 day suspension and/or Sat. tutorial(s); 30 school day co-curricular & extra-curricular suspension; 4 sessions parents/student counseling; 30 hour community service. <i>Student non-compliance with discipline may result in involuntary transfer. **</i>	Notify parents and Sheriff; 5 day suspension and/or Sat. tutorial(s); involuntary transfer to alternative ed. program; suspension from co-curricular/extra-curricular participation to coincide with period of transfer; additional counseling session; 45 additional community service hours. <i>Student non-compliance with discipline may result in expulsion from district. **</i>	Notify parents and Sheriff; may recommend for expulsion.
8	Selling or offering a controlled substance, alcohol and/or intoxicant of any kind, including placebo. E.C. 48900(d) P.C. 11359	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>
9	Overt/excessive Public Displays of Affection (PDA)	Warning	Notify parents 1-3 after-school tutorials.	Notify parent 3-5 detentions and/or Sat. tutorial.

	STUDENT INFRACTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
10	Making terroristic threats to school officials and/or against school property E.C. 48900.5 P.C.451 E.C. 48900 (k)	Notify parents and Sheriff; 3-5 day suspension; threats deemed serious enough in nature may be grounds for expulsion. ***	Notify parents and Sheriff; 5 day suspension; threats deemed serious enough in nature may be grounds for expulsion.	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>
11	Fire setting, arson E.C. 48900.5 P.C. 451 E.C. 48900 (k)	Notify parents and Fire Marshal; 5 day suspension; reimburse for damages, <i>may recommend for expulsion.</i>	Notify parents and Fire Marshal; 5 days suspension; reimburse for damages; <i>recommend for expulsion.</i>	Notify parents and Fire Marshal; 5 day suspension; reimburse for damages; <i>recommend for expulsion.</i>
12	Caused or attempted to cause damage to school property or tagging private property, including graffiti, tagging, etching E.C. 48900.5, 48900 (f) P.C. 594	Notify parents and Sheriff; 1-5 day suspension; reimbursement for damages, <i>may recommend for expulsion.</i>	Notify parents and Sheriff; 3-5 day suspensions; reimburse for damages; <i>may recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; reimburse for damages; <i>may recommend for expulsion.</i>
13	Stolen or attempted to steal school property or private property E.C. 48900.5, 48900 (g) P.C.488, 487	Notify parents and Sheriff; 1-5 day suspension; reimbursement to be made; <i>may recommend for expulsion.</i>	Notify parents and Sheriff; 3-5 day suspensions; reimbursement to be made; <i>may recommend for expulsion.</i>	Notify parents and Sheriff; 1-5 day suspensions, reimbursement to be made; <i>may recommend for expulsion.</i>
14	Smoking, use or possession of tobacco or any placebo, and/or paraphernalia E.C. 48900 (h)	Notify parents; 1 Sat. tutorial; may suspend 1-3 days.	Notify parents; 2-5 Sat. tutorial(s) (school service) may suspend 1-3 days.	Notify parents; suspend 3-5 days; place on student behavior contract, next offense results in involuntary transfer. See Note for #7.
15	Profanity/vulgarity E.C. 48900 (i)	Notify parents; 1-3 after-school tutorial(s) and/or Sat. tutorial(s); may suspend 1-3 days.	Notify parents; 1-3 Sat. tutorial(s) and/or suspensions; place on student behavior contract.	Notify parents; suspend 1-5 days; may recommend for involuntary transfer
16	Exhibiting intimidating and/or "pre-fight" behavior, challenging to fight, squaring off, encouraging others to fight, making obscene gestures, or using words likely to cause violent reactions, etc. E.C. 48900.5, 48900 (k)	Notify parents; 1-3 after-school tutorial(s) and/or Sat. tutorial(s), may suspend.	Notify parents; 3-5 Sat. tutorial(s); may suspend 1-5 days; place on student behavior contract.	Notify parents suspend 3-5 days; may recommend for involuntary transfer
17	Possession of electronic devices (beepers, cell phones, communications devices, etc.) E.C. 48901.5, 48900 (k)	Notify parents; confiscate item, may release to student at the end of the day; 1-3 after-school tutorial(s).	Notify parents; 1-3 after-school tutorial(s); confiscate item & return to parents only.	Notify parents; suspend 1-3 days; confiscate item; return to parents at the end of the school year.
18	Unauthorized entry into any unattended school area: i.e. rooms, offices, athletic fields, etc.	Warning.	Notify parents; 1-3 after-school tutorial(s).	Notify parents; 3-5 tutorial(s) and/or Sat. tutorial(s); may suspend 1-3 days; place on behavior contract.
19	Buying or selling meal tickets, food, drinks or any unauthorized material.	Notify parents; 1-3 after-school tutorial(s).	Notify parents; 1-3 Sat. tutorial(s); may be removed from lunch program.	Notify parents, 1-3 days suspension; remove from lunch program.

