

## **Bayshore Preparatory Charter School Behavior Code 2014-2015**

A behavior code is provided to each student because the students, the parents, and the staff expect and demand a safe, secure, and orderly campus. These procedures comply with Bayshore Preparatory Charter School policy, San Marcos Unified School District policy, as well as State and Federal law, and are based on timely and consistent consequences for conduct that is disruptive to our campus.

### **BEHAVIORAL EXPECTATIONS**

#### **Behavior 1: DRESS CODE**

Bayshore Preparatory Charter School is a professional learning environment. Students are expected to dress accordingly and use good judgment in dressing for success. Weekend and casual clothing may not be appropriate for school.

- **All headgear is prohibited on campus.** No hats. If you wear a hat to school, you must remove it when entering the building. Hoods on jackets must not be up/on your head inside the building.
- **No visible undergarments.** This means your pants are pulled up, and your shirts adequately cover your middle and top. Bra straps may not be visible; make sure your top covers them. No see-through shirts.
- No bare midriffs or exposed cleavage.
- No strapless tops/dresses. No tube tops or backless tops.
- **No gang-related attire.** Signs, symbols, belts, insignias, or distinctive mode of dress. This includes, but is not limited to professional and college sports teams' hats, shirts, or jackets; bandanas; spike jewelry; chains including wallet chains; or any other attire that may be perceived as gang-related or intimidating (see Ed Code 48900.4).
- No clothing that depicts or promotes alcohol, tobacco, illegal substances, profanity, ethnic slurs, or sexually based pictures, numbers, or language will be allowed.
- **Shoes must be worn at all times.**
- Shorts and/or skirts may be no shorter than 5 inches above the top of the kneecap. Leggings do not make your skirt longer. No slits in a dress or skirt may be shorter than 5 inches above the kneecap.
- No offensive or vulgar tattoos; cover them up if you are unsure.

This Dress Code is not limited to these examples. If you are identified as wearing inappropriate clothing, you will be given the opportunity to change or cover up.

**Consequences** will progress from (1) warning\*, (2) phone call home, (3) parent/teacher meeting, (4) expulsion. Gang related items may result in parent/teacher meeting on first occurrence.

\*Warning includes asking student to leave campus and come back with more appropriate dress or the school providing more appropriate dress.

#### **Behavior 2: ATTENDANCE**

- **To report an absence call 760-471-0847.**

Regular attendance and promptness is one of the most important requirements for success in high school. Students preparing themselves for their life work need to regard punctuality and attendance as fundamental for later success. Irregular attendance is a handicap in school and on the job.

**Independent Study Consequences:** If the student is absent for a total of three (3) unexcused appointments, consecutive or otherwise, or fails to complete the minimum amount of weekly progress for three (3) weeks in a semester, as per board policy, an evaluation will be made to determine whether personalized learning is an appropriate academic placement for the student.

For a student with exceptional needs who has an individualized education program, an IEP meeting will be held to make any necessary change of placement. If a student is dropped for absenteeism and later readmitted, s/he may be permanently dropped from BPCS if s/he misses one (1) or more appointments.

### **Behavior 3: CHEATING**

Acts of academic dishonesty that will not be tolerated within the San Marcos Unified School District are: cheating on tests; theft or alteration of materials; fabrication (any intentional falsification or invention of date, citation, or other authority in an academic exercise); unauthorized collaboration; plagiarism (stealing and passing off as one's own the words or ideas of another).

**Consequences:** Any student involved in academic dishonesty will receive a failing grade on the work with no makeup work/quizzes/tests permitted. Further penalty may be assessed depending on the nature of the cheating. A second event in the same class may result in removal (expulsion) from Bayshore Prep.

### **Behavior 4: INTERNET CODE OF CONDUCT**

See Page 9 of the Student/ Parent Handbook for the policy.

### **Behavior 5: CELL PHONE USE POLICY**

Students' cell phones must be **turned off or placed in airplane mode and placed face down on their student work desk** while in the high school or blended learning areas. Cell phones may not access the school's wireless network to connect their phones to the Internet; they must only access cellular networks. This is in conjunction with the Internet Code of Conduct Policy, which states "*While at BPCS, student use of the Internet is for educational purposes only.*"

Students may take "tech breaks" to check messages or make phone calls, provided they sign out and step outside the school building. In case of emergency, parents may call the school office/front desk to reach their child(ren) or relay a message.

