

In accordance with Board Policy, the District expects each school to create a safe and positive school environment, free from inequity and bias, in which all students feel accepted, supported, and respected. The District believes that minimizing punitive discipline will result in maximizing instructional time for students, and expects schools to employ preventative and restorative practice over exclusionary disciplinary practices (i.e., suspension, expulsion, involuntary transfer).

Site-Level Rules **and Guidance for Support**

Site-level rules **and guidance** shall be consistent with state law and Board policies and administrative regulations. In developing site-level disciplinary rules **and guidance**, the principal or designee shall solicit the participation, views, and advice of **at least** one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. For ~~junior high and high~~ **middle** schools, students enrolled in the school

Including student voice in the development of school policy and practice benefits both students and schools. Students are the largest stakeholder in the school community and the direct beneficiaries of supportive responses to disciplinary issues. Student representatives who participate in site-level policies should be demographically diverse and representative of the school community.

Annually, site-level discipline rules **and guidance for support** shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline.
(Education Code 35291.5)

Students with IEPs or Section 504 plans have extra protections, including some limitations on suspension. Before determining the appropriate response to a student's conduct, school personnel are expected to check in the student information system and/or with school counselors, school administrators, and/or school psychologists to see if the behavior may be disability-related conduct and if support provisions are outlined in IEP or Section 504 plan. Additionally, school personnel shall recognize that repeated conduct issues may be indicative of an underlying disability or physical, emotional, or cognitive condition, in which case referral to a student study team or professional assessment may be appropriate. (34 Code of Federal Regs 300.530-537; Education Code 48915.5)

Restorative and Disciplinary Strategies

Each school is expected to incorporate a Multi-Tiered Systems of Support (MTSS) framework into its disciplinary approach, in order to reduce referrals and suspensions through proactive intervention, positive behavioral support, restorative practices, and other non-punitive approaches to discipline. The MTSS framework is a system focused on maximizing student achievement, promoting appropriate social emotional behaviors, reducing punitive discipline, and avoiding loss of instructional time through the use of tiered interventions.

To the extent possible, staff shall use ~~disciplinary~~ **restorative, non-punitive** strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. ~~Disciplinary strategies may include, but are not limited to:~~

Referral of students from the classroom environment for misbehavior should be avoided. The District expects that alternatives to suspension and progressive discipline approaches shall be utilized prior to referring a student out of the classroom. The District expects that alternatives are aligned with the school's MTSS framework.

Guidelines for disciplinary strategies and supportive interventions are contained in San Mateo-Foster City School District's Prevention & Supports Guide and the accompanying Progressive Discipline & Intervention Matrix. Site-level teams must consult this guidance in developing any site-specific expectations.

~~1. Discussion or conference between school staff and the student and parents/guardians~~

~~(cf. 5020 - Parent Rights and Responsibilities)~~

~~(cf. 6020 - Parent Involvement)~~

~~2. Referral of the student to the school counselor or other school support service personnel for case management and counseling~~

~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

~~3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and parents/guardians~~

~~(cf. 6164.5 - Student Success Teams)~~

~~4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan~~

~~(cf. 6159 - Individualized Education Program)~~

~~(cf. 6164.6 - Identification and Education under Section 504)~~

~~5. Enrollment in a program for teaching prosocial behavior or anger management~~

~~6. Participation in a restorative justice program~~

~~7. A positive behavior support approach with tiered interventions that occur during the school day on campus~~

~~8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably~~

~~9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner~~

~~10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups~~

~~(cf. 5148.2 - Before/After School Programs)~~

~~11. Recess restriction as provided in the section below entitled "Recess Restriction"~~

~~12. Detention after school hours as provided in the section below entitled "Detention After School"~~

~~13. Community service as provided in the section below entitled "Community Service"~~

~~14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities~~

~~(cf. 6145 - Extracurricular/Cocurricular Activities)~~

~~15. Reassignment to an alternative educational environment~~

~~(cf. 6158 - Independent Study)~~

~~(cf. 6181 - Alternative Schools/Programs of Choice)~~

~~(cf. 6184 - Continuation Education)~~

~~(cf. 6185 - Community Day School)~~

~~16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation~~

~~(cf. 5144.1 - Suspension and Expulsion/Due Process)~~

~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

School personnel may not restrict a student's recess time or lunch break as a punitive consequence for behavior. The only reason that a student's recess time may be restricted is in the event that the student is posing an active danger to someone else's or their own health and safety, in which case the student shall be given adequate time to use the restroom, get a drink, and eat lunch or a snack.

~~Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:~~

- ~~1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.~~
- ~~2. The student shall remain under a certificated employee's supervision during the period of restriction.~~
- ~~3. The student's teacher shall inform the principal of any recess restrictions imposed.~~

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

~~Detention~~ **Retaining Students After School**

Students may **not** be detained ~~for disciplinary reasons for up to one hour~~ after the close of the maximum school day **as a punitive consequence for behavior. Students may be held after school in order to participate in restorative or academic supports, but only with 24 hour prior notice to the student's parent/guardian. , or until the departure of the school bus to which they have been assigned if applicable.** (5 CCR 307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

Students shall remain under the supervision of a ~~certificated district~~ employee during the period of **after school restorative or academic support** ~~detention~~.

Community Service

As part of a **mutually agreed-upon restorative justice plan designed to repair harm** ~~or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may require a student to a~~ **student may** perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

Community service must serve the purpose of repairing harm, should be connected to the student behavior, and may not be designed to demean or shame the student.

~~This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)~~

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules **and guidance for support** related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules **and guidance for support** to transfer students at the time of their enrollment in the district.

Regulation SAN MATEO-FOSTER CITY SCHOOL DISTRICT

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