

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**Students
DISCIPLINE**

The County Superintendent and County Board are committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The County Superintendent and County Board believe that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The County Superintendent or designee shall develop effective, age-appropriate, program appropriate strategies for maintaining a positive school climate and correcting student misbehavior. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of discipline policies and practices. County Superintendent staff shall use positive interventions and alternative disciplinary measures whenever possible to correct student misconduct. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school shall be imposed only when required or permitted by law or when other means of correction have failed. (Education Code 48900.5)

County Superintendent personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4. (Education Code 49005.2)

The administrative staff of school sites may develop disciplinary rules to meet the school's particular needs consistent with law, County Superintendent/County Board policy, and administrative regulations. The County Superintendent and County Board may review, at an open meeting, the approved site-level discipline rules for consistency with County Superintendent/County Board policy and state law. Site-level disciplinary rules shall be included in the County Superintendent/County Board comprehensive safety plan. (Education Code 32282, 35291.5)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

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When other means of correction have failed, students may be assigned to alternative programs, removed from school, or returned to their district of residence, in accordance with law, County Superintendent/County Board policy, and administrative regulation.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the County Superintendent/County Board nondiscrimination policies.

The County Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to establish cooperative relationships with parents/guardians.

Adopted: 04/16/1998

Amended: 03/21/2013, 10/15/2020

LEGAL REFERENCEEducation Code

32280-32289 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

52060-52077 Local control and accountability plan

Civil Code

1714.1 Parental liability for child's misconduct

Code of Regulations, Title 5

307 Participation in school activities until departure of bus

353 Detention after school

United States Code, Title 20

1400-1482 Individuals with Disabilities Education Act

United States Code, Title 29

794 Section 504 of the Rehabilitation Act of 1973

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United States Code, Title 42

1751-1769j School Lunch Program

1773 School Breakfast Program

MANAGEMENT RESOURCES

CSBA Publications

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

California Department of Education Program Advisories

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

U.S. Department of Education, Office for Civil Rights Publications

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

Websites

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Public Counsel: <http://www.fixschooldiscipline.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>