

2022 San Mateo-Foster City Progressive Discipline & Intervention Matrix

-- Note: All interventions and disciplinary measures must be entered into AERIES within 24 hours of the incident. --

Recommended Intervention/Support/Alternative Means of Correction (AMC) for Minor Behaviors

*****San Mateo-Foster City Board Policy 5144 Discipline includes all listed infractions as "minor behavior," not subject to exclusionary discipline.*****

| Education Code | Recommended Intervention/Support (AMC) | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|--|----------------------|----------------|
| Minor Behaviors | | | | |
| <ul style="list-style-type: none"> • Cell phone usage • Cheating & Plagiarism* • Disrespect, Defiance & Noncompliance • Disruption • Dress Code • Inappropriate language • Lying • Physical contact without harm • Misuse of technology • Non-compliance • Property misuse • Refusal to dress for PE (middle school) • Tardy • Trash/littering | <ul style="list-style-type: none"> • Intentionally apply all Prevention strategies <li style="padding-left: 20px;">-Then try, as appropriate – • Trauma-Informed/Healing-Focused De-Escalation • Respectful Redirection/Re-Teaching Desired Behavior • Restorative Conversation • Two-by-Ten | <ul style="list-style-type: none"> • Collaborative Problem Solving • Parent Consultation • Behavior Contract • Restorative Circle • Check-In/Check-Out <li style="padding-left: 20px;">-Then try, as appropriate- • Referral for assessment, SST and/or CARE Team | No | No |
| <p>* While cheating and plagiarism are considered prohibited conduct, this behavior shall <u>NOT</u> result in a zero on the assignment or course failure. Rather, students shall be given the opportunity to repair trust and demonstrate their knowledge and understanding of content. School personnel shall apply interventions and supports as listed above.</p> | | | | |

Recommended Intervention/Support/Alternative Means of Correction (AMC) & Discretionary Suspension

Education Code 48900.5 states that suspension may occur on the first offense only if “the pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process.”

AB 1729 requires that Alternative Means of Correction (AMC) be tried, documented, and shown to have failed before suspension is imposed

*** According to 34 Code of Federal Regs 300.530-537 and CA Ed Code 48915.5, students with IEPs or 504 plans have extra protections, including some limitations on suspension. Always check in AERIES and/or with school counselors to see if the misbehavior may be disability-related conduct and if support provisions are outlined in IEP or 504 plan.***

