



# Novato Unified School District 2017-18

## STUDENT RIGHTS AND RESPONSIBILITIES

*Please keep this handbook for your reference.*

### MISSION STATEMENT

Novato Unified School District is an innovative and effective educational system that provides diverse academic experiences to meet individual student needs, and challenges students to realize their educational potential.

### VISION STATEMENT

Novato Unified School District's educational experience will:

- ❖ ensure students possess academic and technical knowledge to enter successful careers and post-secondary experiences.
- ❖ prepare all students to be successful and productive citizens and leaders in a diverse and global society.
- ❖ encourage students to embrace a variety of learning opportunities throughout their lifetime.

### HUMAN RELATIONS AND RESPECT MISSION STATEMENT

In order to create and sustain a safe, just and respectful learning environment in the Novato Unified School District, all individuals including students, staff, parents and community members:

- ❖ shall be treated with dignity, respect and fairness.
- ❖ shall encourage, develop, and nurture collaborative relationships that provide ongoing community support to all students, families and staff.
- ❖ shall promote positive human relations, value differences and recognize similarities by modeling acceptance and inclusion of all individuals within the school community.
- ❖ shall create opportunities for all individuals to develop empathy for those whose life experiences are different than their own.
- ❖ shall advocate for ongoing education, outreach, and community action opportunities for all.
- ❖ shall promote the safety and security of all members of the community by responding swiftly should demeaning or threatening comments or behavior occur.

Students, staff, parents and community members shall join together to ensure human dignity for all, by creating alliances and developing a voice to alleviate injustices in our community.

## PHILOSOPHY

All NUSD students are entitled to an education in a positive environment that is safe and conducive to learning.

The Novato Unified School District Board of Trustees and our staff are committed to providing a supportive atmosphere where each student can attain his/her potential. A District Human Relations and Respect Mission Statement which is displayed prominently at all schools supports our climate of acceptance and respect for all. Development of such an atmosphere requires a clear delineation between acceptable and unacceptable behavior and consistent enforcement of behavior standards.

## STUDENT'S RIGHTS

As a student, you have the right to:

- ❖ learn in a safe environment.
- ❖ discuss issues, concerns and progress with your administrators, teachers or other staff members.

## SEVEN VITAL STUDENT RESPONSIBILITIES

*Seven responsibilities describe the most important behaviors that all students in the Novato Unified School District will demonstrate while attending school.*

Every student is responsible for helping to maintain a safe and productive environment at school. You are expected to:

- 1. attend school every day and be on time for every class.**
- 2. resolve differences with others in a positive way.**
- 3. remain drug, alcohol and tobacco free.**
- 4. follow school dress code.**
- 5. respect school property and the property of others.**
- 6. respect fellow students and all school staff members.**
- 7. comply with the standards of behavior for your classrooms, your school and your district.**

## **PARENT/GUARDIAN/FAMILY MEMBER RESPONSIBILITIES**

Every parent, guardian and family member of the school community shares in the responsibility for maintaining a safe and productive environment at your child's school. You share in this responsibility when you:

- ❖ get your child to school on time every day. Punctuality and good attendance are family responsibilities. Make certain your child arrives at school on time and is ready to learn.
- ❖ accept the rights and authority of the school and Board of Trustees to maintain standards of behavior for all students.
- ❖ understand our school district rules. Review your school's Student Behavior Guidelines and the Standards of Behavior with your family.
- ❖ provide the study materials your child needs. If you are uncertain what materials may be necessary, contact your child's teacher(s).
- ❖ provide a suitable time and place for study at home. Parents have a great influence on the study habits of their children.
- ❖ track your child's scholastic achievement and progress. Review each progress report and report card with your child. Children learn more when their parents or guardians are involved in monitoring their progress. Participate regularly in your child's educational program.
- ❖ maintain consistent communication with your child's teacher(s), school administrator(s) and other school staff members.

