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## **4000 STUDENTS**

*“Both in the Church and in human society, children and young people have a dignity of their own. They are important not only for what they will do in the future, but for what they are here and now—for their intrinsic value and their value in relation to the common good.”*

SHARING THE LIGHT OF FAITH

### **4100 DIOCESAN POLICIES AND GUIDELINES**

The policies in this chapter apply in substance to all schools of the diocese. The procedural details are written especially for elementary schools. High schools should adapt these procedures to their own administrative structures, specify the administrators charged with their implementation, and incorporate the adaption into their school handbooks. The school shall make its policies known to both students and parent(s) or guardians by distributing a school handbook at the beginning of each school year.

### **4110 STUDENT/APPLICANT NON-DISCRIMINATION**

The Catholic schools in the diocese of Fresno, mindful of their mission to be witnesses to the love of Christ for all, admit students of any race, color, and national and/or ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the schools. The Catholic Schools in the Diocese of Fresno do not discriminate on the basis of race, color, national and/or ethnic origin, age, gender, or disability in the administration of educational policies, scholarship and loan programs, athletic, and other school-administered programs.

The Special Needs Student: While the Catholic schools do not discriminate against students with special needs, a full range of services may not always be available to them. Decisions concerning the admission and continued enrollment of a student in a school are based upon the student’s emotional, academic, and physical abilities and the resources available to the school in meeting the student’s needs. Parents or guardians should realize that they may request a minor adjustment of services for students with a special need, but the student’s teachers and principal must determine whether the school has the resources and training to educationally support the learning needs of all students.

Each Catholic school shall publish annually in the school handbook, in the parish bulletin, and in any appropriate brochure, this admission policy of non-discrimination.

## **4200 ADMISSION REQUIREMENTS**

### **4210 ADMISSION**

Each school shall develop clear admission policies to assist families to understand the school’s admission process and procedures. Some form of preference in admission shall be given to “active and practicing Roman Catholic” families (see policy 1111).

A letter of recommendation from the pastor of the parish of residence may be required by a school’s admission procedures. The school may also require a formal agreement by which parents commit themselves to specific obligations toward the school.

Updated 7/1/2018

A birth certificate, baptismal certificate (if the child is baptized Roman Catholic), social security number, and health record are required of the parents at the time of registration. Information shall be entered on the permanent record when verified by the official documents.

#### **4211 RIGHT OF ADMISSION**

The Catholic schools of the Diocese of Fresno reserve the right to admit, readmit, or deny admission to any student.

#### **4212 CONDITIONAL/PROBATIONARY ADMISSION**

Each Catholic school may decide to admit a student on a conditional or probationary basis if it has reason to believe any of the following apply:

- A. Student history of poor attendance;
- B. Student history of poor academic performance;
- C. Any educational or physical disability which makes demands on the school which the school cannot meet;
- D. Student history of poor disciplinary performance;
- E. Student history of emotional instability;
- F. Midyear transfer;
- G. Parent or guardian history of poor financial responsibility; and/or
- H. Other reasons as determined by the school on a case-by-case basis.

The written terms of the Probationary Admission shall be determined by the school's principal. Parents/guardians must be aware of these terms and must be willing to cooperate with the decisions of the school's principal. These terms must be signed by both the principal and the student's parents/guardians (see policy 4931).

At the end of the probationary period, or earlier at the sole discretion of the principal, the principal shall:

- A. Cancel the student's probationary status;
- B. Extend the student's probationary status;
- C. Request the parents or guardians to remove the student from the school according to the terms of the Probationary Admission agreement.

#### **4213 FAMILY BACKGROUND**

The primary purpose of diocesan Catholic schools is to help Catholic parents in their role of educating their children by assisting in their children's academic, personal, and spiritual growth. This can only be accomplished by parental cooperation with and support of the school's mission, philosophy, and values. The Catholic schools of the diocese of Fresno recognize that students come from a variety of family backgrounds, some of which may not fully conform to the moral teachings of the Catholic Church. Acceptance of any child for enrollment at a Catholic school does not imply that the school condones any parental background or living situation that may be contrary to Church teachings.

The personal family background or living situation of a child does not constitute an absolute obstacle to enrollment in the school. Parents, who are in canonically irregular marital situations, who are not normally causing public scandal, and who, at least, are potentially open to canonical resolution when and if circumstances change in their lives, may seek enrollment. A Catholic school will normally bar the enrollment of a child when the parental family background or living situation in the child's home is ever capable of canonical resolution or moral acceptance by the Church.

Updated 7/1/2018

The school has the right to refuse to enroll any child for any reason whatsoever, especially if the child's enrollment is considered not to be in the best interest of the child. It is not usually in the best interest of a child to be enrolled in a Catholic school that will consistently and clearly teach against the parental background or living situation in the child's home.

Parents and guardians who enroll their children must understand that Catholic schools will remain faithful to the teachings of the Roman Catholic Church and steadfast in proclaiming them. When present on the school campus and during school activities off campus, every adult has the responsibility to be a positive role model to our students, acting in a manner that supports the school's mission, philosophy, and values.

#### **4220 REQUIREMENT OF AGE AND DEVELOPMENTAL READINESS**

The Diocese of Fresno is not required by law to follow the California Educational Code's eligibility dates to determine whether a child is ready to be admitted to a diocesan elementary school. As long as supported research, a child's age is not an accurate indicator of a child's readiness to attend and succeed in an academic school. The Diocese has retained the State's earlier adopted eligibility dates.

A child shall be admitted to transitional kindergarten, kindergarten, or first grade during the first month of school if the following requirements are met:

- A. Required Age for Admission to Transitional Kindergarten: To be eligible for admission to transitional kindergarten, the child shall have his/her fourth birthday on or before December 2<sup>nd</sup> of the current school year.
- B. Required Age for Admission to Kindergarten: To be eligible for admission to kindergarten the child shall have his/her fifth birthday on or before December 2<sup>nd</sup> of the current school year.
- C. Required Age of Admission to First Grade: To be eligible for admission to first grade, the child shall have his/her sixth birthday on or before December 2<sup>nd</sup> of the current school year.
- D. Required Developmental Ability to Succeed: The child shall be developmentally able to succeed in school. All elementary schools shall administer the diocesan approved test to children applying for admission for transitional kindergarten, kindergarten, or first grade to determine each child's developmental readiness. If a child is admitted to transitional kindergarten, kindergarten, or first grade, his/her admission is probationary for at least six (6) weeks (see policy 4211).

Exceptions to these age and readiness requirements may be made by the school's principal. A school may establish its own eligibility dates so as to meet the school's readiness requirements for the children they serve. These dates should be published in the school's admission's literature.

#### **4230 STUDENT TRANSFER**

Admission of transfer students with special needs will be dependent upon the school program's ability to meet these needs.

Students from other parish schools will not be considered for admission without just cause for transfer and verification of the reason through contact with the principal and pastor.

Any new incoming students must fill out a release of records form in order to have records transferred from the student's previous school.

#### **4240 FOREIGN STUDENTS**

Schools may admit non-immigrant students with a qualifying VISA if the school has been approved by the United States Department of Justice, Immigration and Naturalization Service.

- A. The schools of the diocese were approved as schools for non-immigrant foreign students in 1969. All correspondence from schools to the Immigration and Naturalization Service of the Department of Justice, including certificates of student acceptance, should make reference to the approval number, SFR214F.0011.
- B. No principal should sign any form to admit a non-immigrant student unless the principal has evidence that the student is a suitable candidate for enrollment.