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|---|--|---|----------------|
| Interpersonal Conflict & Violence | | | | |
| Obscenity/Profanity: 48900(i)* Committed an obscene act or engaged in habitual profanity or vulgarity | <ul style="list-style-type: none"> Respectful Redirection/Re-Teaching Desired Behavior Restorative Conversation | <ul style="list-style-type: none"> Check-In/Check-Out Parent Consultation Behavior Contract | No | No |
| Fighting: 48900(a)(1) Caused, attempted to cause, or threatened to cause physical injury on another person. Fighting may include pushing, shoving, and or punching. | Roughhousing: <ul style="list-style-type: none"> Trauma-Informed/Healing-Focused De-Escalation Respectful Redirection/Re-Teaching Desired Behavior Restorative Conversation | Roughhousing: <ul style="list-style-type: none"> Collaborative Problem-Solving Parent Consultation | No | No |
| | Threats/Inciting/Verbal Altercation: <ul style="list-style-type: none"> Trauma-Informed/Healing-Focused De-Escalation Restorative Conversation/Circle Collaborative Problem-Solving | Threats/Inciting/Verbal Altercation: <ul style="list-style-type: none"> Restorative Circle Office Referral Parent Consultation Behavior Contract | Threats/Inciting/Verbal Altercation: : Not recommended unless a “cooling off” period is necessary (1 day) | No |
| | Physical Fight: <ul style="list-style-type: none"> Trauma-Informed/Healing-Focused De-Escalation School Administrator-Led Investigation Restorative Circle Parent Consultation 72-hour stay away protocol | Physical Fight: <ul style="list-style-type: none"> Office Referral Restorative Circle Behavior Contract Referral to External Supports SST and/or CARE Team 72-hour stay away protocol | Physical Fight: Permitted if “cooling off” period is necessary (1-2 days) | No |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|---|--|----------------|
| 48900(r)* Engaged in an act of bullying, including, but not limited to, bullying by means of an <u>electronic</u> act | <ul style="list-style-type: none"> ● Trauma-Informed/Healing-Focused De-Escalation ● School Administrator-Led Investigation ● Restorative Circle/Solution Team ● Parent Consultation | <ul style="list-style-type: none"> ● Office Referral ● Restorative Circle ● Behavior Contract ● Referral to External Supports ● SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | No |
| 48900.2 Committed an act of sexual harassment | <ul style="list-style-type: none"> ● Trauma-Informed/Healing-Focused De-Escalation ● School Administrator-Led Investigation ● Restorative Circle/Solution Team ● Parent Consultation | <ul style="list-style-type: none"> ● Office Referral ● Restorative Circle ● Behavior Contract ● Referral to External Supports ● SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | No |
| 48900.3 Caused or attempted to cause, threatened to cause or participated in an act of hate violence | <ul style="list-style-type: none"> ● Trauma-Informed/Healing-Focused De-Escalation ● School Administrator-Led Investigation ● Restorative Circle/Solution Team ● Parent Consultation | <ul style="list-style-type: none"> ● Office Referral ● Restorative Circle ● Behavior Contract ● Referral to External Supports ● SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | No |
| 48900(o) Harassed, threatened, or intimidated a pupil who is witness in a school disciplinary proceeding for the purpose of intimidation or retaliation | <ul style="list-style-type: none"> ● Trauma-Informed/Healing-Focused De-Escalation ● School Administrator-Led Investigation ● Restorative Circle ● Parent Consultation | <ul style="list-style-type: none"> ● Office Referral ● Restorative Circle ● Behavior Contract ● Referral to External Supports ● SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | No |
| 48900(q) Engaged in, or attempted to engage in, hazing | <ul style="list-style-type: none"> ● Trauma-Informed/Healing-Focused De-Escalation ● School Administrator-Led Investigation ● Restorative Circle/Solution Team ● Parent Consultation | <ul style="list-style-type: none"> ● Office Referral ● Restorative Circle ● Behavior Contract ● Referral to External Supports ● SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | No |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|---|---|---|
| 48900.4 Engaged in harassment, threats, or intimidation directed against school personnel | <ul style="list-style-type: none"> • Trauma-Informed/Healing-Focused De-Escalation • School Administrator-Led Investigation • Restorative Conversation/Circle • Collaborative Problem Solving • Parent Consultation | <ul style="list-style-type: none"> • Office Referral • Restorative Circle • Behavior Contract • Referral to External Supports • SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 3 days | Yes, Type B |
| Attack or assault on district employee by student | <ul style="list-style-type: none"> • School administrator-led investigation • Parent Consultation • Restorative Circle • Possible Referral to External Supports • SST and/or CARE Team | | 1-to-4-day Suspension unless referral to Expulsion is being made, in which case 5-day Suspension; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | Yes, Type A |
| 48915 (a)(1) Causing serious physical injury to another person except in self defense | <ul style="list-style-type: none"> • School administrator-led investigation • Parent Consultation • Restorative Circle • Possible Referral to External Supports • SST and/or CARE Team | | 1-to-4-day Suspension unless referral to Expulsion is being made, in which case 5-day Suspension; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | No. Victim may notify police if the family wishes to press criminal charges |
| Alcohol, Tobacco & Other Drugs | | | | |