### **As a parent or guardian, you have the right to:**

- ❖ information about the progress of your child's achievement, behavior in school, and attendance.
- ❖ expect a safe environment that is non-threatening and allows your child to achieve at their maximum academic potential.
- ❖ information about all school rules, regulations, and expectations.

## **SCHOOL ADMINISTRATOR/TEACHER/SUPPORT STAFF RESPONSIBILITIES**

The teachers and administrators of our district demonstrate appropriate school and classroom behavior in their attitudes and in their communication with students and parents. In addition to academic excellence, it is our school district's goal for each school to:

- ❖ communicate regularly and in a timely manner with students and their families about their child's academic progress, behavior, and attendance.
- ❖ adopt a comprehensive written school safety plan and disaster preparedness procedure.
- ❖ establish an environment in which students can meet their grade level academic standards.
- ❖ involve students in an ongoing process of self-evaluation.
- ❖ communicate our district's and each school's standards of behavior.
- ❖ communicate our Course of Study and Grading Policy.
- ❖ enforce district policies, regulations and school rules fairly and consistently.
- ❖ treat all parents and students with dignity and respect.
- ❖ provide quality customer service.

### **As representatives of our school district, administrators will:**

- ❖ establish and enforce school rules to ensure a safe educational environment.
- ❖ provide support to teachers as they carry out discipline responsibilities.
- ❖ effectively communicate our school rules and consequences to students, families and staff.
- ❖ support students by involving them in activities that increase confidence in accepting their academic responsibilities and outcomes.

## DISTRICT STUDENT EXPECTATIONS

High standards of behavior are expected not only on campus and in the classrooms, but also at all school functions. School rules are in effect from home to school and school to home. Students not complying with these standards will have consequences. The severity of the consequences will be determined by the nature of the infractions.

Appropriate consequences and rewards are assigned. Teachers notify parents about their class rules, consequences, and rewards at the beginning of the school year. Middle school campuses are closed campuses. High school campuses are open during lunch only for 10-12 graders. Ninth graders abide by the closed campus rules.

### ❖ **Closed Campuses**

Elementary and Middle school campuses are closed campuses.

High school campuses are closed for all 9<sup>th</sup> grade students and open during lunch only for 10-12<sup>th</sup> grade students. Ninth grade students must abide by the closed campus rules.

### ❖ **Sexual Harassment**

The Novato Unified Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons at school or at school-sponsored or school-related activities (Board Policy 5145.7).

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender. In the educational setting, when any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other school employee. The School Board prohibits retaliatory behavior against any complainant. Each complaint of sexual harassment shall be promptly investigated by the school administration in a way that respects the privacy of everyone concerned. Any student who engages in sexual harassment **shall** be subject to disciplinary action up to and including expulsion. (Education Code 212.5; 5 CCR 4916)

### ❖ **Bullying**

The Governing Board affirms the right of every student to attend a school that is safe and secure. The district will not tolerate bullying or any behavior that infringes on the safety of others. Students and/or parents are expected to report all incidents of bullying, teasing, or other verbal or physical abuse. The principal or designee at each school shall be responsible for receiving complaints of alleged acts of bullying. For more information, please see BP 5131.2 This policy is available on the district website, <http://www.nusd.org> or in your school office.

### ❖ **Attendance**

The Governing Board believes that regular attendance plays a key role in student achievement. Absence from school shall be excused only for health reasons, family emergencies and justifiable reasons, as permitted by law, Board Policy 5113 and administrative regulations (Education Code 46010, 47216, 48205).

Students are expected to attend school regularly and on time. School district policy and state law require daily attendance for students between the ages of 6 and 18.

❖ **Truancy**

Students shall be classified as truant if absent from school without a valid excuse **three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.** Such students shall be reported to the Coordinator of Student Services or designee (Education Code 48260).

❖ **Chronic Truant**

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant. Such students shall be reported to the Coordinator of Student Services or designee. (Education Code 48263.6).