If a student is in violation of this policy, the following steps will occur:

**1st violation/occurrence-** The student's phone will be taken away until they are done with work and leave campus; the student's parent(s) will be contacted.

**2nd violation/occurrence-** The student's phone will be taken away until they are done with work and leave campus; the student's parent(s) will be contacted and requested to come to school to retrieve the student's phone.

**3rd violation/occurrence-** Student and parent must meet with the Executive Director and possible removal from the school will be discussed.

### **Behavior 6: PHYSICAL FORCE, INTIMIDATION AND/OR HAZING**

Physical force and/or intimidation will not be tolerated whenever it is used to coerce or threaten any student or staff member. Intimidation involves threats of mental or physical harm or pressure. Examples of this behavior include bullying, domineering, vulgar and profane language; obscene gestures, putdowns and racial slurs; extorting or otherwise attempting to influence someone with the use of frightening actions and/or words. Severe cases of intimidation are classified as assault. In an assault no blows or actual intent needs to occur. Just the fact that they could occur constitutes a criminal act.

**Consequences:** Penalties for above stated behavior will range from suspension through referral to the Governing Board for expulsion. Law enforcement may also be contacted.

### **Behavior 7: GANG RELATED ACTIONS**

No gang related signs, belts, belt buckles, insignia, colors, or distinctive modes of dress are acceptable on the MHHS campus or at school sponsored activities. Pants are to be worn at waist level. No graffiti is allowed on any personal or school property.

**Consequences:** The consequences will range from warning through referral to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

### **Behavior 8: BICYCLES, SKATEBOARDS, ROLLER SKATES, SCOOTERS**

Bicycles, skateboards, and skates are used by some students for transport to and from school. Once the school grounds are reached, bicycles, skateboards, and skates will not be used for transportation on campus at any time.

**Consequences:** Penalties will range from warning to suspension. These items may be confiscated and the parent will be notified to come to school and pick them up.

### **Behavior 9: CLEAN CAMPUS**

This is our home and all of us have a responsibility to care for it. All of us must do our part to ensure a safe, clean learning environment. Trash and garbage should be placed in trashcans. Gum is not allowed on campus. Students will not throw objects or spit anywhere on campus.

**Consequences:** Penalties will range from warning to suspension.

### **Behavior 10: UNSUPERVISED ACTIVITIES**

Bayshore Prep closes at 4:30 in the afternoon. All students must leave campus by that time unless they are under the direct supervision of a staff member. Unsupervised activities/games are not permitted because of potential injury or disruption of the campus. Students who wish to participate in any activity or game on campus must find a faculty or staff member to supervise the activity.

**Consequences:** Penalties will range from warning to suspension.

### **Behavior 11: DISTRIBUTION OF PUBLICATIONS**

Must have administrator approval. No publication may be distributed on the Bayshore Prep campus without the prior approval of school administration.

**Consequences:** Penalties will range from warning to suspension.

### **Behavior 12: FINES**

Fines should be cleared within 30 days. Books and school property are to be treated with care. Loss, damage, defacing, and vandalism will result in a fine equal to the value of the damage or loss. This fine is to be paid by the student or parent.

**Consequences:** Failure to pay fines will result in withholding of all transcripts, grades, diplomas, yearbooks, graduation tickets, and extracurricular events including dances and sports participation until such obligations and charges are paid.

### **Behavior 13: GAMBLING**

Gambling in any form is not permitted.

**Consequences:** Penalties will range from warning to suspension.

### **Behavior 14: PUBLIC DISPLAYS OF AFFECTION**

Inappropriate and overly intimate displays of affection are not acceptable in the school setting. Students will be expected to exercise good judgment and restraint on school grounds and at school-sponsored activities. PDA refers to kissing, inappropriate touching, and other physical demonstrations considered to be inappropriate in public. This includes “freaking” or other inappropriate or sexually suggestive dancing.

**Consequences:** Penalties will range from warning/parent notification through suspension.

### **Behavior 15: ANIMALS ON CAMPUS**

No animals are allowed on campus. If the owner is unknown or cannot be contacted, the Department of Animal Control will be called.