	STUDENT INFRACTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
20	Falsifying or altering documents, including absence excuses, misuse of hall passes, wrongful possession of school materials, etc.	Notify parents; 1-3 Sat. tutorial(s); confiscate item.	Notify parents; 1-3 day suspension; confiscate item; place on student behavior contract	Notify parents; 3-5 day suspension; may recommend for involuntary transfer.
21	Gambling in any form; i.e. pitching coins, dice, wagering with cards, etc.	Warning; notify parents, confiscate item.	Notify parents, 1-3 after-school tutorial(s) or Sat. tutorial(s); confiscate item.	Notify parents, 1-3 Sat. tutorial(s), behavior contract, confiscate item.
22	Violation of dress code.	Notify parents, student must change clothing; 1-3 after-school tutorial(s) or Sat. tutorial(s) may be assigned.	Notify parents; student must change clothing; 1-3 after-school tutorial(s) or Sat. tutorial(s) may be assigned.	Notify parents; student must change clothing; after-school tutorial(s) and/or Sat. tutorial(s) may be assigned; possible suspension.
23	Signaling false alarms, tampering with alarm equipment E.C. 48900.5, 48900 (f)	Notify parents, police, and Fire Marshal, 1-5 days suspension; may recommend for expulsion if incident caused potential physical injury to other students.	Notify parents, police, and Fire Marshal, 5-day suspension; <i>recommend for expulsion.</i>	Notify parents, police, and Fire Marshal, 5-day suspension; <i>recommend for expulsion.</i>
24	Defiance of authority such as lying and refusing to provide or falsifying information, etc. E.C. 48900.5 & 48900 (k)	Notify parents; 1-5 after-school tutorial(s), may suspend 1-5 days	Notify parents; 1-3 Sat. tutorial(s) and/or suspensions; place on behavior contract.	Notify parents; 1-5 days suspension; may recommend for involuntary transfer.
25	Disruption of school/classroom activities; i.e. running, disrupting the learning process, habitually unprepared for class, non-suit (PE) using CD or tape players during class.	Notify parents; 1-5 after-school tutorial(s), may suspend 1-5 days.	Notify parents; 1-5 after-school tutorial(s); may suspend 1-5 days; place on student behavior contract.	Notify parents; 1-5 days suspension; may recommend for involuntary transfer.
26	Academic Integrity	Refer to Board Policy	Refer to Board Policy	Refer to Board Policy
27	Violation of auto and/or motorcycle regulations (including parking & reckless driving).	Warning: May assign after-school tutorial(s); possible loss of parking permit, possible police citation.	Notify parents; possible after-school tutorial(s) and/or Sat. tutorial(s), 30-day loss of parking permit; car may be towed, possible police citation.	Notify parents, 1-5 day suspension, loss of parking permit for the remainder of the year; car may be towed, possible police citation.
28	On-campus bike riding, scooters, skateboarding, rollerblading, etc.	Notify parents, warning; may give 1-3 detentions; confiscate item return to parents.	Notify parents; 3-5 after-school tutorial(s) and /or 1-3 Sat. tutorial(s), confiscate item, and return to parents at the end of the school year.	Notify parents, 1-3 Sat. tutorial(s) and /or suspensions, confiscate item, return to parents at the end of the school year.
29	Knowingly received stolen school or private property. E.C. 48900.5, 48900(I)	Notify parents and police; 1-5 day suspension; reimburse for loss; may place on student behavior contract	Notify parents and police; 3-5 day suspension; reimburse for loss; place on student behavior contract; may recommend involuntary transfer or expulsion.	Notify parents and police; reimburse for loss; <i>recommend for expulsion.</i>
30	Sexual harassment: physical, visual, or verbal. E.C.48900.2, P.C. 243.4	Notify parents; 1-5 day suspension; place on student behavior contract; possible police involvement; <i>may recommend for expulsion.</i>	Notify parents; 3-5 day suspension; possible police involvement; <i>may recommend for expulsion.</i>	Notify parents; 5-day suspension; <i>recommend expulsion.</i>
31	Hate, violence (i.e.) any words or actions which reflect negatively on a person's culture, race, or ethnic background. E.C. 48900.3 P.C. 242, 243	Notify parents; 1-5 day suspension/Sat. tutorial(s); place on student behavior contract; possible police involvement; <i>may recommend for expulsion.</i>	Notify parents; possible police involvement; may recommend for involuntary transfer or expulsion.	Notify parents; 5 day suspension; possible police involvement; may recommend for involuntary transfer or expulsion.
32	Threatening, intimidating or menacing another student, creating a hostile environment, etc. E.C. 48900.4	Notify parents, 1-5 day suspension; may notify police; place on student behavior contract.	Notify parents; 3-5 day suspension, may notify police, may involuntarily transfer or expel.	Notify parents; 5 day suspension; may notify police; <i>recommend for expulsion.</i>
33	Leaving campus without permission	Notify parents; assign after-school tutorial(s).	Notify parents; assign Sat. tutorial(s).	Notify parents; 1-5 day(s) suspension