#### **4250 IMMUNIZATION/HEALTH ASSESSMENT REQUIREMENTS**

Schools shall comply with the current requirements for immunization and health assessments as established by state and local health authorities. Admission will depend upon this documentation.

#### **4300 ATTENDANCE AND ABSENCE**

##### **4310 ATTENDANCE**

The school is obligated to keep and maintain an accurate record of daily attendance for each student. School registers are kept in the active file in the office for two years, and then filed permanently.

##### **4320 LEAVING CAMPUS**

A student may not leave the school campus during the school day without the notification of the school administrator or designee and the written permission of the student's parent or guardian (see policy 4350).

##### **4330 EXCUSED AND UNEXCUSED ABSENCES**

Excused Absence: For the purpose of determining whether a student is truant, an excused absence is an absence which the school has reviewed and has determined does meet the following school requirements for an excused absence: student illness; death in the immediate family; family emergency; observation of a religious holiday; circumstances causing reasonable parent/guardian concern for the student's health or safety; and/or other situations beyond the control of the student, as determined by the principal. An excused absence DOES NOT exempt a student from completing all the school work assigned by teachers.

Unexcused Absence: An unexcused absence is an absence which the school has determined does not meet the school's requirements for an excused absence. Such absence is considered to be a truant absence. An unexcused absence DOES NOT exempt a student from completing all the school work assigned by teachers. Each school shall establish its own policies for frequent or habitual unexcused absences or truancy.

Return to School after an Excused or Unexcused Absence: A written excuse dated and signed by the parent or guardian is required the day the student returns to school following an absence. These excuses should be kept on file until the end of the school year.

##### **4340 TARDINESS**

A student is tardy if he/she arrives after the time fixed by school policy for the beginning of the morning or afternoon or any class session. Each school shall establish local policy for dealing with frequent or habitual tardiness. A record of a student's tardiness must be kept in the school's attendance register.

#### **4350 CUSTODY AND/OR RELEASE OF A MINOR**

No organization, agency, or person shall be allowed to assume individual custody of any student unless:

- A. Explicitly authorized in writing by a parent or legal guardian; or
- B. Officially authorized by an active duty police officer or Child Protective Services agent (see policy 8530).

It is the responsibility of a child's parent or legal guardian to inform the school of any changes in a child's custody status and home arrangement. In cases involving divorce or separation, each parent may take custody of the child and review school records unless a certified court order or restraining order limiting a parent's access to a child and his/her records has been presented to the school.

Parental differences regarding a child's custody or visitation must be resolved by the court. The school will not honor any verbal or written requests to limit another parent's access to his/her child unless this limit is contained within an official court or restraining order submitted to the school.

In cases in which a legal guardian has assumed parental responsibility for a child, court documentation (e.g. certificate of guardianship, power of attorney, etc.) must be submitted to the school before the school will recognize and honor this relationship.

#### **4400 STUDENT RECORDS**

##### **4410 CUMULATIVE RECORDS**

Full and accurate cumulative records of each student's attendance and academic progress are kept on file permanently. Only authorized personnel may have access to these records. Parents wishing to see their children's cumulative records should request an appointment. Such arrangement insures that a qualified person will be available to answer questions and interpret the recorded data. Each school shall adopt procedures for the granting of requests by parents to inspect and review records during regular school hours. Access shall be granted no later than five days following the date of request.

Confidential reports from an agency or professional individual, such as a psychologist, should be filed separately from the cumulative records. These reports may not be transferred with other student records without the written permission of the parents or guardians and, in the case of an outside agency, of the responsible agency.

##### **4420 PRIVACY OF STUDENT RECORDS**

Apart from the provisions in policy 4410, the school shall not give any personal information to any person unless the person is one of the following:

- A. A parent or legal guardian
- B. Parents of an 18 year old pupil who is a dependent
- C. Persons permitted access to pupil records by written parental consent
- D. Diocesan school officials who have a legitimate educational reason to inspect a record
- E. Federal, state, and local education officials when the information is necessary to counsel or evaluate programs that are publicly funded; public officials when the law specifically requires that such information be reported to them.

##### **4430 CHALLENGING THE CONTENTS OF THE RECORD**

Challenges to the content of the record are concerned with the correction of data in the student record not with substantive decisions on academic grades. These challenges are to be settled at the local level.

The parent of a student may file a written request to the principal to correct or amend any information in his child's permanent records which he alleges to be inaccurate.

#### **4440 RELEASE OF STUDENT RECORD INFORMATION TO SCHOOLS**

When a student transfers to another school, a copy of the student's permanent enrollment and scholarship records must be transferred by the former school upon a written request from the parent obtained by the school or district where the student intends to enroll. The written request should be kept in the student's file.

- A. An elementary school may, after general notification to parents, release the transcripts of eighth grade student's scholastic and enrollment records to the Catholic high schools where the student intends to enroll.
- B. A transcript of student record ordinarily should include only the scholastic record, directory information, and the student health record.
- C. Student transcripts should be mailed to the receiving school. Except in the case of transcript request from colleges, transcripts may not be withheld because of tuition delinquency unless the parents have signed a tuition agreement by which they have explicitly waived their rights.

#### **4450 SUBPOENA OF RECORDS**

When a subpoena requesting records is served, a copy of the records is taken to the court by the principal or a member of the faculty. The person who takes the records is designated as a registrar and may be called as a witness. A reasonable effort must be made to notify the parent(s) in advance of compliance with such a subpoena. In case of doubt, the Office of Catholic Education should be consulted before any information is given.

#### **4460 RELEASE OF INFORMATION**

Schools are never permitted to furnish a list of student names and addresses to be used for commercial purposes.

#### **4500 STUDENT PROGRESS**

##### **4510 EVALUATION**

The school is responsible for evaluation of each student's progress through the continuum of skills or the sequence adopted by the school for each area or curriculum.

##### **4520 ACADEMIC TESTING**

Students are required to take a series of standardized tests as prescribed by the Office of Catholic Education Testing Program (see policy 5411 and PGB).

##### **4530 REPORTING TO PARENTS**

Schools have the obligation to report pupil progress to the parents of each child through a regular and established procedure at least at the end of each academic quarter.

Parent-teacher conferences and report cards are a normal and appropriate means of communication. The format of each is left to the discretion of each local level. This shall be stated in the local handbook and in accordance with Diocesan guidelines.

#### **4531 GRADING**

Academic grades are based on scholastic achievement. The Superintendent of Catholic Schools may authorize experimental grading codes. Grading procedures should be published in the local school handbook for parental information and adhered to by all teachers in the school.

#### **4532 CONFERENCES**

To effect closer cooperation between home and the school, parent-teacher conferences should be held for all parents at least twice a year.

When it appears that a student is not succeeding in a particular subject, there should be communication with parents. Such contact should be clearly documented with a written record kept on file.

#### **4540 ADVANCEMENT**

Each school will maintain adequate data and will utilize appropriate evaluation instruments to provide decision-making information regarding the progress of each student. Any decision concerning the placement, acceleration, retention or withdrawal (for academic reasons) of a student must be based on such data together with extensive consultation with appropriate staff and parents. The final responsibility for a student's promotion or retention rests with the principal (see policy 4930).

The dates of advancement and grades or levels indicating the course of student progress must be clearly indicated on each cumulative record card. A written statement dated and signed by the teacher, should briefly note or explain any deviation from the regular patterns of advancement.

#### **4541 PROMOTION**

Elementary school students satisfactorily completing a grade's work and who are correspondingly mature shall be promoted to the next grade. Promotion for high school students is based on passing grades and sufficient units to fulfill requirements.