| Tobacco: 48900(h)* Possessed or used tobacco or nicotine products | <ul style="list-style-type: none"> • Confiscate • Respectful Redirection/Re-Teaching Desired Behavior | <ul style="list-style-type: none"> • Collaborative Problem Solving • Check-In/Check-Out • Parent Consultation | No | No |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|--|---|---|
| Possession of a lighter | <ul style="list-style-type: none"> Confiscate Respectful Redirection/Re-Teaching Desired Behavior | <ul style="list-style-type: none"> Confiscate Respectful Redirection/Re-Teaching Desired Behavior | No | No |
| 48900(j)* Possessed, offered, arranged, or negotiated to sell drug paraphernalia | <ul style="list-style-type: none"> Confiscate Respectful Redirection/Re-Teaching Desired Behavior Collaborative Problem Solving | <ul style="list-style-type: none"> Confiscate Parent Consultation Possible Referral to External Supports SST and/or CARE Team | No | No |
| Intoxicants/Drugs: 48900 (c) Unlawfully possessed, used, sold, or furnished, or been under the influence of any controlled substance or an intoxicant. 48915 (a)(3) Possession of any controlled substance except for the first offense of possession of not more than one ounce of marijuana | Under Influence: <ul style="list-style-type: none"> Respectful Redirection/Re-Teaching Desired Behavior Collaborative Problem Solving Parent Consultation | Under Influence: <ul style="list-style-type: none"> Parent Consultation Possible Referral to External Supports SST and/or CARE Team | Under Influence: No | Under Influence: No |
| | Possession: <ul style="list-style-type: none"> Confiscate Respectful Redirection/Re-Teaching Desired Behavior Collaborative Problem Solving Parent Consultation | Possession: <ul style="list-style-type: none"> Confiscate Parent Consultation Possible Referral to External Supports SST and/or CARE Team | Possession: No | Possession: Yes, but for disposal (and Type C) |
| | Furnishing: <ul style="list-style-type: none"> Parent Consultation Collaborative Problem Solving | Furnishing: <ul style="list-style-type: none"> Parent Consultation Possible Referral to External Supports SST and/or CARE Team | Furnishing: Not permitted unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case 1-2 day Suspension is permitted | Furnishing: Yes, but for disposal (and Type C) |
| Property | | | | |
| 48900(L)* Knowingly received stolen school property | <ul style="list-style-type: none"> School Administrator-Led Investigation Restorative Conversation/Circle | <ul style="list-style-type: none"> Restorative Circle Parent Consultation Restitution or Community Service | No | No |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|---|---|---|
| 48900(f)* Caused or attempted to cause damage to school or private property. (Including Graffiti/ Tagging) | <ul style="list-style-type: none"> • School Administrator-Led Investigation • Restorative Circle • Parent Consultation • Restitution or Community Service | <ul style="list-style-type: none"> • Restorative Circle • Parent Consultation • Restitution or Community Service | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 4 days | No, unless police report must be made for insurance claim |
| 48900(g)* Stealing, or attempting to steal school or private property | <ul style="list-style-type: none"> • School Administrator-Led Investigation • Restorative Circle • Parent Consultation • Restitution or Community Service | <ul style="list-style-type: none"> • Restorative Circle • Parent Consultation • Restitution or Community Service • Possible Referral to External Supports • SST and/or CARE Team | Discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger, in which case Suspension may not exceed 4 days | No, unless police report must be made for insurance claim |
| 48915 (a)(4)/ 48900(e) Committed or Attempted to Commit Robbery or Extortion | <ul style="list-style-type: none"> • School administrator-led investigation • Parent Consultation • Collaborative Problem Solving • Possible Referral to External Supports • SST and/or CARE Team | | 1-to-4-day Suspension unless referral to Expulsion is being made, in which case 5-day Suspension; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | No, unless police report must be made for insurance claim |
| Weapons | | | | |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|--|--|--|---|---|
| 48900 (b)/ 48915 (a)(2) Possession, sale, or furnishing of any knives, firearms, or other dangerous objects | <ul style="list-style-type: none"> ● Confiscate ● School administrator-led investigation ● Parent Consultation ● Collaborative Problem Solving ● Possible Referral to External Supports ● SST and/or CARE Team | | 1-to-4-day Suspension unless referral to Expulsion is being made, in which case 5-day Suspension; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | Yes, but for disposal (and Type C) |
| 48900(m)* Possessed an imitation 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 | <ul style="list-style-type: none"> ● Confiscate ● School administrator-led investigation ● Parent Consultation ● Collaborative Problem Solving ● Possible Referral to External Supports ● SST and/or CARE Team | | Possible Suspension, depending on circumstances, not to exceed 4 days; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | No, unless it emits a <u>metal</u> projectile, then Type C |
| 48900.7 Making unequivocal, unconditional, immediate, and specific "terrorist" threat to commit an act which will result in death, great bodily injury to another person, or property damage greater than \$1,000 | <ul style="list-style-type: none"> ● School administrator-led investigation ● Parent Consultation ● Restorative Circle ● Possible Referral to External Supports ● SST and/or CARE Team | | 1-to-4-day Suspension unless referral to Expulsion is being made, in which case 5-day Suspension; Expulsion referral discouraged unless AMC has been tried, documented, and shown to have failed or if student's presence causes ongoing danger | No, unless terrorist threat is credible, then Type A |
| Other | | | | |