## **SEARCHES AND SEIZURES**

The law provides school officials with wide latitude to search students, their possessions, and automobiles in the ongoing effort to maintain a safe and secure campus. Some of this effort may involve the use of surveillance cameras in public areas of the campus that are considered to be high risk for improper activity. Professionally trained detection dogs may also be used for random searches in classrooms, parking lots/vehicles. **In addition, items left unsecured or unattended on school grounds may be confiscated and inspected by school officials.** School officials are not required to notify parents prior to conducting a search or questioning a student, however, parents will be notified that a search has taken place.

When a school official has reasonable suspicion that a student may be in possession of contraband or dangerous objects, the student will be asked to empty all pockets, remove shoes, and provide the official access to other personal items (backpacks, lockers, cars) that may contain contraband or dangerous objects. Reasonable suspicion may also warrant school officials' use of a metal detector to identify concealed weapons or a breathalyzer to determine if a student is under the influence of alcohol. It is hoped that all students will be cooperative, as school officials will make every attempt to be unobtrusive and respectful of privacy. Students should be aware that grounds for suspicion commonly include being out of bounds without permission or a report by another student, parent or staff member of possession of contraband or dangerous objects or unusual behavior. Students should also be aware that any contraband or dangerous objects found in their possession would be assumed to belong to them. **If a student should discover contraband or dangerous objects on campus, he/she should go directly to the principal or other staff member and turn it over without delay** (Ed. Code 48900).

Students who are removed from the campus because of discipline problems and former students with discipline problems who are now out of the school system will not be allowed at Bayshore Prep events or around school grounds.

### **Possession/Use of Cellular Phones and Other Mobile Communications or Electronic Devices**

It is the intent of the Bayshore Preparatory Charter School's Governing Board, in exercising its authority to regulate the use of personal electronic devices, to establish guidelines and regulations that will ensure the continuation of a positive climate for learning, free from unnecessary disruptions. The Board recognizes that, as the technology of wireless communication in our society has evolved, there is now widespread use of electronic

signaling devices, including cellular and digital telephones and paging devices, as well as other mobile electronic devices, among our student population that previously has been prohibited.

The Board believes that, although recent changes in state law no longer prohibit students from possessing or using signaling devices, restrictions on their use on a school campus must exist to ensure that such use does not interfere with classroom instruction or other school activities.

The Board does not encourage student possession or use of electronic signaling devices on a school campus nor does it assume liability if such devices are damaged, lost or stolen. Students are prohibited from using such devices in the classroom or in a school environment where such use would infringe on the rights of another student or would interfere with the school program. Telephones and pagers are to be turned off in the classroom and during school activities in which their use would cause a disruption. Students who use these devices on campus shall do so only before school, at break, lunch and after school, or during passing periods. The Board encourages students to use cellular telephones for family business and emergency purposes only.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes.

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices including, but not limited to, digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers, provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests. If a disruption occurs or a student uses any mobile device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If the school employee finds it necessary to confiscate the device, he/she shall deliver it to an administrator or law enforcement.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

## **DEFINITION OF BEHAVIOR TERMS**

**Suspension/ Expulsion** - Suspension or expulsion will be imposed only when other means of correction fail to bring about proper conduct; however, any pupil, including pupils with exceptional needs, may be suspended, and possibly expelled, for any of the reasons enumerated in California Education Code Sections 48900 and 48915(a), or if the school determines that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process. Suspensions remove a student from campus from one to five days, after which time the student may return. Expulsion, by contrast, is a formal process that entails suspension and a hearing at a Governing Board meeting to determine if a student will be dismissed from his or her current educational setting. Students who have been expelled by the Governing Board may not attend any school or program operated by Bayshore Prep until the Governing Board acts to lift the expulsion.

**Behavior Contract** - Any student who fails to comply with school and classroom expectations, after teacher and administrative interventions, will be placed on a "One Strike" Behavior/Performance Contract. Criteria for placing a student on a behavior contract will be based upon (1) the significance of the violation(s) and/or (2) the number of violations. Violation of the contract will result in an involuntary removal from Bayshore Prep. The contract will remain in effect for the student's tenure at Bayshore Prep unless notified otherwise. Contracts may be reviewed or revised as needed by Administration.