	STUDENT INFRACTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
34	Tardy – Refer to Tardy Policy. Note: Excessive tardies may affect one's ability to obtain or keep a parking pass.	Warning. Refer to Tardy Policy.	Refer to Tardy Policy.	Refer to Tardy Policy.
35	Note: Truancy may affect one's ability to obtain or keep a parking pass.	Notify parents; one after-school tutorial per class and/or a Sat. tutorial for full day truancy on first offense.	Notify parents; one Sat. tutorial for a 2nd truancy in any single class; 3 full day truanancies or the equivalent of single periods will result in student's placement in site Truancy Intervention Program and referral to the Assistant District Attorney for Santa Barbara County.	Notify parents; possible drop from class; loss of credit in multiple classes due to excessive truancy will result in involuntary transfer to an alternative education plan; continue with Truancy Intervention Program.
36	Teacher class suspension E.C. 48910	Student will be sent to administration; teacher will notify parents; student may be suspended from the class.	Repeat process from first offense; student may be assigned additional tutorial(s) and/or Sat. tutorial(s); student may be placed on student behavior contract.	Repeat process from first offense; request a parents/teacher/administrator; place on behavior contract; possible removal from class with loss of credit.
37	Bus policy violation	Refer to Discipline Handbook.		
38	"No Show" to after-school tutorial (of any type) E.C. 48900.5 & 48900 (k)	Assign double tutorial assignment.	Notify parents; 1-3 Sat. tutorial(s) and/or suspension.	Notify parents; 1-5 Sat. tutorial(s) and/or suspension.
39	Possession or use of laser pen or device	Warning: confiscate item.	1-3 after-school tutorial(s) or Sat. tutorial(s); confiscate item.	1-3 days suspension; confiscate item.
40	Internet Violation: e.g. Downloading inappropriate materials, accessing inappropriate internet sites, sending offensive email communications, etc.	1-5 detentions; may suspend 1-3 days; possible loss of internet privileges; <i>may recommend for involuntary transfer and/or expulsion.</i>	3-5 days suspension; <i>recommend for involuntary transfer and/or expulsion.</i>	<i>Recommend for involuntary transfer and/or expulsion.</i>
41	Committed or attempted to commit robbery or extortion 48900(e)	Notify parents and Sheriff; 5 day suspension; implement student behavior contract; <i>may recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>	Notify parents and Sheriff; 5 day suspension; <i>recommend for expulsion.</i>
42	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.	Notify parents and/or Sheriff; 3-5 day suspension.	Notify parents and/or Sheriff; 3-5 day suspension; place on behavior contract; mandatory counseling and community service.	Notify parents and/or Sheriff; 5 day suspension and <i>may recommend for expulsion.</i>

***May be referred to the School Board for expulsion if individual case is deemed severe in nature by the Principal. Involuntary transfer will be for the balance of the semester in which the offense occurred and the following semester.*

****May be referred to the School Board for expulsion if individual case is deemed severe in nature.*

NOTE: Any items confiscated by staff may or may not be returned directly to the student. Parents may recover confiscated items not held in evidence upon administrative approval within a reasonable period of time. Items not recovered in a reasonable period of time will be discarded. Orcutt Academy K-8 or any individual school is not liable for damage or loss to these confiscated items. The primary objective of requiring students not to bring restricted materials to school is to ensure students' focus on educational tasks, student's safety, and to prevent the loss or damage of private property.

This discipline guide outlines the consequences for inappropriate student actions, which have been referred to the administration for action. It should be noted that although the school discipline plan affords a framework for dealing with inappropriate student conduct in a comprehensive and consistent manner, each disciplinary issue will be reviewed within the context of its unique circumstance and the educational needs of the student. The Sequential Discipline Plan is considered a guide and each administrator must use his/her judgment in applying its provisions. Situations not specifically addressed in this plan or unusual or extreme cases will be dealt with in accordance with Board Policy, Administrative Regulations or the California Education Code. Documentation for all three can be found in the Student Services Office. Principal or Designee may recommend expulsion for any act where State Law permits expulsion.