#### **4542 RETENTION**

Retention in a grade for a second year requires careful consideration to determine if it would benefit the student. If, in the teacher's judgment, retention is probably, the principal should be notified as soon as possible. A conference should be held with the parents no later than the end of the first semester to advise them of this possibility of retention (see policy 4930).

Both parents and teachers must consider the necessity of providing special assistance (e.g. tutoring, summer school, etc.) to the student in question or of directing the student toward some alternative program which is more realistically suited to his/her needs. Follow-up conferences with the parents should be held to evaluate the academic progress of the student. Evaluation and reports to parents must indicate failure to achieve minimum objectives in at least two basic subjects.

After all procedures have been followed, the principal shall make the decision regarding final grade placement. No student shall be retained more than one year at any grade level. Ordinarily, a student should not be retained more than once while in elementary school.

#### **4543 ACCELAERATION**

Only very rarely should a student be allowed to skip a grade, and then only if the case has been referred to the parents. Exceptional children may develop more satisfactorily if allowed to advance with their

own age group. Every teacher should recognize students with exceptional ability and direct them toward additional study which will challenge their talents.

#### **4550 GRADUATION EXERCISES**

Graduation exercises shall be dignified and simple and shall take place no earlier than the week preceding the closure of school. Parents of a student who is in danger of not graduating should be notified as soon as this situation becomes a probability (see policy 49630). The reason for withholding diplomas and /or exclusion from graduation exercise shall be clearly stated as part of school policy.

#### **4551 POST-GRADUATION ACTIVITIES**

School-sponsored post-graduation parties or activities must meet the following criteria:

- A. The school must obtain Special Event Insurance and meet any additional requirements established by the Diocese of Fresno Risk Management Office and
- B. School personnel will supervise the event

If private individuals or groups plan and sponsor such an event and, if they meet the requirements listed below, they may advertise this event on campus. The requirements include:

- A. The sponsors must comply with any requirements established by the Diocese of Fresno Risk Management Office
- B. The sponsors shall clearly state in the event literature and communications that this event is not a school-sponsored activity and that any school employee who attends this non-school-sponsored event is acting as a private individual and not as an agent or employee of the school
- C. The sponsors shall not conduct on campus any planning, fundraising, or any other business related to this non-school-sponsored activity, except advertising the event.

#### **4560 OBSERVATION OF CHILDREN IN THE CLASSROOM**

Any parent or adult who wishes to observe a classroom must obtain prior permission from the principal.

Parents should be invited into the classroom to observe a group of children in action at specific times during the year. An orientation helps parents to know what to observe and how to interpret its value. Afterwards, it is important that the parents discuss their observations with the teacher and have an opportunity to ask questions.

#### **4600 STUDENT HEALTH**

Principals shall be familiar with the local health department guidelines and recommend practices designed to promote the health and well-being of children attending school.

It is the responsibility of the principal to cooperate with local health agencies and develop procedures in order to comply with regulations concerning student health, immunization requirements, health screening examinations, and first aid/emergency directives.

#### **4610 HEALTH RECORDS**

Student health and medical records are confidential and shall be maintained in a separate section of the student's file. Every student will have on file a health record card on which is noted all immunizations and which lists other pertinent health information. Records shall also be kept of student medication (see policy 4635). As determined by the school's administration, these records may be made available to teachers and other school personnel so that they may be aware of information concerning chronic diseases or special health problems of students (see policy 4640 and following).

#### **4620 HEALTH AND EMERGENCY FORMS**

At the beginning of each school year, each child's parent(s) or guardians(s) shall provide the school with diocesan approved school consent for emergency medical treatment form (see PGB).

#### **4630 ILLNESS AND INJURY**

When a student becomes ill or is injured, the available personnel shall take reasonable steps to care for the ill or injured student.

- A. The person in charge shall make every effort to contact the parent/guardian of the student for information and instructions
- B. If no parent/guardian can be reached and/or the illness or injury is believed to be serious enough to require immediate medical attention, the person in charge shall call emergency services (911).

#### **4635 MEDICATION**

No student shall be allowed to self-administer or receive assistance from school personnel to take any non-prescribed or physician-prescribed medication unless the student's parent or guardian has provided the school with a diocesan approved waiver and release form (see PGB).

If a student must take medication during the school day, the following procedures shall be followed:

- A. The student's parents/guardians may come to school and administer the medication to their child without using the diocesan approved medication form
- B. If the parent/guardian wants their child to self-administer or receive assistance from school personnel to take and medication:
  - 1. A diocesan approved waiver and release form must be submitted by the student's parent or guardian and accepted by the school.
  - 2. Unless a student is allowed by the school to carry and self-administer a prescribed medication, the student is to come to the office or to the school designed staff member to be assisted in taking his/her medication
  - 3. The school shall keep a confidential record of its assistance to a student's taking medication
  - 4. The waiver and release form and the school's record of assistance to a student's taking medication shall be removed from the student's confidential medical file three school years after the child has reached majority.

#### **4640 COMMUNICABLE DISEASE CONTROL**

Schools in the Diocese of Fresno shall work cooperatively with state and local health agencies to prevent, control, and contain communicable diseases. Diseases that may be communicable include but are not limited to: measles, mumps, chickenpox, conjunctivitis, strep infection, influenza, mononucleosis, tuberculosis, meningitis, hepatitis B, HIV (Human Immunodeficiency Virus), AIDS (Acquired Immune Deficiency Syndrome), etc. Communicable disease is a serious concern for both the afflicted person and the school community. Each communicable disease case shall be judged on its own merits by balancing the need of the individual to participate in school and the needs of the school community to be protected from potentially serious health problems.

#### **4643 PRINCIPAL'S RESPONSIBILITIES**

- A. Reporting Diseases – The principal shall inform the pastor and Superintendent of Catholic Schools of all potentially serious communicable diseases. As required by state and local health

code, the principal shall also inform the local health officer of all reportable communicable diseases (see policy 4644).

- B. Confidentiality – The identity and health records of a student or employee with a communicable disease are confidential and the number of persons within the school who are made aware of the student's or employee's condition shall be the minimum necessary to assure proper care of the student or employee, other students, ad staff (see policy 4644).
- C. Exclusion from School – After evaluating an individual communicable disease case in consultation with the local health officer or designee, and also with the oral permission of the pastor and Superintendent of Catholic Schools, the principal may exclude either a student or employee from school who is suspected or diagnosed as being exposed to or having a communicable disease that may present a serious health threat to him or herself or to others.
- D. Closing School – The principal, in consultation with the local health officer or designee, and also with the oral permission of the pastor and Superintendent of Catholic Schools, may close a class or school due to a serious outbreak of communicable disease.

#### **4644 CONFIDENTIALITY REGARDING HIV INFECTION**

In compliance with the "Confidentiality of Medical Information Act", Civil Code Section 45 et seq., and Health Safety Code Section 199.21 (g), the name of a student or employee who is infected by HIV shall not be released to any other party without the written permission of the parent or guardian of an afflicted student or the afflicted employee.

#### **4645 STUDENTS WITH HIV**

The admission, retention, and educational placement of students known to be infected with HIV shall be made by the principal and pastor on a case by case basis using the procedures of policy 4641. A student shall be allowed to attend school so long as current medical evidence indicates that the student's attendance does not present a serious health threat to the student or others at the school. Reassessment of a student's condition may be made on a regular basis.

#### **4646 EMPLOYEES WITH HIV**

Employees who are known to be infected with HIV shall not be discriminated against in terms of compensation, conditions, or privileges of employment. The principal shall make reasonable accommodations to assist afflicted employees unless such accommodations impose an undue hardship. Using the procedures of policy 4641, the principal may discharge an employee afflicted with HIV if the employee is unable to perform his or her duties.