## **VIOLATION OF ED. CODE 48900 SECTIONS (A)-(R) AND 48900.2-48900.4**

All cases recommended for expulsion will be investigated and determined on specific facts.

### **Behavior Code 48900 Section A: FIGHTING**

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person or aiding and abetting in commission of physical injury. Mutual combat fighting means two or more students are both actively involved or engaged in a fight. For example, if an aggressor hits another student and the 'victim' strikes back and becomes engaged in a fight with the aggressor, this is mutual combat.
- (2) Willfully used force or violence upon the person of another (battery). If an aggressor strikes another student and the 'victim' does not fight back, this is battery. If two students are actively engaged in a fight, but one stops fighting or is unable to fight back and the second student continues to beat him/her, this incident has turned into a battery.

Students are expected to seek nonviolent and constructive solutions to conflict.

**Consequences:** Students involved in fighting while enrolled at Bayshore Prep may be suspended for up to five days. Additionally, students will be subject to arrest. Mediation and anger management counseling may be required as a condition of return to school. The consequence for a second fighting offense while enrolled in Bayshore Prep: student will be removed from Bayshore Prep. Students who commit an assault, battery, or cause severe injury are subject to arrest and/or referral to the Governing Board for expulsion.

### **Behavior Code 48900 Section B: DANGEROUS OBJECTS**

Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, with concurrence by the principal or the designee of the principal.

**Definition:** Students may not possess any dangerous object that constitutes a potential threat to the safety and security of the school. Students are hereby informed not to bring any of the following items to campus or any school-related activity (to include but not limited to): gun, BB gun, cap gun, dart gun, pellet gun, spot marker gun, stun gun, model gun, toy gun, squirt gun, replica gun, "zip gun", rifle, model rifle, pistol, Air Soft gun, revolver, Taser, semi-automatic weapon, model semiautomatic weapon, toy semiautomatic weapon, knife, locking blade, switchblade knife, butterfly knife, pocket knife, Swiss Army knife, pen knife, key chain knife, kitchen knife, box knife, Exacto knife, dirk, dagger, ice pick, razor, blades, bombs, pipe bomb, ammunition, time bomb, containers of inflammable fluids, stink bombs that may cause allergic reactions, firecrackers, clubs, billy club, black jack, slingshot, nunchaku, sand club, sandbag, metal knuckles, any metal plate with radiating points with one or more sharp edges, spike jewelry & apparel, safety pins as decoration or apparel, chains (including wallet chains), pepper spray or mace, anything that expels a projectile by force of air or explosion, fireworks or any incendiary devices, lighters, pressurized cartridges, laser pointers, using or flashing of laser pointers, and replica weapons.

**Consequences:** Suspension from Bayshore Prep or referral to the Governing Board for expulsion on the first offense. In addition, law enforcement may be contacted.

### **Behavior Code 48900 Sections C and D: CONTROLLED SUBSTANCES**

Students may not possess, use, \*sell, be under the influence of, or furnish any amount of alcohol, controlled substance, steroids, or intoxicants of any kind. These include, but are not limited to alcoholic beverages, narcotics, marijuana, methamphetamines, inhalants, hallucinogens, abused use of prescription drugs or over-the-counter medication. **All prescription and over-the-counter medication must remain in the possession of the school nurse.** In addition, students may not offer, arrange or negotiate to sell any of the above and then furnish a substitute item intended to represent the controlled substance, alcoholic beverage, or intoxicant. \*Students

who unlawfully sell a controlled substance/alcohol/intoxicant will be recommended for expulsion (Mandatory Ed. Code 48915c).

**Consequences:** Students found in possession of or use alcohol, marijuana, intoxicants, or any controlled substance while under the school's jurisdiction may be suspended for up to five days. If students have committed a previous alcohol, marijuana, intoxicant, or controlled substance infraction, they will be referred to the Governing Board for expulsion.

**Possession:** Students who are in possession of more than one ounce of marijuana may be suspended for up to five days and may be referred to the Governing Board for expulsion on the first offense. In addition, law enforcement will be contacted.

**False Representation:** Students who provide other persons with an item intended to represent any alcohol, intoxicant, marijuana, or controlled substance product will receive the same consequences as someone who furnishes a controlled substance/intoxicant.

All students are subject to Breathalyzer test if they are suspected of being under the influence of a controlled substance.