ORCUTT ACADEMY K-8 SCHOOL

CELL PHONES

Cell phones, electronic broadcasting, playing, or recording devices are not to be used or turned on during instructional time. They may be used only during the break or lunch period unless special permission has been given. Please be advised, phones will be taken away if rules are not followed. 1st offense – phone will be taken. Student will have to claim phone from School Office after school. 2nd offense – phone will be taken. A parent will need to claim phone from School Office after school. School staff are not responsible for searching for or retrieving lost electronic devices.

VIDEO SURVEILLANCE CAMERAS

In an effort to provide a safer, secure and peaceful environment for all students and staff, Orcutt Academy K-8 School may install video surveillance cameras on campus and/or on school buses.

CARE OF SCHOOL PROPERTY

Students are expected to respect school property. Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or school property. Parents are also liable for any school property loaned to the student and willfully not returned. (E.C. Sec 48904). The school district may withhold grades, diplomas, or transcripts of the student responsible until such damages are paid, the property returned, or until completion of a voluntary work program in lieu of payment of fines (E.C. Sec. 48904, Civil Code Sec, 1714.1). Book covers are not provided by the school. However, it is recommended students obtain book covers for each book to prevent damage/wear. Students are financially responsible for all equipment checked out to him/her. The student will not be cleared for the next activity until all equipment has been turned in. Credit will be issued on items turned in, only if they are the exact materials checked out to the student.

ORCUTT ACADEMY K-8 SCHOOL

DISTRICT SCHOOL BUS POLICY

Though bus transportation to and from school is not provided, occasional student bus transportation will be provided for field trips and athletic events. When such transportation is provided, the following policies, rules, and procedures will be in effect.

1. District School Bus Conduct Policy

Students transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a student to be denied transportation.

2. District School Bus Conduct Rules

These rules shall be enforced for students in Orcutt Academy K-8 transported by school buses. All offenses listed in the Discipline Handbook are applicable while a student is coming to or from school. In addition, the following bus rules will be enforced:

- a) Students must follow the directions of the bus driver.
- b) Students shall not misbehave at bus stops.
- c) Students are not permitted to enter a bus unless the driver is present.
- d) Students shall enter and leave the bus in an orderly manner.
- e) Student shall remain seated while the bus is in motion.
- f) Students shall sit facing the front of the bus.
- g) Students are required to share their seats with other students.
- h) Students shall not put any part of their bodies outside of a bus window.
- i) Students shall not use vulgar or profane language on the bus.
- j) Students shall not engage in fighting or boisterous conduct, create unnecessary noise or commotion, or shoot or throw things while on the bus.
- k) Student shall not eat on the bus.
- l) Students shall not smoke or light matches on the bus or at the designated bus stop area.
- m) Items which may jeopardize the safety of any person shall not be permitted on the bus.
- n) No animals (except seeing-eye dogs) shall be transported on a school bus.
- o) Pupils shall not be permitted on buses wearing athletic footwear equipped with cleats or spikes.
- p) Students must not leave debris of any kind on the bus.
- q) Students must not tamper with the bus or bus equipment.
- r) Students shall not cross a street or highway at the rear of the bus.

3. Transportation Procedures

- a) Students must arrive at the bus stop prior to the scheduled arrival time of the bus and wait on the sidewalk for the bus. They are not to step off the sidewalk until the bus has come to a complete stop and the driver opens the door.
- b) Students must follow instructions of school bus driver during red light cross over procedures.
- c) Students may not have a friend ride the bus to their house. Only students assigned to a bus may ride that bus.

4. District Procedures for Improper Conduct

- a) **First Incident**—Driver verbally warns student.
- b) **Second Incident**—A Student Referral Form is written regarding the incident. Contact with parent must be made before student can resume riding the bus.
- c) **Third Incident**—A Student Referral Form is written regarding the incident. Student denied transportation for three (3) days. Contact with parent must be made before student can resume riding the bus after denial.

8/9/2016 new

- d) **Fourth Incident**—A Student Referral Form is written regarding the incident. Student denied transportation for one (1) week. Contact with parent must be made before student can resume riding the bus after denial.
- e) **Fifth Incident**—A Student Referral Form is written regarding the incident. Parent contact is made and student is denied transportation for the remainder of the semester.
- f) **Severe Disruption**—The following inappropriate behavior will result in automatic suspension of transportation privileges (as well as other school disciplinary measures which may be in order):
 - (1) Physical harm to another student.
 - (2) Physical harm or threat of physical harm to the driver.
 - (3) Property damage/graffiti.
 - (4) Disruption to the point of interfering with the safe operation of the bus.
 - (5) Failure to give a correct name in order for a Student Referral Form to be written.

Student discipline by the driver shall be subject to review and modification by the principal or designee who shall have authority to affirm, increase, or decrease the length of time transportation may be denied.