#### **4650 MEDICAL APPOINTMENTS**

The school urges parents to keep requests for early dismissal to a minimum during regular school hours. Students may receive an early dismissal for medical or dental appointments when parent(s) and/or guardian(s) submit a written request. The school records the absence in class register.

#### **4660 STUDENT INSURANCE**

All students shall participate in the student accident insurance program. This insurance provides benefits for students injured at school, on the playgrounds while participating in athletic contests, while directly going to or coming from school sponsored activities.

#### **4670 REPORT OF ACCIDENTS**

The school reports all accidents which occur on school property or during school activities to the Office of Catholic Education and the diocesan liability insurance carrier as soon as possible. The principal or secretary shall provide the parents with student accident insurance forms when requested.

#### **4700 STUDENT SAFETY**

##### **4710 CHILD ABUSE AND NEGLECT**

Child abuse and neglect is any act of commission or omission that endangers or impairs a child's physical or emotional health and/or development. The major responsibilities for school personnel are:

- A. To identify incidents of suspected child abuse or neglect; and
- B. To comply with laws requiring reporting of suspected child abuse or neglect to proper authorities.

In the Diocese of Fresno, all school employees are mandatory reporters as defined by law. If a mandatory reporter reasonably suspects that a child has been abused or neglected, he/she shall:

- A. Immediately report this suspicion to the school principal;
- B. Report this suspicion by telephone to the appropriate child protective agency as soon as possible (if possible, make this call with the principal); and
- C. Within 36 hours of identifying suspected child abuse or neglect, complete the state form "SS 8572" and mail it to the appropriate child protective agency. A copy of this form must be kept on file at the school and mailed to the Superintendent. Failure to meet these requirements may result in disciplinary action by the school and/or a misdemeanor charge punishable by fine and/or imprisonment (see policy 3255 and PGB).

##### **4711 BULLYING**

All Catholic schools and licensed Preschools are committed to providing a caring, friendly, and safe environment for all students so they can learn in a secure atmosphere. Bullying of any kind is unacceptable at school.

Bullying is defined as the use of intimidation or aggression with the intention of hurting another person either verbally, electronically, or physically which results in pain and distress to the victim.

Students and all members of the school community are expected to inform a member of the school's administration when they reasonably suspect that someone is being bullied. Upon receiving a claim of a bullying incident, the school's administration will promptly investigate the claim.

##### **4720 CUSTODY**

No unauthorized organization, agency, or person may be allowed to visit or assume custody of any student on school premises during school hours or immediately before or after unless authorized in writing by the parent or guardian. In order to cooperate with student and family needs, the school must be informed of custody arrangements. It is the responsibility of the parent or guardian to inform the school of custody status and subsequent changes. The school may ask for legal verification of these arrangements.

##### **4730 FIRST AID SUPPLIES**

Schools should be equipped with first aid supplies. The local health department or chapter of the American Red Cross are resources for information on adequacy of first aid supplies. First aid supplies

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should be taken on field trips. Whenever a field trip is conducted in an area infested by poisonous snakes, the first aid kit should include a snake bite kit.

#### **4740 EMERGENCY PREPAREDNESS**

At the beginning of each year, a complete and current emergency address card for each student must be obtained and kept on file in the school office. These emergency address cards must be readily available during any school emergency (see policy 4620).

The principal of each school shall develop appropriate school emergency procedures to be followed in case of any emergency. These procedures should be written and given to the entire school staff, reviewed annually with the staff, and revised as necessary.

Principals are encouraged to have members of the school staff trained in emergency first aid and cardiopulmonary resuscitation (CPR). Principals are also encouraged to have first aid and CPR trained staff at school events.

#### **4741 EMERGENCY CLOSURE**

The principal, in deciding upon temporary closure of school for a particular reason, should make provision for notification of parents and for proper supervision of the students, if necessary. Notification of closure should be made to the Office of Catholic Education (see policy 4641).

#### **4742 FIRE DRILLS**

Each school must have an operative fire warning system. The system should be checked frequently. Fire drills shall be conducted during the first week of school and at least once a month thereafter (see PGB).

#### **4743 EMERGENCY PROCEDURES**

See the PGB for emergency procedures (including lock-down and building and school evacuation) to respond to bomb threats, earthquake, weapons or hostage situations, biological-chemical threat, etc.

#### **4744 UNHEALTHY AND HAZARDOUS AIR QUALITY EPISODES**

Each school principal shall take appropriate steps to protect the health of students and employees during unhealthy and hazardous air quality episodes. Working with the information provided by their local air quality control or management district, each school shall monitor local air quality and shall limit or restrict physical activities at school or at any school-sponsored activity during declared unhealthy and hazardous air quality episodes.

To monitor unhealthy and hazardous air quality episodes, the school shall monitor the Air Quality Index (AQI) reported by its local air quality control or management district. For most schools, this is the San Joaquin Valley Air Pollution Control District.

Each school shall create a confidential list containing the names of students and employees especially those with respiratory diseases such as asthma who are sensitive to air pollution. This list will be called the "Air Quality Sensitive Group" (hereafter, "Sensitive Group"). To assist the school to identify students to be included in this Sensitive Group, parents/guardians must notify the school in writing of their child's sensitivity to air pollution. Employees must notify the principal of their sensitivity to air pollution. Any employee or student who complains of respiratory difficulty shall be treated as a member of the Sensitive Group.

Unhealthy Air Quality Level for the Sensitive Group:

- A. When the AQI is 50-100, the air quality is considered moderately unhealthy for extremely sensitive children and adults. The school should consider limiting outdoor exertion for members of the Sensitive Group.
- B. When the AQI is 101-150, the air quality is considered unhealthy for sensitive children and adults. All members of the Sensitive Group should limit prolonged outdoor exertion.

Unhealthy Air Quality Level:

- A. When the AQI is 151-200, the air quality is considered unhealthy for all persons especially Sensitive Group Members. The school shall take the following steps:
  - 1. Physical Education: Besides following the precautions issued by their physician, students in the Sensitive Group shall refrain from all vigorous or strenuous activities and shall be kept indoors. All other students and employees should discontinue all outdoor exercise in the afternoon.
  - 2. Athletic Events/Practices: All afternoon athletic events/practices should be rescheduled. Film or chalk talk sessions may be conducted indoors.
  - 3. Employees: All employees should limit their physical activities except for those necessary in response to emergency situation.

Very Unhealthy Air Quality Level:

- A. When the AQI is 201-300, the air quality is considered very unhealthy for all persons. In addition to the steps taken during Unhealthy Air Quality Level, the school shall take the following steps:
  - 1. Physical Education: All outdoor physical activities by all students shall be discontinued.
  - 2. Athletic Events/Practices: No physical activity is allowed. Film or chalk talk sessions may be conducted indoors.
  - 3. Employees: All physical exertion shall be curtailed.

Hazardous Air Quality Level:

- A. When the AQI is over 300, the air quality is considered hazardous for all persons. All outdoor physical activity shall be restricted for students and employees. At this stage, the California Air Resources Board recommends sending children home or keeping them indoors at all times.

Regardless of the projected or measured pollutant concentration or AQI, all schools shall follow the directions given by its local air quality control or management district.

**4750 SCHOOL SAFETY**

**4751 SCHOOL ENVIRONMENT**

School personnel have responsibility for safeguarding the health of pupils through providing wholesome physical conditions. This requires the attention of the administrator and staff to standards for school safety, hygiene, and sanitation with appropriate attention to lighting, seating, ventilation, heating, and plumbing.