### **Behavior Code 48900 Section E: ROBBERY**

Students are expected to respect the property of others. Students may not commit or attempt to commit robbery or extortion. This includes the theft of any property not belonging to the student or any attempt made to force or create fear in others while attempting to or stealing property belonging to someone else.

**Consequences:** The consequences for robbery or extortion will range from suspension to referral to the Governing Board for expulsion. The student and/or parent will be responsible for returning the stolen property or for full payment. In addition, law enforcement will be contacted. Appropriate intervention counseling or campus projects may be part of this process.

**Video surveillance may be used to protect vulnerable or high-risk areas.**

### **Behavior Code 48900 Section F: DAMAGE TO PROPERTY**

Students are expected to respect the property of others.

**Consequences:** The consequences for attempting to cause or causing damage to another's property will range from warning/parental notification to referral to the Governing Board for expulsion. The student and/or parent will be responsible for restitution for the damage. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

**Video surveillance may be used to protect vulnerable or high-risk areas.**

### **Behavior Code 48900 Section G: THEFT**

Students are expected to respect the property of others. Students are strongly discouraged from bringing valuable items and large sums of money to school. Bayshore Prep is not responsible for lost or stolen items/money. Bayshore Prep staff is not responsible to investigate the theft of valuables, including (but not limited to) iPods, cameras, cell phones, and cash.

**Consequences:** The consequences for theft will range from suspension to referral to the Governing Board for expulsion. The student and/or parent will be responsible for returning the stolen property or for full payment of the property. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

**Video surveillance may be used to protect vulnerable or high-risk areas.**

### **Behavior Code 48900 Section H: TOBACCO**

Students are expected to live healthy lifestyles. Students may not possess or use tobacco or any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Note: State law does not define "tobacco products" for purposes of the district's tobacco-free schools policy. The CDE's Web site recommends that a district's policy define "tobacco products" to prohibit the use of products containing tobacco or nicotine, including nicotine delivery devices such as electronic cigarettes which provide an inhalable dose of nicotine by delivering a vaporized solution. *Health and Safety Code* 119405, added by SB 882 (Ch. 312, Statutes of 2010), makes it unlawful for a person to sell or otherwise furnish an electronic cigarette to a minor under age 18.

**Consequences:** Students found in possession of, or who use tobacco or products containing tobacco or nicotine will face consequences ranging from suspension to referral to the Governing Board for expulsion. Legal charges may also apply.

### **Behavior Code 48900 Section I: OBSCENITY, PROFANITY, AND VULGARITY**

Students are expected to treat all members of the school community with respect and to practice responsible and honest behavior. Students may not engage in obscene acts or engage in habitual profanity or vulgarity, which includes: writing, speaking, gesturing, or acting in contempt of sacred or holy things, or using irreverent or coarse language.

**Consequences:** The consequences for engaging in obscene acts or habitual profanity or vulgarity will range from warning/parental notification to referral to the Governing Board for expulsion. Appropriate counseling or campus projects may be part of this process. **Students will be dropped from class with loss of credit on the first offense when directing profanity or obscenity at school staff, in addition to other consequences.**

### **Behavior Code 48900 Section J: PARAPHERNALIA**

Students may not possess, offer, arrange, or negotiate to sell any drug paraphernalia as defined in Section 11014.5 of the Health and Safety Code. Examples of paraphernalia include, but are not limited to, pipes, bongs, roach clips, rolling papers, and any other devices used in conjunction with illicit substances.

**Consequences:** Students, who possess, offer, arrange, or negotiate to sell drug paraphernalia may receive up to five days suspension. A second offense will result in a referral to the Governing Board for expulsion. In addition, law enforcement will be contacted. Appropriate counseling or campus projects may be part of this process.

### **Behavior Code 48900 Section K: DEFIANCE AND DISRUPTION**

Students are expected to follow all school rules and respect the authority and direction of school staff, to behave in a safe and orderly manner, to maintain a safe environment in the school, and to treat all members of the school community with respect. Students may not be defiant, disruptive, disrespectful, or deceptive (refuse to provide name or ID card). These behaviors negatively impact the orderly operations of classroom or general educational environment of the school.