ORCUTT ACADEMY K-8 SCHOOL

DRESS AND GROOMING

Board Policy

BP

5132(a)

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22- Dress and Grooming)

(cf. 5145.2- Dress and Grooming)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate action.

(cf. 5133- Discipline)

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

(cf. 0450- Comprehensive Safety Plan)

(cf. 5136- Gangs)

Legal reference:

Education Code

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

827 F. Supp 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hartzell v. Connell (1984) 35 Cal. 3d 899

Administrative Regulation

AR

5132 (a)

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with laws, Board policy and administrative regulations. These school dress codes shall be regularly reviewed

(cf. 0420- School Plans/Site Councils)

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Open toed shoes in K-8 classes are acceptable with a heel strap. Some lab classes may require closed toed shoes.

2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Hats, caps, and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fishnet fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
5. Gym shorts may not be worn in classes other than Physical Education.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed with any coloring that would drip when wet.
7. All shirts and blouses must have sleeves and clothing cannot be baggy or oversized with all pants fitting appropriately. In addition clothes cannot be intentionally ripped, torn or have holes that detract attention from the school's educational purposes.
8. The administration will make final decisions regarding dress code interpretation.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or class.

Administrative Regulation
5132 (b)

AR

No grade of a student participating in a Physical Education class shall be adversely affected if the student does not wear standardized Physical Education apparel because of circumstances beyond the student's control. (Education Code 49066)

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

The principal, staff, students and parents/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

Gang-Related Apparel

The definition of gang-related apparel at school shall be limited to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each school year and updated whenever related information is received.

School administration will have the final disposition of any attire that may be considered controversial.

ORCUTT ACADEMY K-8 CAMPUS

GENERAL CAMPUS RULES

The rules of Olga Reed School and the Orcutt Academy are based on the life skill of **RESPECT**. Simply stated, students who go to school on the Los Alamos campus are expected to show respect, courtesy, and concern to adults, fellow students, and their school. Rules must be followed for the safety and welfare of all students.

The following general rules should be followed at all times:

1. Students are to show respect to adults, including the property of adults.
2. Students are to show respect to fellow students, including the property of fellow students.
3. Students are to show respect to their school, including all school property. School property includes buildings, classrooms, restrooms, classroom furniture, textbooks, library books, school supplies, plants, and playground equipment.
4. Once on the school grounds, students may not leave campus without authorization from the office.
5. Once in the classroom, students may not leave the classroom without authorization from the teacher.
6. The following are **not** permissible:
 - Profanity and bad language
 - Verbal or physical harassment
 - Pushing or shoving
 - Fighting
 - Pre-fight behavior (e.g., threats and taunts)
 - Play-fighting or wrestling
 - Spitting or biting
 - Throwing rocks, dirt, or other objects
 - Weapons or other dangerous objects
 - Stealing
 - Yelling in hallways while class is in session
 - Climbing on trees, fences, roofs, etc.
 - Playing in or near restrooms
 - Littering
 - Gum
 - Electronic toys and devices
 - Cellphone use of any kind, during school hours

Student Dress

The general standard of appearance for students is that they be clean, neat and properly dressed. It is recommended that students wear athletic shoes to school. No baggy or gang-affiliated attire is allowed. Inappropriate school wear includes tank tops, bare-midriff tops, sandals, heels, nylons, make-up, temporary tattoos, temporary hair dye, and clothing with offensive graphics and words. Socks should be worn with shoes. Hats may be worn outside only, as protection from the sun. Hoods are not to be worn as a head covering while students are on campus. Students are encouraged to wear school sportswear and/or “Bronco Blue” or “Spartan Blue and Silver” on Fridays. Students are invited to participate in special “spirit days” as they are planned.

Student Responsibility

Students are responsible for their behavior to and from school, at school and while attending school events.

Playground Rules

Students are expected to adhere to the general rules above while playing on the playground. Following are guidelines for play as well as guidelines for some specific areas and games:

- While playing, students must stay within the fenced area that includes play structures, sandboxes, blacktop, field, and track. Students may not play in areas outside of the large playground area.
- Students must have adult permission and adult supervision in order to play in the gym.
- Students may not eat or drink while playing; snacks or meals must be consumed prior to going out on the playground.
- When the whistle is blown, students need to stop playing and begin walking to where their class lines up.
- No chasing or tag unless the game is organized and supervised by an adult.
- On the play structure:
 - No jumping off the play structure
 - No running on the structure
 - Students must remain seated when going down the slide
 - No climbing up the slide
- On the swings:
 - Students must remain seated while on the swings
 - Students should swing forward; no spinning or swinging to the side
 - Students swing under their own power; no pushing
 - No jumping off swings
 - If there is a wait, students can remain on the swing for a count of 25 (forward swings) before letting the next person go on
- In games:
 - No throwing at the head
 - No chasing or tag
 - No unsafe balls or sports equipment (i.e., baseballs or hard rubber balls)
 - No tackle football
 - Basketball games are limited to six-on-six for full court or four-on-four for half-court; if there are more players than the limit, players can rotate in
 - No more than four students playing tennis at one time