**4751.1 BUILDING SAFETY**

The principal should be aware of local building safety rules. Exit doors should never be locked during school hours.

#### **4751.2 EYE PROTECTIVE DEVICES**

Eye protective devices must be worn in courses when an individual is engaged in or observing an activity or using substances likely to cause injury to the eye.

#### **4752 TRAFFIC CONTROL**

The regulations of the local police department in the matter of traffic control and safety must be complied with explicitly. School safety patrols may be used only at those locations where the nature of traffic will permit their safe operation.

Students shall be assigned to serve on patrol with written parental consent. Students must be at least ten (10) years old or enrolled in 5<sup>th</sup> grade or above to serve on the traffic patrol.

#### **4760 SMOKING RESTRICTIONS**

To promote the health and safety of all students and staff and to model positive health habits for students, the use of tobacco products is banned on school grounds and in school vehicles. This prohibition applies to all employees, students, and visitors at the school or at any school-sponsored activities or athletic events. Signs must be posted on each campus and in each school vehicle stating that tobacco use is strictly prohibited.

Smoking may be permitted at bingo facilities if the requirements of all applicable local, state, or federal laws are met.

#### **4770 SAFETY EDUCATION**

Safety education shall be provided in the general curriculum for both elementary and secondary schools.

#### **4780 STUDENT THREATS**

All student threats to inflict harm to self or others shall be taken seriously (see also policy 4910 "Student Code of Conduct"). Whoever hears or becomes aware of any threat made by a student shall report it immediately to a school administrator. The school shall make an effort to communicate this policy to all faculty, staff, volunteers, parents/guardians, and students.

#### **4781 STUDENT THREAT PROCEDURES**

##### Step One: Initial Response of School to a Student Threat

The principal or his/her delegate shall immediately:

- A. Keep the student who has allegedly made the threat in the school office under supervision and notify the student's parent/guardian of the situation.
- B. Carefully document all information on the situation. If the school's investigation determines that there was no foreseeable risk of harm, the student's disciplinary record shall reflect this resolution. This documentation must be kept for a period of one year beyond the time the child leaves the school.

##### Step Two: Preliminary Assessment of Risk of Harm

The principal or his/her delegate shall immediately:

- A. Gather information about the threat (e.g. interview reporting/witnessing parties, gather past history on the student, interview the student who is alleged to have made the threat, interview the student's parent/guardian, etc.).

- B. Assess the potential risk of harm based upon the information gathered. There are two basic assessments of risk of harm: the student presents no foreseen risk of harm or some potential risk of harm. These levels are defined as follows:
1. No foreseen risk of harm: Upon assessment it appears there is insufficient evidence for any risk of harm. Situations under this level can include misunderstandings, poor decision-making, insensitive remarks, inappropriate slang, false accusations from peers, etc.
  2. Some potential risk of harm: Upon assessment it is clear or unclear that the student is potentially dangerous to self or others.

#### Step Three: School Response to Preliminary Assessment

The principal or his/her delegate shall respond as follows to either basic assessment of risk or harm:

- A. Response to no foreseen risk of harm: The school shall:
1. Take whatever disciplinary action it deems necessary to prevent a recurrence of the problem;
  2. Notify the student's parent or guardian of the resolution; and
  3. Allow the student to return to class or school.
- B. Response to some potential risk of harm: the principal or his/her delegate should:
1. Notify the police
  2. Keep the student in the school office under supervision until the police arrive, and notify the student's parent/guardian of this action
  3. Notify the student, teacher, or other persons who is the object of the threat
  4. Seek the officer's assessment of the risk of harm after he/she has conducted an investigation. Police investigations may entail:
    - a. Interviews with reporting/witnessing parties;
    - b. Interviews with school representatives to gather history on the student;
    - c. Interviews with the student's parent/guardian;
    - d. Interview with the student;
    - e. Home search; and/or
    - f. Arrest and detention of the student

#### Step Four: School Response after a Police Assessment of Risk of Harm

After receiving the preliminary assessment of risk or harm from the police, the principal or his/her delegate shall respond as follows:

- A. If the school concludes that there is no foreseen risk of harm: the school shall:
1. Take whatever disciplinary action it deems necessary to prevent a recurrence of the problem;
  2. Notify the student's parent/guardian and the student, teacher, or other persons who is the object of the threat of the resolution; and
  3. Allow the student to return to class or school.
- B. If the school concludes that there is some potential risk of harm: the school shall:
1. Suspend the student and not consider the readmission of the student to the school until the actions listed below have been completed. The school may in its judgment decline to initiate the actions needed to readmit the student.
    - a. If the parent/guardian of the student wants his/her child to be readmitted to the school, he/she must:

- i. Give permission to the school to all of the following actions listed below including the evaluation, submission of information, and delivery or reports;
  - ii. Give the school his/her full cooperation in this matter.
- b. A school appointed psychiatrist or psychologist with a PhD licensed in the state of California must conduct a comprehensive mental health evaluation/risk assessment. If a psychiatrist performs the primary evaluation, he/she shall determine the necessity to utilize a psychologist for psychological consultation and/or testing. If a PhD psychologist performs the primary evaluation, he/she shall determine the need for a psychiatric consultation. The cost of all evaluation/risk assessments shall be the responsibility of the student's parent/guardian.
- c. The school shall provide to the mental health care professional (psychiatrist and/or PhD psychologist) all relevant facts, including but not limited to, aggressive behavior, details of the threat as known to the school, copies of any drawings or writings, disciplinary history of the student, behavioral concerns, and the names of any known victims or potential victims.
- d. The mental health care professional shall at the outset notify the school and the student's parent/guardian if he/she determines any risk of harm exists. If a risk of harm is identified by the mental health care professional, there is no need to supply the school with a detailed report. If there is no foreseen risk of harm, the report to the school and parent/guardian shall also provide a written, comprehensive, detailed evaluation, report, and documented treatment plan stating the basis (factual and risk factors and testing results) upon which he/she determined that the student is not/does not pose a risk of harm. The report shall also address any other concerns raised by the principal to the mental health care professional.
- e. This evaluation and report and all subsequent reports shall be made available to the principal who will share them with the school/s pastor/rector, the Superintendent of Catholic Schools, and any legal and/or mental health care consultants including other school administrators and the school counselor (if available) assisting the principal with his/her decision regarding the readmission of the student to school.
- f. With the concurrence of the school's pastor/rector and the Superintendent of Catholic Schools, the principal may notify the parent/guardian of the student when he/she may be readmitted to the school. If the student is determined to be a possible risk of harm, the school may remove the student from the school (see policy 4950 "Expulsion"). If the evaluation and report indicates that there is a risk of harm and if the school removes the student from the school, the mental health care professional's evaluation and report will be returned to the mental health care professional. In this case, the student's record shall simply state that after further investigation, the school determined that it was no longer in the best interest of the parties for the student to continue in the school since the student presented a possible risk of harm.
- g. The mental health care professional shall provide the principal a follow-up assessment of the student with 30 days or readmission to the school. This follow-up assessment and/or evaluation shall inform the principal if therapy, counseling, and/or treatment are recommended, will be needed, and/or

provided. Any therapy, counseling, and/or treatment are the financial responsibility of the student's parent/guardian.

2. Contact the parent/guardian of any students who have been indicated as potential victims.
3. Refer to a school counselor (if available) or provide a counseling referral to a victim of serious threatening behavior if it is determined that such is warranted or requested.