**Consequences:** Students who defy the directions of a school employee or disrupt the orderly operation of any school-related activity will receive consequences ranging from a warning/parental notification to referral to the Governing Board for expulsion. **Students who run from or attempt to evade a school official will be**



**removed from Bayshore Prep on the first offense.** In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

**Behavior Code 48900 Section L: RECEIVING STOLEN PROPERTY**

Students are expected to respect the property of others.

**Consequences:** Students who knowingly receive stolen property will be suspended and may be referred to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects will be part of this process.

**Behavior Code 48900 Section M: POSSESSION OF 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. This includes pellet guns, BB guns, and other “toy” guns, Air Soft weapons which may be mistaken for a real firearm. This also includes replica ammunition that could be mistaken for actual ammunition.

**Consequences:** Suspension and possible referral to the Governing Board for expulsion on the first offense. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

**Behavior Code 48900 Section N: COMMIT/ATTEMPT TO COMMIT SEXUAL ASSAULT/ SEXUAL BATTERY**

Students are expected to treat all members of the school community with respect. As used in this section, sexual assault includes any sexual acts performed against the victim’s will by means of force, violence, threats, duress, or fear of immediate and unlawful bodily injury on the victim.

As used in this section, sexual battery means intentionally touching the breasts, buttocks, or groin area of another person without his/her consent.

**Consequences:** Suspension and referral to the Governing Board for expulsion on the first offense. In addition, law enforcement will be contacted. This is mandatory expulsion (Ed. Code 48915c).

**Behavior Code 48900 Section O: HARASSED, THREATENED, OR INTIMIDATED A PUPIL WHO IS A WITNESS**

Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

**Consequences:** Suspension and possible referral to the Governing Board for expulsion on the first offense. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

**Behavior Code 48900 Section Q: HAZING**

No student shall participate in hazing or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person.

### **Behavior Code 48900 Section R: *Bullying***

Students are not to ridicule, harass, humiliate, or intimidate another student or district personnel while on school grounds, at a school sponsored activity, while traveling to and from school, on a school bus, or during any activity related to school attendance. Behaviors that are unwanted or unwelcome, are repeated over time, and constitute sexual harassment, hate violence, or creates an intimidating or hostile educational environment fall under the category of bullying.

**Consequences:** Warning, suspension, and/or possible referral to the Governing Board for expulsion on the first offense. In addition, law enforcement may be contacted.

### **Behavior Code 48900.2: *SEXUAL HARASSMENT***

Students are expected to treat all members of the school community with respect. Students may not engage in conduct constituting sexual harassment such as, but not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including harassment for sexual orientation severe enough to have a negative impact upon another student's academic performance or to create an intimidating, hostile, or offensive educational environment. Any student wishing to make a complaint of sexual harassment should immediately report it to a Bayshore Prep staff member. Complaints must be initiated no later than six (6) months from the date of the initial problem.

### ***SEXUAL ASSAULT***

Sexual Assault is any involuntary sexual act in which a person is threatened, coerced, or forced to comply against his or her will regardless of whether the person knows the assailant(s) casually, intimately, or not at all.

**Consequences:** The consequences for sexual harassment will range from suspension to referral to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process. A student's class schedule may be changed to limit contact with the student being harassed.

### **Behavior Code 48900.3: *HATE VIOLENCE***

Students are expected to treat all members of the school community with respect. Students may not cause, attempt to cause, threaten to cause, or participate in an act of hate violence as defined in Ed. Code 33032.5. This includes, but is not limited to, any verbal, visual, or physical injuring or intimidating behavior associated with anger toward other persons based upon race, color, ancestry, national origin, disability, gender, sexual orientation, or religious preference. This includes racial, ethnic, sexual orientation, and religious slurs.

**Consequences:** The consequences for hate violence will range from suspension to referral to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

### **Behavior Code 48900.4: *HARASSMENT, THREATS, INTIMIDATION and 489900 (R) BULLYING***

Students may not intentionally engage in bullying behavior such as harassment, threats, or intimidation directed against any other student(s) or staff severe enough to disrupt class work, create disorder, and invade the rights of the other student(s) by creating an intimidating or hostile educational environment. This includes, but not limited to verbal, nonverbal, physical acts, and electronic communications such as text messages, emails, and online posts. Some of these activities would include symbols that are considered to be gang, hate, or racially motivated, or sexual orientation slurs.