Lunchtime Rules

All students are expected to have lunch – whether school lunch or cold lunch – each day. Other lunchtime rules are as follows:

- In line for hot lunch, students need to stay in line with their class.
- Students in grades 4-8 should sit at their assigned table.
- For health and hygienic reasons, no trading or giving away food.
- Outside tables are an option for (1) students in grades 4-8 who bring a cold lunch and (2) students in Mr. McGregor's class.
- All trash needs to be picked up before students go out to recess.
- Students need to follow the directions of noon duty supervisors.

Snacks

Students who bring snacks to school are strongly encouraged to bring nutritious snacks.

Campus Rules updated on August 27, 2014

ORCUTT ACADEMY K-8 SCHOOL

BOARD POLICY—SEXUAL HARASSMENT

P 5145.7(a)

The Board of Trustees 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 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.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and 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.
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.

(cf. 5131.5- Vandalism, theft and Graffiti)
(cf. 5137- Positive School Climate)
(cf. 5145.3- Nondiscrimination/Harassment)

(cf. 6142.1- Sexual Health and HIV/AIDS Prevention Instruction)

COMPLAINT PROCESS

BP 5145.7 (b)

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. 5141, 4-Child Abuse Prevention and Reporting)
(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 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)

SEXUAL HARASSMENT (continued)**BP 5145.7 (c)****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 8, 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. (5 CCR 4964)

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

LEGAL REFERENCES**BP 5145.7 (d)**

Legal References:

EDUCATION CODE

200-262.4	Prohibition of discrimination on the basis of sex
48900.2	Additional grounds for suspension or expulsion/ sexual harassment
48904	Liability of parents/guardians for willful student misconduct
48980	Notice at beginning of term

CIVIL CODE

51.9	Liability for sexual harassment; business, service and professional relationships
1714.1.1	Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4900-4965	Nondiscrimination in elementary and secondary education programs receiving state financial assistance
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UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-7 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.7 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

<i>Reese v. Jefferson School District</i> , (2001) 208 F. 3d 736
<i>Davis v. Monroe County board of Education</i> , (1999) 526 U.S.629
<i>Gebser v. Lago Vista Independent School District</i> , (1998) 118 S. Ct 1989
<i>Nabozny v. Podlesny</i> (1996, 7 th Cir.) 92 F.3d 446
<i>Doe v. Petaluma City School District</i> (1995, 9th Cir.) 54 F.3d 1447
<i>Oona R.-S. etc. v. Santa Rosa City Schools et al</i> (1995) 890 F.Supp. 1452
<i>Rosa H. v. San Elizario m Ind. School District</i> , (W.D. Tex. 1995) 887 F. Supp. 140, 143
<i>Clyde K. v. Puyallup School District #3</i> (1994) 35 F.3d 1396
<i>Patricia H. v. Berkeley Unified School District</i> (1993) 830 F.Supp. 1288
<i>Franklin v. Gwinnet County Schools</i> (1992) 112 S. Ct. 1028
<i>Kelson v. City of Springfield, Oregon</i> (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Protecting Students from Harassment and Hate Crime: A Guide for Schools, January 1999

OFFICE OF CIVIL RIGHTS PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

Policy Adopted: ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

SEXUAL HARASSMENT (continued)

AR 5145.7 (a)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the educational setting, when: (Education Code 212.5; 5 CCR 4916)

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

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

1. Unwelcome leering, sexual flirtations or propositions.
2. 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, notes, stories, drawings, pictures or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class.
7. Massaging, grabbing, fondling, stroking or brushing the body.
8. Touching an individual's body or clothes in a sexual way.
9. Purposefully cornering or blocking normal movements.
10. Displaying sexually suggestive objects.

SEXUAL HARASSMENT (continued)

AR 5145.7 (b)

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; 5 CCR 4919).
(cf. 5145.6- Parental Notifications)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted. (Education Code 231.5)

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)
5. Be provided to employees and employee organizations.

Investigation of Complaints at School (Site-Level Grievance Procedure)

AR 5145.7(c)

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 witnesses the conduct complained of.
 - 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 parents/guardians of the student who complained.
 - c. If the alleged harasser is a student, his/her parents/guardians.
 - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling truth.
 - e. Child protective agencies responsible for investigating child abuse reports.
(cf. 5141.4 –Child Abuse Prevention and Reporting)
 - f. Legal counsel for the district.