Documentation from the mental health care professional concerning any student is to be placed in a separate, confidential file and should not be part of the student's academic or disciplinary file. This documentation must be kept for a period of one year beyond the time the child leaves the school.

#### **4790 RESTRICTED ACCESS TO CAMPUS AND SCHOOL ACTIVITIES**

To protect the safety and security of students, school employees, and volunteers, all Catholic school campuses and their scheduled off-campus events and activities are closed to the public. The school, with or without cause, may at its sole discretion, invite parents, guardians, relatives, and friends of students and others to come on campus or attend off-campus school events and activities.

- A. The school shall reasonable attempt to control and monitor all visitors to campus during instructional time. All classroom visits must be pre-approved by the school designee.
- B. The school, with or without cause, may deny or limit entry and access to the campus or to off-campus events or activities to anyone including a student's parent or guardian.
- C. Registered sex offenders listed on the Megan's law website, who are disclosed to the school, are prohibited from coming on campus unless accompanied or supervised by a school employee.

#### **4800 STUDENT SUPERVISION**

##### **4810 SUPERVISION**

The principal is responsible for adequate supervision of students during the entire time they are present on school premises and under the control of school personnel. The specific times that the school is responsible for supervision should be stated in the parent handbook:

- A. No student or students should ever be in a classroom without supervision.
- B. Supervisory personnel (including teachers and paid or volunteer aides assigned for duty) shall be in-serviced regarding their responsibilities.
- C. Students are never to be sent on errands off the school campus. They may be released from school only at the verified written request of the parent or guardian.
- D. All students transported by the school to school-sponsored events shall have the written permission of the parent or guardian using the school's "Parent Permission Form" (See policy 6600 and following).

##### **4811 SCHOOL SPONSORED EVENTS**

School sponsored events should be adequately supervised, adjusted to the maturity level of the students, limited to avoid conflicts with family or religious obligations of students, and maintained at a reasonable expense. The school is responsible for the behavior of students at any school sponsored event. Parents should be informed as to the time and place of events, the rules governing them, and the limits of the school's supervision. At least one member of the faculty must be present during the time of a school sponsored event.

#### **4812 FIELD TRIPS**

Field trips provide students with an extension to the regular classroom and, therefore, are encouraged. A field trip should flow naturally from a particular area of study or provide a learning opportunity that cannot be provided within the confines of the class (see policy 6600 and following).

#### **4820 RIGHTS**

Recent court decisions point out that civil and legal rights of students must be carefully guarded by principal and staff. School policies covering this area should be drawn with this caution in mind.

#### **4821 SEARCHES**

The school reserves the right and duty to conduct a search of a student and the physical plant and grounds of the school (including student lockers and autos) whenever the school's administration determines that there may be a potential threat to the health, welfare, or safety of any student, member of the staff, or visitor to the school.

The school should publish its right and duty to conduct searches in the parent/student handbook. A search of a student's person should only occur in rare cases and with appropriate like-gender supervision and with a like-gender witness.

#### **4830 FUNDRAISING AND COLLECTIONS**

Whenever a school engages in a fundraising activity, it must be done in such a way; (a) that students do not become promoters of commercial enterprises or carriers of commercial advertising, either directly or indirectly, (b) that students are not involved in public solicitation, house-to-house selling, or other activities which would jeopardize their safety.

The local board, working with pastor and principal, will establish criteria for a minimum of fundraising activities which will not interfere with the educational program of the student.

All fundraising in a school is subject to the approval of the pastor and principal.

#### **4840 RELIGIOUS AND APOSTOLIC ACTIVITIES**

Every Catholic school shall provide students with opportunities for growth in the life of the Church through a variety of liturgical experiences. These opportunities will generally be afforded to the total school community or to class groups. Students may also profit from opportunities for individual service, e.g., tutoring, visiting the sick, etc.

#### **4900 STUDENT DISCIPLINE**

Students' actions and attitudes should reflect a Christian ethic and be in accord with the moral and religious expectations contained in the philosophy and goals of each school.

Discipline in the Catholic school is an essential aspect of Christian development. Its purpose is to educate students to an appreciation of the importance of developing responsibility and self-control, to build a sense of Christian community, and to provide an environment for learning; therefore, it is to be considered as an expression of moral guidance and not a form of punishment. It is in this spirit that corporal punishment; language which will bring ridicule on the student or parents; disciplinary actions whose intent is to affect a student's academic performance; and withholding or altering rightfully earned academic marks are unacceptable. Following in this spirit, the school's disciplinary response to

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inappropriate behavior should normally be applied in the following sequence: classroom disciplinary practices, detention, probation, suspension, and expulsion.

All local school disciplinary policies and procedures shall be in compliance with diocesan policies and procedures. These local school policies and procedures shall be consistent with the overall philosophy and goals of the school and should stem from a loving accepting attitude toward the student as a person of dignity. The school's general disciplinary procedures shall be clearly outlined in its school handbook.

#### **4910 STUDENT CODE OF CONDUCT**

The school may take disciplinary action if a student conspires or engages in any of the following activities on or near campus or at any school function:

- A. Any disruptive behavior or conduct at school or in public that reflects adversely on the school.
- B. Personal appearance or dress code violations.
- C. Disobedience, insubordination, or disrespect for authority.
- E. Forgery of any person's signature, falsification or misrepresentation of phone calls, notes, forms, or other school related documents.
- F. Cheating.
- G. Inappropriate touching or intimacy, obscene acts, possessing or distributing obscene materials, or engaging in habitual profanity or vulgarity.
- H. Attempting, threatening, or actually injuring, intimidating, degrading, disgracing, harassing, or bullying any student.
- I. Attempting to damage or actually damaging school or private property. The school's disciplinary response may include restitution.
- J. Attempting to steal or actually stealing school or private property.
- K. Possessing or selling firearms, knives, explosives, or other dangerous objects.
- L. Possessing, using, being under the influence, furnishing, or selling controlled substances, alcoholic beverages, intoxicants, or tobacco products of any kind (see policy 4980).
- M. Committing any serious offense against civil or church law.
- N. Violating any other school policy, procedure, or practice.

The school may require an apology and restitution by any student violating this code of conduct by harming or destroying any property or the reputation and good name of any other person involved.

#### **4911 CODE OF CONDUCT COVERING STUDENTS AND PARENTS/GUARDIANS**

Parents who desire a quality academic, Catholic, and morally-based education for their children can best achieve this goal when the students, parents, and school officials work cooperatively together. Normally, differences can be resolved. In some rare instances, however, the school may find it necessary, at its discretion, to require parents/guardians to withdraw their child from the school (see policies 4960 and 4961).

Condition of Enrollment for Students: It is a condition of enrollment that every student behaves in a manner, both on and off campus, which is consistent with the philosophy and Catholic principles of the school as determined by the school at its discretion. These principles include, but are not limited to, any policies, principles or procedures set forth in any student/parent handbook of the school (see policy 4911).

Condition of Enrollment for Parents/Guardians: It is a condition of enrollment that the parents/guardians of a student shall also conform to standards of conduct that are consistent with the philosophy and the Catholic principles of the school, as determined by the school at its discretion. These principles include, but are not limited to any policies, principles or procedures set forth in any student/parent handbook of the school.

These Catholic principles further include, but are not limited to, the following:

- A. Parents/guardians are expected to work courteously and cooperatively with the school to assist the student in meeting the academic, religious, moral, and behavioral expectations of the school.
- B. Students and parents/guardians may respectfully express their concerns about the school operation and its personnel. However, they may not do so in a manner that is discourteous, scandalous, rumor-driven, disruptive, threatening, hostile, or divisive.
- C. These expectations for students are parents/guardians include, but are not limited to, all school-sponsored programs and events (e.g. extended care, licensed child care programs, athletics, field trips, etc.)