❖ **Chronic Absenteeism**

Students shall be classified as a chronic absentee for state reporting purposes if absent from school for any reason excused or unexcused more than 10% of the school year.

For more information, including definitions of "valid" and "unexcused" absences, please see BP 5113: Student Absences and Excuses. This policy is available on the district website, <http://www.nusd.org> or in your school office.

❖ **Dress Code Guidelines**

Board Policy 5132 provides district guidelines on student dress. The purpose of adopting dress code policies and regulations is to not infringe on any individual pupil's rights of freedom of expression, but rather to encourage pupils to come to school prepared to participate in their education. The following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. For grades K-8, sandals must have heel straps. Thongs (flip-flops), backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, binders, gym bags, water bottles etc.) shall be free of writing, tagging, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate violence, intimidation, gang affiliation, racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors, except for religious purposes.
4. Clothes shall be sufficient to conceal undergarments at all times. Sheer fabrics and revealing garments such as halter tops, off-the-shoulder or

low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.

5. Students shall come to school clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.
6. Gang related articles of apparel that display identity with a group or project intimidation or violence against one or more people are prohibited.
7. Extremes in dress that are distractions to the learning environment are prohibited. Clothing must sufficiently cover the body such that it is not distracting, offensive, or disruptive to the learning environment. Examples of inappropriate attire may include spaghetti straps (under 1"), bare midriffs, low-cut tops, and short shorts and skirts.

❖ **Additional Guidelines**

- Students will not ride skates, roller blades, skateboards, or bicycles on campus.
- Students will abide by the District Internet Agreement.
- Mobile phones should be turned off and are not to be used while on campus unless under the direct supervision of a staff member.

**ACADEMIC INTEGRITY POLICY**

The Board has adopted an Academic Honesty Policy, BP 5131.9, designed to inform and support students in practicing an ethical approach to research and learning. This includes the expectation that students will complete their own assignments without copying, plagiarizing, or cheating. When research is required it is the expectation that proper recording of sources cited will be included in the completed assignment. Cheating, plagiarism, and collusion practices are defined and consequences are addressed in this policy.

❖ **Achievement**

Students are expected to achieve academically. They are expected to:

- strive to fulfill their academic potential.
- actively participate in the educational process.
- actively participate in community activities

## **CONSEQUENCES OF STUDENT MISBEHAVIOR**

Progressive discipline and intervention assist in implementing student discipline guidelines and will be used as appropriate. There are instances where a student's behavior requires immediate suspension and a possible expulsion recommendation. Discipline is determined fairly and equitably. Site specific recognition for positive behavior, attendance, and achievement are handled at each school through incentives, recognition, and rewards. These measures are intended to assist in maintaining consistent student discipline.

A pupil may be disciplined, suspended for a maximum for five days, or expelled for acts specified in the Standards of Behavior that are related to school activity or school attendance occurring at any district school or within any other school district, including:

- while on school grounds,
- while going to or coming from school,
- during the lunch period whether on or off campus,
- during, going to, or coming from a school-sponsored activity.

### **Detention**

Detention is the assignment of a student to a supervised area for a specified time before or after school, at lunch, or during Saturday school. Supervision must be assigned to a certificated employee. The student shall be given adequate time to use the restroom, get a drink or eat lunch.

### **School Attendance Review Board (SARB)**

The School Attendance Review Board (SARB) reviews attendance and disruptive behavior. Students may be referred to SARB for habitual truancy or being beyond the control of school authorities. SARB may direct a student to take part in community services. SARB may involve the District Attorney, County Probation Department, Sheriff's Department, City Police Department, and Child Protective Services in a student's case. SARB may transfer the student to another school or to an alternative education program.

### **The Search and Seizure Policy**

The Search and Seizure Policy 5145.12 governs the district's authority to search individual students and their property. School officials may search when there is a reasonable suspicion the search will uncover evidence that the student is violating the law or the rules of the district or school.

