

Regulation 5144: Discipline

Original Adopted Date: 08/20/2014 | Last Revised Date: 03/20/2019

New Revised Date: 08/16/2023 (Pending Board Approval)

Site-Level Rules

Site-level rules shall be consistent with state law and Board policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall may solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code_35291.5)

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

~~(cf. 3515.3 – District Police/Security Department)~~

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

Annually, site-level discipline rules 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)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary 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:

- ~~1.~~ 1. Discussion or conference between school staff, the student, and the student and student's parents/guardians

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~~(cf. 5020 – Parent Rights and Responsibilities)
(cf. 6020 – Parent Involvement)~~

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

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~~(cf. 5138 – Conflict Resolution/Peer Mediation)
(cf. 6164.2 – Guidance/Counseling Services)~~

- ~~3.~~ 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 the student's parents/guardians

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

- ~~4.~~ 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

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~~(cf. 6159 – Individualized Education Program)
(cf. 6164.6 – Identification and Education under Section 504)~~

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

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

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

~~8.~~ 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.~~ 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.~~ 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

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

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

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

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

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

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

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

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(cf. ~~6158 – Independent Study~~)

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

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

(cf. ~~6185 – Community Day School~~)

~~16.~~ 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~~

(Education Code 48900.5)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

When disciplining a student who has been identified for special education and related services, the procedures specified in Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities) shall be applied. If a student has not been identified as a student with a disability and the district suspects the behavior that resulted in discipline may be based in an unidentified disability, the district shall conduct an evaluation to determine if the student has a disability which requires an IEP or 504 plan. (U.S.C. 1412(a)(3))

Recess Restriction

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. ~~1.~~ The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. ~~2.~~ The student shall remain under a certificated employee's supervision during the period of restriction.
3. ~~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 After School

Students may be detained for disciplinary reasons for up to one hour after the close of the

maximum school day, 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 employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.
(~~cf. 6176 – Weekend/Saturday Classes~~)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may require a student to perform community service during non-school 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)~~

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 related to discipline. ~~(Education Code-35291,-48980)~~

(~~cf. 5145.6 – Parental Notifications~~)

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 307

Description

~~Participation in school activities until departure of bus~~[Participation in school activities until departure of bus](#)

5 CCR 353

~~Detention after school~~[Detention after school](#)

Civ. Code 1714.1

~~Liability of parent or guardian for act of willful misconduct by a minor~~[Liability of parent or guardian for act of willful misconduct by a minor](#)

Ed. Code 32280-32289.5

~~School safety plans~~[School safety plans](#)

Ed. Code 35146

~~Closed sessions~~[Closed sessions](#)

Ed. Code 35291-35291.5

~~Rules~~[Rules](#)

Ed. Code 35291.5

~~School-adopted discipline rules~~[School-adopted discipline rules](#)

Ed. Code 37223

~~Weekend classes~~[Weekend classes](#)

Ed. Code 44807.5

~~Restriction from recess~~[Restriction from recess](#)

Ed. Code 48900-48926

~~Suspension and expulsion~~[Suspension and expulsion](#)

Ed. Code 48980-48985

~~Parent/Guardian notifications~~[Parent/Guardian notifications](#)

Ed. Code 49005-49006.4

~~Seclusion and restraint~~[Seclusion and restraint](#)

Ed. Code 49330-49335

~~Injurious objects~~[Injurious objects](#)

Ed. Code 49550-49564.5

~~Meals for needy students~~[Meals for needy students](#)

Ed. Code 52060-52077

~~Local control and accountability plan~~[Local control and accountability plan](#)

Federal

20 USC 1400-1482

Description

~~Individuals with Disabilities Education Act~~[Individuals with Disabilities Education Act](#)

29 USC 794

~~Rehabilitation Act of 1973; Section 504~~[Rehabilitation Act of 1973; Section 504](#)

42 USC 1751-1769j

~~School Lunch Program~~[School Lunch Program](#)

42 USC 1773

~~School Breakfast Program~~[School Breakfast Program](#)

Management Resources

California Dept of Education
Program Advisories

Description

~~Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000~~[Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000](#)

CSBA Publication

~~The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014~~[The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014](#)

CSBA Publication

~~Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009~~[Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009](#)