The school reserves the right to determine, at its discretion, which actions fall short of meeting the philosophy and Catholic principles of the school. Depending on the severity and circumstances of the event, failure to follow the school's philosophy and principles will normally result in verbal or written warning to the student and or parent/guardian. For serious violations of the school's philosophy and principles, the school's response may result in disciplinary actions up to and including the requirement to withdraw from the school (e.g. suspension of a student or suspension of parent/guardian's privilege to come on the campus grounds and/or participate in parish/school activities, volunteer, work, etc. – see policies 4790 and 4990ff).

The school reserves the right to determine, at its discretion, when conduct is of such a severe nature as to warrant immediate action without a warning (see policies 4950, 4951, 4960, and 4961).

#### **4920 DETENTION**

A student may serve a detention before, during, or after school, or on non-school days for a violation of school regulations. Each school shall define its own policies concerning detention which shall at a minimum include:

- A. A statement indicating that the length of detention should not be excessive. Detention should be proportionate with the act committed. A school day detention would normally not exceed thirty minutes for elementary students or the length of a class period for high school students. Non-school day detentions may be longer as determined by school officials.
- B. Detentions to be served outside of school hours shall only be allowed when parents have been given advanced notice.
- C. Detention may be postponed for good cause as determined by authorized school officials.

#### **4930 ACADEMIC AND DISCIPLINARY PROBATION**

A student may be placed on probation for either academic deficiency or for misconduct. Each school shall define its own policies concerning probation which shall at a minimum include:

- A. Before formal probation is given, a conference with the student, the student's parents or guardian, and a school official shall be held.

- B. After the conference and if probation is judged necessary by the school, the student and the student's parents or guardian shall be informed in writing of the reason for the probation, the length of the probationary period, and the conditions under which the probation will be lifted.
- C. Efforts should be made to assist the student through constructive counseling in order to forestall further sanctions.
- D. All probations must be approved by the principal or delegated representative.
- E. Written record of student probation shall be kept for reference should more serious academic disciplinary actions become necessary.

#### **4940 SUSPENSION**

A student may be suspended for either serious misconduct or for continuing misconduct after having been placed on probation (see policy 4941).

A suspension may assume the following forms or a combination of them:

- A. Non-privilege suspension where the student loses the right to participate in any non-class-related school activity on or off campus.
- B. On campus suspension where the student is required to report to a specific place on campus during school time. The student shall be assigned academic work to make up for the loss of class time.
- C. Home suspension: The student may be sent home for the entire period of suspension. The student shall be assigned academic work to make up for the loss of class time. Home suspension should generally not exceed five (5) school days.
- D. Written Record: A written record of the procedures followed in the suspension process shall be kept for reference should more serious disciplinary action become necessary.

#### **4941 SUSPENSION PROCEDURES**

Each school shall define its own policies concerning suspension which shall at a minimum include:

- A. Normal Suspension:
  1. Notice: A school official shall notify in writing the student and the student's parents or guardian of possible suspension, of what school regulation has been violated, and of the evidence that has led the school to reasonably believe that the student was involved in the breaking of a school regulation.
  2. Conference: A conference shall be conducted by the school's principal or delegate, regarding the student's possible suspension. The student, the student's parents or guardian, the school's pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference, the student shall be afforded the opportunity to explain his/her understanding of the infraction. After the conference, the student, the student's parents or guardian, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
    - a. The principal's decision and justification for suspending or not suspending the student.
    - b. If the student is suspended, the reason for the suspension, the length of the suspension, and any other disciplinary actions or requirements for the school including probation, restitution, etc.
- B. Emergency Suspension: the principal or delegate may, without following the steps included in "Normal Suspension," impose an immediate suspension on a student when, in the judgment of the principal or delegate, such critical, emergency action is in the best immediate interest of the student, any other student, members of the school staff, visitors to the school, or the general

good of the school. In “emergency suspension” situation, the procedures required in “Normal Suspension” shall be followed as soon as practical after the emergency condition has subsided.

- C. Right to Appeal: The student’s parents or guardian or the student with parental permission may appeal the principal’s decision to the pastor/rector of the school in writing within three (3) school days of the principal’s decision. During an appeal, the pastor/rector may postpone the suspension.

#### **4950 EXPULSION**

A student may be expelled for continuing misconduct (after having been placed on probation and/or suspension) or for a serious misconduct. Some examples of serious misconducts include, but are not limited to, disobedience, insubordination or disrespect for authority; threatening or causing physical or emotional injury; possession of a weapon or other dangerous object, possession or ingestion of a substance which is not legally possessed by the student under the laws of the State of California; etc. (see policy 4980 regarding substance abuse).

The school shall judge the need to expel a student on a case-by-case basis. The school shall determine whether an expulsion is appropriate based upon the student’s prior disciplinary record, the circumstances involved in the disciplinary offense, the gravity of the offense, and the safety of the student and to others.

Expulsion is the permanent removal of a student from the school. Expulsion is a school disciplinary sanction that should be used rarely and for clear serious cause.

#### **4951 EXPULSION PROCEDURES**

Each school shall define its own policies concerning expulsion which shall at a minimum include:

A. Cases Involving Continuing Misconduct:

1. Notice: The school’s principal shall notify, in writing, the student and the student’s parents or guardian of possible expulsion, of what pattern of behavior has led the school to believe that expulsion is appropriate, and of the evidence upon which this assessment is based.
2. Conference: A conference shall be conducted by the school’s principal regarding the possible expulsion. The student, the student’s parent or guardian, the school’s pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference, the student shall be afforded the opportunity to explain why he/she believes that expulsion is not warranted and/or how he/she will change or improve his/her behavior so that expulsion will not be necessary. After the conference, the student, the student’s parents or guardian, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
  - a. The principal’s decision and justification for expelling or not expelling the student and the pastor’s/rector’s concurrence with this decision.
  - b. If the student is not expelled, the principal shall determine any other disciplinary actions or requirements of the school including probation, suspension, restitution, etc.

- B. Cases Involving Serious Misconduct: The principal or delegate may, without following the steps included in “Cases Involving Continuing Misconduct”, impose an immediate suspension on a student when, in the judgment of the principal or delegate based on the seriousness of the misconduct, such critical, emergency action is in the best immediate interest of the student, any other student, members of the school staff, visitors to the school, or the general good of the

school. In “Cases Involving Serious Misconduct” situations, the procedures required in “Cases Involving Continuing Misconduct” shall be followed as soon as practical after the emergency condition has subsided.

C. Student Withdrawn from School during Expulsion Process:

1. Withdrawal with Expulsion Process Concluded: In serious cases of misconduct where there is a question as to the future safety of the student or others, the school will complete the expulsion procedures even if the parents or guardian have removed the student from the school. If the student is formally expelled, the student’s records will indicate that “the student was withdrawn from the school by a parent or guardian and expelled for cause.”
2. Withdrawal with Expulsion Process Not Concluded: On a case-by-case basis involving less serious causes for expulsion, the school may discontinue the expulsion process when the child’s parents or guardians voluntarily withdraw their child from school before the process is concluded. If the school allows a voluntary withdrawal for a particular student, the student’s records will indicate that “the student was voluntarily withdrawn from the school by a parent or guardian after expulsion proceedings were initiated.”