| Education Code | Intervention/Support (AMC) Must Be Delivered | When Behavior Is Repeated/Persistent Despite AMC | Suspension/Expulsion | Notify Police? |
|---|---|---|----------------------|----------------|
| Cutting class | <ul style="list-style-type: none"> Respectful Redirection/Re-Teaching Desired Behavior Ten-by-Two | <ul style="list-style-type: none"> Collaborative Problem-Solving Parent Consultation Check-In/Check-Out Behavior Contract | No | No |
| Unlawfully Video Recording of teachers or students in class, on campus, remote learning, activities (includes fights and altercations) | <ul style="list-style-type: none"> Respectful Redirection/Re-Teaching Desired Behavior Restorative Conversation | <ul style="list-style-type: none"> Collaborative Problem-Solving Parent Consultation Restorative Circle | No | No |

| Education Code Violation "Big Five" | Recommended Intervention/Support | Suspension/Expulsion | Notice to Police |
|--|-----------------------------------|--|--------------------|
| 48915 (c)(1) Possession, selling, or otherwise furnishing a firearm | Referral for SST and/or CARE Team | 5-day Suspension, Police Referral, and Mandatory Expulsion. | Yes, Type E |
| 48915 (c)(2) Brandishing a knife | Referral for SST and/or CARE Team | 5-day Suspension, Police Referral, and Mandatory Expulsion. | Yes, Type C |
| 48915 (c)(3) Selling a controlled substance | Referral for SST and/or CARE Team | 5-day Suspension, Police Referral, and Mandatory Expulsion. | Yes, Type C |
| 48915 (c)(4) Committing or attempting to commit sexual assault or battery | Referral for SST and/or CARE Team | 5-day Suspension, Police Referral, and Mandatory Expulsion. | Yes, Type A |
| 48915 (c)(5) Possession of an explosive (does not include firecrackers) | Referral for SST and/or CARE Team | 5-day Suspension, Police Referral, and Mandatory Expulsion. | Yes, Type E |

Guidance on the Involvement of Law Enforcement

Federal and State law require school principals or their designees to *notify* law enforcement authorities of certain acts of pupils, but not necessarily to *call* law enforcement. This protocol provides guidance to principals about when to (A) call law enforcement, (B) promptly notify law enforcement, (C) notify law enforcement in a cumulative quarterly report, (D) use the district data system within one (1) day, or (E) refer to law enforcement. This document describes state and federal law for when police must be notified.

A. Mandatory Call to Law Enforcement

A principal or their designee must call the police in the following circumstances:

- **Emergency Line (911):**

- A person or entity inquires about a known missing child;
- Active shooter on campus;
- Bomb threat;
- Sexual assault or battery (e.g., rape or child molestation) (request child advocate);
- Medical emergency (request ambulance and/or fire department);
- When a principal has knowledge of an incident in which a district employee was attacked or assaulted by a pupil (the employee must also promptly report the incident to police).

B. Mandatory Prompt Notification to Law Enforcement (within the day)

A principal or their designee must call the police in the following circumstances:

- **Police Non-Emergency Lines:** *San Mateo*: 650-522-7700; *Foster City*: Youth Services Bureau: 650-286-3324, Non-Emergency: 650-286-3300
 - When a principal has knowledge of an incident in which a district employee was physically threatened by a pupil (the employee must also promptly report the incident to police) (CA Education Code 44014).
 - When an assault with a deadly weapon has occurred (if the principal intends to suspend or expel the student law enforcement must be notified prior to the suspension) (CA Education Code 48902(a), CA Penal Code 245).
 - In order to promptly remove from campus any firearms or drugs that have been recovered.

C. Mandatory Notification to Law Enforcement (CA Education Code 48902(b,c,d); CA Penal Code 626.9, 626.10(a))

- The District shall submit written reports (“notification”) to the City Police or County Sheriff on a quarterly basis of the following *acts* of a pupil or non-pupil (it is *not required* that student names be included in the report):
 - Possessing, selling, or otherwise furnishing a firearm on a school site (does not include imitation firearms);
 - Possession of a firearm within 1,000 feet of a school;
 - Possession of an explosive (does not include fireworks or firecrackers);
 - Possession or sale of narcotics or of a controlled substance;
 - Possession of a dirk, dagger, ice pick, or of a folding knife with a blade that locks into place;
 - Possession of a taser or stun gun;
 - Possession of a knife having a blade longer than 3.5 inches, a razor with an unguarded blade, a razor blade, or a box cutter, *unless approved by a certificated or classified employee for a school-sponsored activity or class;*

- Possession of any instrument that expels a *metallic projectile*, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun, *unless the pupil has written permission of the school principal or their designee to possess the instrument*;
- A principal or their designee must submit a written police report when there is property damage extensive enough to necessitate an insurance claim.

D. Prompt Notification to District via District data system, ONLY IF STUDENT IS SUSPENDED (CA Education Code 48902(a,b), 48900(c,d), CA Penal Code 245))

When a student is suspended for any of the acts listed below, within one (1) day a principal or their designee must notify the District by entering the suspension into the District data system:

- Unlawfully possessed, used, sold, or otherwise furnished a controlled substance, an alcoholic beverage, or an intoxicant;
- Under the influence of a controlled substance, an alcoholic beverage, or an intoxicant;
- Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant to another person *AND* actually sold, delivered, or otherwise furnished the substance.

E. Mandatory Referral to Criminal Justice or Juvenile Delinquency System (20 USC 7961: Gun-Free Schools Act)

The District shall submit a written referral to a criminal justice or juvenile delinquency agency of any *student* who brings a firearm, firearm muzzle, firearm silencer, bomb, grenade, rocket, missile, or mine to a school site, *but only if possession is verified by an employee of the school district*.