SEXUAL HARASSMENT (continued)

AR 5145.7 (c)

4. When the student who complained and the alleged harasser 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 and both parties agree.
5. In reaching a decision about the complaint, the principal or designee may take into account:

AR 5145.7 (d)

- a. Statements made by the person 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 any past instances of harassment by the alleged harasser.
6. 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 gender 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 gender.
7. 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.
 8. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If the principal or designee verifies that sexual harassment occurred, this report shall describe the actions taken to end the harassment, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment.
 9. 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.

SEXUAL HARASSMENT (continued)

BP 5145.7 (e)

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 inservice and student instruction or counseling.
3. Notifying parents/guardians of the actions taken.
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.

ORCUTT ACADEMY K-8 SCHOOL

STUDENT COMPACT/MODEL FOR SUCCESS

2016-2017

“Success is the place in the road where preparation and opportunity meet.”

Unknown

The responsibility for a successful education begins with you, the student. As an Orcutt Academy K-8 School student you must put forth your best effort to prepare yourself for your post-secondary and/or college experience. You will be faced with a rigorous and challenging standards-based curriculum delivered by teachers who will have high expectations for your achievement. Concurrently, you are expected to create an atmosphere of teamwork and cooperation that supports success for you and ALL students.

To create your path to success, the following responsibilities fall upon you as an active member of the Orcutt Academy K-8 School family. As you read the information, remember that this is a model for the successful Orcutt Academy K-8 School student.

Student agrees to:

1. Participate fully in the responsibilities of attending a charter school.
2. Participate in school activities and classroom activities as completely as you are able.
3. Follow all rules set by both the district and the school.
4. Adhere to the OAK-8 dress code.
5. Attend school and each class on time every day.
6. Complete all school work and homework daily.
7. Produce high quality work that meets or exceeds class standards.
8. Meet all graduation requirements.
9. Show respect for self, school, students, community, and families.
10. Understand that as an OAK-8 student you represent yourself and the school in all you do.

The goal of Orcutt Academy K-8 School is to provide students with a ***thorough, rigorous, and standards-based*** education, with a special emphasis of equipping students for life after 8th grade. The Academy will provide vital knowledge to the next generation of graduates so that they will become **self-motivated, competent, life-long learners, who are ready to engage with the world.**

Student Signature _____ **Date** _____

Parent Signature _____ **Date** _____

ORCUTT ACADEMY K-8 SCHOOL

PUBLIC DISPLAYS OF AFFECTION (PDA)

To build a school environment that is safe, orderly, and caring; the staff, students, and parents must all work towards achieving that goal. One of the agreements of the student/parent compact (page 31) is: every student will help create and maintain an environment which promotes success for oneself and others. Students are not to have public displays of affection on or around the school campus. Orcutt Academy wants to ensure that our focus remains on education. Students who fail to adhere to this policy will conference with the school administration and parents regarding disciplinary action.

Student Signature

Parent Signature

Date

“PDA” constitutes hugging, handholding, and/or kissing.

ACADEMIC HONESTY

BP 5131.9- Students

The Board of Trustees believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

(cf. [5131](#) - Conduct)

(cf. [6162.6](#) - Use of Copyrighted Materials)

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

(cf. [5137](#) - Positive School Climate)

(cf. [5144](#) - Discipline)

Legal Reference:

Education Code

35291-35291.5-Rules

504 COMPLIANCE NOTICE

(CFR Title 34 104.8 (a) (b))

Orcutt Academy Charter School complies with the rules and regulations implementing Section 504 of the Rehabilitation Act of 1973. The school does not discriminate in admission, access or employment in its programs or activities. Inquiries regarding the existence and location of services, activities, and facilities should be addressed to the coordinator.

TITLE IX – STUDENTS

It is the policy of Orcutt Academy Charter School, in compliance with Title IX of the Education Code Amendments of 1972, final guidelines effective for implementation July 21, 1975, and in accordance with the Equal Opportunity Act of 1972, not to discriminate on the basis of actual or perceived sex in the admission of students to school programs or in its educational programs or activities. Questions or complaints regarding these guidelines should be addressed to the coordinator. Orcutt Academy Charter School complies with the rules and regulations implementing Section 504 of the Rehabilitation Act of 1973. The school does not discriminate in admission, access or employment in its programs or activities. Inquiries regarding the existence and location of services, activities, and facilities should be addressed to the coordinator.