D. Right to Appeal: The student’s parents or guardian or the student with parental permission may appeal the principal’s decision to expel the student to the Diocesan Superintendent of Catholic Schools in writing by registered mail within three (3) school days of the principal’s decision. During an appeal process, the expulsion shall be postponed, but the student may be suspended as determined by the principal.

E. Written Record: A written record of the procedures followed in the expulsion process shall be kept.

#### **4960 RECOMMENDED TRANSFER**

A Recommended transfer is the school’s decision to permanently remove a student from the school without the stigma of a formal expulsion.

Reasons Why a School May Transfer a Student:

- A. The student will not profit from continued attendance (e.g. severe academic deficiency, emotional instability, etc.). In the cases of severe academic deficiency, the school may only impose a Recommended Transfer after having previously placed the student on Academic Probation (see policy 4931).
- B. The student’s continued attendance will make demands upon the school which the school cannot meet.
- C. The student’s parents or guardian have failed to meet their obligations to the school that they accepted upon enrolling their child (e.g. failure to meet their tuition commitment as contracted with the school, etc.).
- D. The student’s parents or guardian have failed to cooperate with the school staff and have not complied with the school’s policies, practices, or programs (e.g. interfering with the school’s administrative functions or disciplinary actions, etc.).

#### **4961 RECOMMENDED TRANSFER PROCEDURES**

Each school shall define its own policies concerning Recommended Transfer which shall at a minimum include:

- A. Notice: The school’s principal shall notify the student’s parents or guardians, and the student, if appropriate, in writing of the possible Recommended Transfer, of what has led the school to

believe that Recommended Transfer is appropriate, and of the grounds upon which this assessment is based.

- B. Conference: A conference shall be conducted by the school's principal regarding the possible Recommended Transfer. The student's parents or guardian, the student if appropriate, the school's pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference, the student and/or the student's parents or guardian shall be afforded the opportunity to explain why they believe that a Recommended Transfer is not warranted. After the conference, the parents or guardian, the student if appropriate, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
1. The principal's decision and justification for giving or not giving a Recommended Transfer and the pastor's/rector's concurrence with this decision.
  2. If the student is not transferred, the principal shall determine any other actions or requirements of the school.
- C. Right to Appeal: The student's parents or guardian or the student, with parental permission, may appeal the principal's decision to transfer the student to the diocesan Superintendent of Catholic Schools in writing by registered mail within three (3) school days of the principal's decision. During an appeal, the student may be temporarily removed from school as determined by the principal.
- D. Written Record: a written record of the procedures followed in the Recommended Transfer process shall be kept.

#### **4970 SPECIAL REGULATIONS**

##### **4971 PREGNANCY AND ABORTION**

In accordance with the teaching of the Catholic Church, Catholic schools hold that life is a God-given gift and is sacred. Life is to be respected and preserved. Therefore, Catholic schools encourage a pregnant student to continue the pregnancy to full term and delivery. Abortion is not an acceptable alternative.

In the event of a student's pregnancy, the principal, in consultation with the student, her parent or legal guardian, the school's pastor, and the Superintendent of Catholic Schools, may, on a case-by-case basis, allow the pregnant student to continue her studies at the school. As two of the conditions established by the principal for continued enrollment:

- A. The student's parents shall provide the student formal counseling;
- B. The student's parents shall provide the school a medical release(s) in order to protect the health of the mother and child.

If any student has admitted to the school to have fathered a child or to have had an abortion, the principal, in consultation with the student, the student's parent or legal guardian, the school's pastor, and the Superintendent of Catholic Schools, may, on a case-by-case basis, allow this student to continue to be enrolled at the school. As one of the conditions established by the principal for continued enrollment, the student's parents shall provide the student formal counseling.

##### **4972 MARRIED STUDENTS**

Married students shall not be admitted to a diocesan school. Students who marry while enrolled shall be removed from the school since the terms of the enrollment agreement have been altered.

#### **4973 WORK PERMITS**

For all minors, permits to work are obtainable from the local public school district office or other person/agency designated by the district superintendent. The district may issue special instruction concerning applications for work permits during Christmas vacation.

#### **4980 SUBSTANCE ABUSE**

Each Catholic school shall define its own general policies concerning the management of student substance abuse include whether all students suspected of or involved in substance abuse shall be automatically considered for expulsion (see policy 4950ff) or whether the school is willing, on a case-by-case basis, to retain students in school under certain treatment and supervision stipulations.

If a school decided on a case-by-case basis to retain in school a student involved with substance abuse, the following conditions shall be met:

- A. The student and his/her parents/guardians must be willing to follow and cooperate with the school's procedure and actions regarding substance abuse;
- B. The student must continually make reasonable progress towards wellness as determined by the school in consultation with a substance abuse treatment program; and
- C. The student must not have been involved in furnishing or selling controlled substances, alcoholic beverages, or intoxicants. Furnishing or selling controlled substances, alcoholic beverages, or intoxicants whether for money, barter, or for any other reason on or near the campus or at any school function shall be considered a serious misconduct (see Cases Involving Serious Misconduct" in policy 4951).

#### **4981 SUBSTANCE ABUSE PROCDEURES**

Secondary schools shall define their own procedures concerning the management of substance abuse. The Diocese of Fresno must approve these procedures. Elementary schools shall abide by the following procedures:

- A. Faculty and Staff Reporting: Whenever a faculty or other staff member suspects or is concerned that a student may possess, be using, be under the influence, be furnishing, or selling controlled substances, alcoholic beverages, intoxicants, or drug paraphernalia, he/she shall notify the school's administration.
- B. Initial Administrative Investigation: Upon receiving the above-mentioned notification, the school's administrations shall initiate an investigation by:
  1. Gathering information and any physical evidence (see policy 4821);
  2. Interviewing each student suspected of involvement; and
  3. Interviewing witnesses and any other collaborative parties.If the investigation indicates that a student may be under the influence of or in possession of a controlled substance, the administration shall immediately notify the student's parents/guardians. Depending on the severity of the incident, on a case-by-case basis, a school's administrator may also at his/her discretion notify the police (see policy 8530).
- C. Parent/Guardian Notification and Professional Assessment: If the school's investigation indicates or confirms a student's involvement with an illegal or controlled substance, the administration shall:
  1. Notify the student's parents or guardians of the school's initial assessment;
  2. Request the student's parents/guardians at their family's expense have the student assessed by a school-approved substance abuse treatment program to determine the student's use and level of use or non-use of controlled substances. If recommended by the treatment program, this assessment may include a toxicology screening; and

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3. Request both the student and the student's parents/guardians to formally release the substance abuse treatment program to give written and oral reports to the school for its assessment and recommendations for treatment regarding the student's use of illegal or controlled substances. The school should receive these reports within five (5) working days of the "request" made above.
- D. School Response: The school's assessment of substance abuse and, if available, any substance abuse assessment and recommendations for treatment from a school-approved substance abuse treatment program shall assist the school in determining its response. The schools shall follow its general substance abuse policies and may select any of the following possible response: Probation, Suspension, Expulsion, and/or Recommended Transfer (see policies 4900ff).

If the school does allow, on a case-by-case basis, the retention in school of a student involved in substance abuse, the school may also include in its response any of the following additional requirements depending on the severity of the incident:

1. That the student must maintain good attendance and specified academic performance;
2. That the student must undergo periodic and random, school-determined toxicology screening at the family's expense;
3. That the student must participate in and complete a treatment program at the family's expense; and/or
4. That the student and/or the student's family receive counseling support at the family's expense.

Note: The suspicion of substance abuse is not an accusation of use and is not a disciplinary matter as such. However, the school reserves the right to investigate all incidents of suspected substance abuse.