### **Novato Police Department's Canine Detection Program**

In an effort to maintain a safe learning environment on our school campuses, the district utilizes the Novato Police Department's Canine Detection Program at each of our secondary schools (grades 6-12) including Hamilton. This preventative program, which detects the presence of drugs on school campuses, has been very successful in reducing the number of incidents of students bringing illegal drugs on campus. For additional information about this program, please visit our district's website <http://www.nusd.org>, to view Board Policy #5145.12 – Search and Seizure.

## **Restorative Justice**

In an effort to improve school climate, reduce the number of suspensions, and support constructive solutions for disciplinary referrals, Novato Unified School District School utilizes a restorative justice program called Peer Court or Restorative Circles. The goal of restorative justice is to keep students in school, support positive behaviors and choices, reduce recidivism, provide students with an equitable, supportive and respectful discipline process, and increase scholastic achievement.

Referral to Peer Court is at the discretion of the school administration and may be used for violations that are not mandatory recommendations for suspension or expulsion. Peer Court provides students who have committed Ed. Code violations an opportunity to divert a violation through a peer-to-peer restorative justice process. This provides the student an opportunity to make restitution to the school community and victims/targets. Peer Court in NUSD works closely with the Marin Youth Court to train the Peer Court Leadership Team.

## **Suspension/Expulsion**

Suspension is the removal of a student from the classroom for disciplinary reasons for a defined period of time by a teacher or a school administrator. A principal or a designee may suspend from school for up to five consecutive days. A teacher may suspend for the remainder of the class in which the misbehavior occurred and for the next day's class. A suspension may be extended under certain conditions. *There are two kinds of suspension: On-campus suspension and out of school suspension.* Students placed on out of school suspension are not permitted on or near any Novato Unified School District campus, nor are they allowed to participate in any school activities, during the period of suspension. They may, however, be required to complete assignments and tests which will be made available to them through an intermediary.

Expulsion is the removal of a student from all schools in the Novato Unified School District for violating the California Education Code as ordered by the Board of Trustees. The expulsion is for a defined period of time, but an application for re-admission must be considered within a specified time period. State law provides for full due process and rights to appeal any order of expulsion.

## **Mandatory Suspension & Expulsion Recommendation - Mandatory Expulsion**

The principal, Superintendent, or designee **shall** recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

- Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence

However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory

recommendation for expulsion and mandatory expulsion.

- Brandishing a knife as defined in Education Code 48915(g) at another person
- Unlawfully selling a controlled substance listed in Health and Safety Code 11053-110584.
- Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
- Possession of an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

### **Mandatory Expulsion Recommendation - Discretionary Expulsion**

Unless the Superintendent, principal, or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

- Causing serious physical injury to another person, except in self-defense
- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
- Robbery or extortion
- Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

### **Discretionary Expulsion Recommendation - Discretionary Expulsion**

The Principal/Superintendent may recommend expulsion. The governing board may expel, for violations of 48900(a)-(e), but only on governing board's finding that other means of correction are not feasible/failed in past; 48915(b)(1) or that, due to nature of act, student's presence creates continuing danger to physical safety of student or others. (Education Code 48915(b))

The Principal/Superintendent may recommend expulsion, and governing board may expel, for violations of 48900(f)-(o) or sections 48900.3, 48900.4 or 48900.7, at school or at a school activity off school grounds, but only on finding: that other means of correction are not feasible/failed in the past; or that, due to nature of act, student's presence creates continuing danger to physical safety of student or others. (Education Code 48915(e))

A pupil shall not be disciplined, suspended, or recommended for expulsion unless the superintendent, a designee, or the principal of the school in which the student is enrolled determines the pupil has violated one or more parts of the Standards of Behavior. (Education Code 48900)

**For more information regarding Suspension/Expulsion/Due Process, please refer to Board Policy 5144.1 available on our website at <http://www.nusd.org> or at your child's school.**