Title IX Coordinator and District 504 Co-Coordinator

Lana Thomas
Special Services Director
500 Dyer St.
Orcutt, CA 93455
805 938-8960

Uniform Complaint Procedures Officer

Joe Dana
Director of Charter Programs
500 Dyer St.
Orcutt, CA 93455
805 938-8934

Williams Uniform Complaint Procedure

Joe Dana
Director of Charter Programs
500 Dyer St.
Orcutt, CA 93455
805 938-8934

District Liaison for Homeless Students

Lana Thomas
Special Services Director
500 Dyer St.
Orcutt, CA 93455
805 938-8960

ORCUTT UNION SCHOOL DISTRICT

ELECTRONIC NETWORK USE RULES

The Orcutt Union School District believes staff and students should have open access to local, national and international sources of information. The District, by providing access to electronic services via the Internet; recognizes the potential of such services to support curriculum and student learning. The goal of providing this access is to promote educational excellence by facilitating resource sharing, innovation and communication. While the Internet offers students and teachers access to a variety of information, the District recognizes misuse and abuse are possible. The District will make every effort to protect students and teachers from these misuses and abuses, but it is the responsibility of each user to continuously guard against inappropriate and illegal interaction with the electronic services. The Orcutt District is taking all reasonable steps to ensure the Internet is used only for purposes consistent with the curriculum.

Using the electronic services via the Internet is a privilege, not a right. The privilege may be revoked at any time for unacceptable conduct. Unacceptable conduct includes, but is not limited to, the following:

1. Using the Internet for any illegal activity, including violation of copyright or other contracts.
2. Using the Internet for financial or commercial gain.
3. Degrading or disrupting equipment or system performance.
4. Vandalizing the data of other users.
5. Gaining unauthorized access to resources or entities.
6. Invading the privacy of individuals.
7. Using an account owned by another without authorization.
8. Posting personal communications without the author's consent.
9. Posting anonymous messages.
10. Placing of unlawful information on a system.
11. Using abusive or otherwise objectionable language in either public or private messages.
12. Sending messages that are likely to result in the loss of the recipient's work or disrupting systems, for example, a computer virus.
13. Sending 'Chain Letters' or 'Broadcast' messages to lists or individuals, or other types of communication, which would cause congestion of the networks.
14. Using the Internet to send/receive messages and images, which are inconsistent with the district's curriculum and conduct guidelines. These include, but are not limited to, racist, sexist, pornographic, dangerous and obscene messages and images.

The Orcutt Union School District makes no guarantee of any kind, for the Internet service provided to the student. The District will not be responsible for any damages claimed or suffered by any child or parent relating to the use of the Internet. This includes the child's exposure to materials a parent otherwise would have a right of notice and/or consent to pursuant to state or deferral law. **Use of any information obtained via the Internet is at the student's and parents' own risk.**

The Orcutt Union School District believes that the benefits to educators and students from access to the Internet, in the form of information resources and opportunities for collaboration, far exceed any disadvantages. Ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their child or ward should follow. To that end, Orcutt Union School District supports and respects each family's right to decide whether to apply for Internet access.

ORCUTT UNION SCHOOL DISTRICT

ELECTRONIC NETWORK USER AGREEMENT

Application for Student Internet Access and Parent Approval

School computer systems are for use by authorized individuals only. Any unauthorized access to these systems is prohibited and is subject to criminal and civil penalties. Individuals using these systems are subject to having all activities on these systems monitored by the system or school personnel. Anyone using these systems expressly consents to such monitoring. Prosecution and/or account termination may occur without warning.

It is possible for all users of the Internet (including your child) to access information intended for adults. Although the OUSD has taken all reasonable steps to ensure the Internet connection is used only for the purposes consistent with the curriculum, the District or School cannot prevent the available, or even begin to identify, inappropriate material elsewhere on the Internet. Computer security cannot be made perfect, and it is likely that a determined student can make use of computer resources for inappropriate purposes.

I, _____, and _____
(Parent Name) (Student Name)

have read the *Electronic Network Use Rules* document, understand it, and agree to adhere to the principles and procedures detailed within. We understand and accept the conditions stated above, and agree to hold blameless, and release from liability, the Orcutt Union School District, the sponsoring school, its subcontractors, and employees.

The Orcutt Union School District makes no guarantee of any kind, for the Internet service provided to the student. The District will not be responsible for any damages claimed or suffered by any child or parent relating to the use of the Internet. This includes the child's exposure to materials a parent otherwise would have a right of notice and/or consent to pursuant to State or Federal law. **Use of any information obtained via the Internet is at the student's and parents' own risk.**

I understand that my child is expected to use good judgment and follow the attached *Electronic Network Use Rules* in making electronic contact with others. Messages sent by students relating to or in support of illegal activities will be reported to law enforcement authorities.

Should my child breach the *Electronic Network Use Rules*, I understand that my child will lose all network privileges on the Orcutt Union School District network and may be subject to discipline up to and including suspension or expulsion.

(Parent Signature)

(Student Signature)

(Name of School)

(Date)