CSBA Publication	Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015 Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
U.S. Dept of Education, Office for Civil Rights	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
Website	CSBA District and County Office of Education Legal Services CSBA District and County Office of Education Legal Services
Website	Public Counsel Public Counsel
Website	U.S. Department of Education, Office for Civil Rights U.S. Department of Education, Office for Civil Rights
Website	California Department of Education California Department of Education
Website	CSBA CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
1114	District-Sponsored Social Media District-Sponsored Social Media
1114	District-Sponsored Social Media District-Sponsored Social Media
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures

1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1313	Civility Civility
3512	Equipment Equipment
3512-E PDF(1)	Equipment - Equipment Equipment
3513.3	Tobacco-Free Schools Tobacco-Free Schools
3513.3	Tobacco-Free Schools Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools Drug And Alcohol Free Schools
3515	Campus Security Campus Security
3515	Campus Security Campus Security
3515.21	Unmanned Aircraft Systems (Drones) Unmanned Aircraft Systems (Drones)
3515.3	District Police/Security Department District Police/Security Department
3515.3	District Police/Security Department District Police/Security Department
3515.31	School Resource Officers School Resource Officers
3515.4	Recovery For Property Loss Or Damage Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage Recovery For Property Loss Or Damage
3543	Transportation Safety And Emergencies Transportation Safety And Emergencies
4131	Staff Development Staff Development
4158	Employee Security Employee Security
4158	Employee Security Employee Security
4258	Employee Security Employee Security
4258	Employee Security Employee Security
4358	Employee Security Employee Security
4358	Employee Security Employee Security
5000	Concepts And Roles Concepts And Roles
5020	Parent Rights And Responsibilities Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities Parent Rights And Responsibilities
5030	Student Wellness Student Wellness
5030	Student Wellness Student Wellness
5030-E PDF(1)	Student Wellness Student Wellness
5112.1	Exemptions From Attendance Exemptions From Attendance
5112.1	Exemptions From Attendance Exemptions From Attendance
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5113.1	Chronic Absence And Truancy Chronic Absence And Truancy
5116.2	Involuntary Student Transfers Involuntary Student Transfers
5125	Student Records Student Records
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5127	Graduation Ceremonies And Activities Graduation Ceremonies And Activities

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5131.4	Student Disturbances Student Disturbances
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5131.6	Alcohol And Other Drugs Alcohol And Other Drugs
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5131.63	Steroids Steroids
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5131.7	Weapons And Dangerous Instruments Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments Weapons And Dangerous Instruments
5131.9	Academic Honesty Academic Honesty
5132	Dress And Grooming Dress And Grooming
5132	Dress And Grooming Dress And Grooming
5137	Positive School Climate Positive School Climate
5137	Positive School Climate Positive School Climate
5138	Conflict Resolution/Peer Mediation Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting Child Abuse Prevention And Reporting
5142	Safety Safety
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5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance Required Parental Attendance
5144.4	Required Parental Attendance Required Parental Attendance
5145.2	Freedom Of Speech/Expression Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment Nondiscrimination/Harassment
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5145.6	Parent/Guardian Notifications Parent/Guardian Notifications

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5145.7	Sexual Harassment Sexual Harassment
5145.7	Sexual Harassment Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures Title IX Sexual Harassment Complaint Procedures
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior Hate-Motivated Behavior
5148.2	Before/After School Programs Before/After School Programs
5148.2	Before/After School Programs Before/After School Programs
6145	Extracurricular And Cocurricular Activities Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities Extracurricular And Cocurricular Activities
6145.2	Athletic Competition Athletic Competition
6145.2	Athletic Competition Athletic Competition
6145.8	Assemblies And Special Events Assemblies And Special Events
6153	School-Sponsored Trips School-Sponsored Trips
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6159.4	Behavioral Interventions For Special Education Students Behavioral Interventions For Special Education Students
6162.54	Test Integrity/Test Preparation Test Integrity/Test Preparation
6163.4	Student Use Of Technology Student Use Of Technology
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6164.2	Guidance/Counseling Services Guidance/Counseling Services
6164.5	Student Success Teams Student Success Teams
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6184	Continuation Education Continuation Education
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6185	Community Day School
6185	Community Day School
9321	Closed Session Closed Session
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9321-E PDF(2)	Closed Session Closed Session