**Consequences:** The consequences for harassing, threatening or intimidating behavior will range from suspension to referral to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

### **Behavior Code 48900.7: TERRORIST THREATS**

Students may not make terrorist threats against school officials and/or property as defined in AB 307, Chapter 405. These acts include any written or oral statement by a person who willfully threatens to commit a crime that will result in great bodily injury, death, or property damage in excess of \$1000 with the specific intent that the statement is taken as a threat, even if there is no intent of actually carrying it out.

**Consequences:** The consequences for terrorist threats will range from suspension to referral to the Governing Board for expulsion. In addition, law enforcement may be contacted. Appropriate counseling or campus projects may be part of this process.

## **LIST OF SUSPENDABLE AND EXPELLABLE OFFENSES**

The following list of offenses may result in suspension, referral to alternative education, arrest, and/or expulsion from Bayshore Preparatory Charter School. All cases recommended for expulsion will be investigated and determined on specific facts.

### **Mandatory Recommendation of Expulsion (Ed. Code 48915c):**

- Possessing, selling, or otherwise furnishing a firearm
- Brandishing a knife at another person
- Selling a controlled substance/alcohol
- Committing or attempting to commit sexual assault
- Possession of an explosive

### **Quasi-Mandatory/Permissive Recommendation of Expulsion (Ed. Code 48900-48915a):**

The Governing Board is required to make an additional finding that either of the following conditions exists: (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; (2) 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.

- Fighting or causing physical injury or assault or battery on a school employee
- Possession of weapons, knives, explosives, dangerous object(s) of no reasonable use to a student, or dangerous activities
- Possession or use of a controlled substance, alcohol, intoxicant, or paraphernalia
- Offered, arranged, or negotiated to sell a substance represented to be a controlled substance
- Committed robbery, extortion, or theft
- Vandalism to school property or private property
- Display of graffiti or creating graffiti
- Possession or use of tobacco
- Excessive use of profanity or repeated vulgarity
- Possession of an imitation firearm
- Defiance or disruption of school activities
- Possession of stolen property

- Sexual harassment or obscene acts
- Racial slurs or hate violence
- Intimidation or harassment of students, witnesses, or staff members
- Intentional terrorist harassment, threats, or intimidation against school staff or property
- Aiding or abetting a person who injures/attempts to injure others
- Willful use of force or violence upon the person of another, except in self defense
- (Other offenses may result in recommendation for expulsion at the discretion of school administration)

The jurisdiction for all school rules will be enforced while on school grounds, while coming to or going from school, during school hours whether on or off campus, while truant from school, and during or while coming to or going from a school-sponsored activity (Ed. Codes 48900 and 48915).

### **LIST OF INTERVENTIONS**

The programs, activities, interventions and/or strategies listed are some, but not necessarily all, provided by Bayshore Preparatory Charter School.

#### **Programs to Help with Behavior and Attendance Problems**

- Adult School for 18-year-old students (Executive Director referral)
- School Attendance Review Team (SART) (Executive Director referral)

#### **Activities and Interventions to Modify Student Behavior or Academic Success**

- Community-based family counseling (211)
- School-based discipline (warning and home suspension) (Executive Director referral)
- Open-door assistance for all students (Executive Director's Office, Teacher Meetings)
- Brief Intervention Protocol (Executive Director referral)

#### **Medication Policy**

**Students are not allowed to bring or carry any type of medication, (prescription or over the counter) to school or self-medicate without written authorization from a physician. All authorizations must be processed through the school office.**

Any pupil who is required to take, during the regular school day, medication prescribed for him/her by a physician, including over-the-counter medication, may be assisted by designated school district personnel if the district receives:

1. A written statement from a physician licensed in the **State of California** detailing method, amount and time schedules by which such medication is to be taken.
2. Written authorization from the parent/guardian of the pupil indicating the desire that school district personnel assist the pupil in the matters set forth in the Physician's Statement.

Only medication prescribed by the pupil's physician, as being necessary to be taken by the pupil in the manner listed on the Physician's Statement should be brought to the school. Medication should be in containers that are clearly marked with the name of the pupil, the name of the prescribing physician, name of the medication and the amount of medication. Over the counter medication must be in the original container and labeled with the students name.