Welcome! Who is here today?

A. Counselor
B. Psychologist
C. Teacher
D. Mental Health Professional
E. Administrator
F. Law Enforcement
G. Probation
H. Other
My thoughts on how we handle student discipline at our school...

A. We are doing everything according to law and board policy.

B. I’m not certain we’re doing everything according to law and board policy, but what we’re doing works.

C. I know what we’re doing may not be legally compliant, but it works for us.
Implicit prejudices are social preferences that exist outside of conscious awareness or conscious control.

Implicit attitudes, of which implicit prejudice is a special case, are understood to reflect associations between social categories (e.g., Black/White, old/young) and evaluations (e.g., good/bad, smart/dumb).

In fact, the vast majority of those with implicit biases, hold no explicit biases.

Change in behavior can modify beliefs and attitudes.

DEFINING IMPLICIT BIAS

Classroom Management

- National Council for Teacher Quality (NCTQ) – December 2013
- Focus on need for research-based classroom management strategies
- In the last 60 years 150 studies conducted illustrate the “Big Five” of classroom management strategies
  1. Rules: Establish and communicate expectations for behavior
  2. Routines: Guide students in a variety of situations
  3. Praise: Reinforce positive behavior using praise and other means
  4. Misbehavior: Consistently impose consequences for misbehavior
  5. Engagement: Engage students with interesting opportunities for active student participation

Pitfall of Miscommunication
Vaping, Student Discipline, and Other Means of Correction: Connecting the Dots

ACSA Every Child Counts Symposium
Palm Desert, February 5, 2020

EC 48900.5(a) and 48900(v)

• Suspension, including supervised suspension, shall be imposed only when other means of correction fail to bring about proper conduct.
• Alternatives to suspension or expulsion provided must be age appropriate and designed to address and correct the student's specific misbehavior.
• A student may be suspended on a first offense for EC 48900 (a) – (e) violations or if determined that the student’s presence causes a danger to persons.

AB 1729 (Ch. 425, 2012)

Which of the following would be considered an intervention?

A. Sending a note home to the parent
B. Assigning detention
C. Meeting with a counselor
D. Suspending the student
E. All of the above
F. None of the above
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EXAMPLES OF OTHER MEANS

- Staff-parent/guardian-student conference
- Referrals for case management and counseling
- Intervention-related teams to assess behavior, and develop and implement individualized plans to address the behavior
- Referral for a comprehensive psychosocial or psychodiagnostic assessment which may lead to an IEP or Section 504 Plan
- Prosocial behavior or anger management program
- Trauma-informed practices (TIPS)
- PBIS or Restorative Justice/Restorative Practices
- Afterschool program
- Community service [EC 48900.6]

SUPPORTING SCHOOL CULTURE/CLIMATE

PERCEPTION...
KNOW YOUR WHY

What did the student specifically do?
Have you identified the appropriate and correct violation(s)?
Can you articulate the reason(s) you cited for each violation?
Do you have substantial proof or evidence?

A DIFFERENT PERSPECTIVE

PUNISHMENT

- PURPOSE is to inflict penalty for an offense
- FOCUS on past misbehavior
- ATTITUDE of hostility or frustration
- RESULTS in acting out - fear, guilt, or what I can get away with… and I hope I don’t get caught again…

DISCIPLINE

- PURPOSE is to train for correction and mature behavior
- FOCUS on return to disciplined behavior in the future
- ATTITUDE of concern and support
- RESULTS in Knowledge: what I need to do… and what may happen next…

PUNISHMENT VS. DISCIPLINE
Vaping, Student Discipline, and Other Means of Correction: Connecting the Dots

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Which of the following statement(s) is/are true...

A. Nicotene is a controlled substance
B. Nicotene is an addictive substance
C. The Education Codes related to Nicotene cannot be applied to students who are 18 years of age or older
D. Vaping has been proven to be healthier than smoking
E. A vaping instrument cannot be considered drug paraphernalia

What do you see?

INHALER OR VAPE?
**WHY????**

**NICOTINE & ADDICTION**

- **Reasons**
  - Causes slight brief euphoria
  - Absorbs within 10 seconds of inhalation and dissipates quickly
  - Drives the tobacco user to continue dosing to feel good and to prevent nicotine withdrawal symptoms

- **Causes**
  - Dizziness
  - Headache
  - Nausea
  - Cold Sweats
  - Insomnia
  - Racing Heart
  - Anxious or jittery

- **Withdrawal Symptoms**
  - Irritability/frustration
  - Anxiety
  - Difficulty concentrating
  - Restlessness/impatience
  - Depressed mood
  - Insomnia
  - Increased appetite

**What’s wrong with this picture?**
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JUUL – VAPOR ALTERNATIVE

- Easy to hide
- Easy to use (no buttons/switches)
- Has flavor varieties
- Lack of lingering smell
- Can be charged in USB
- 5% nicotine (higher concentration)
- Each pod has about the same amount of nicotine as a pack of cigarettes, or 200 puffs

SOURIN
More Vaping Devices

- Can be mistaken for Vape Pens.
- Are wax concentrate with up to 250mg of THC.
- Can be filled with Indica, Sativa, or Hybrid.
- Have a similar but more faint odor than smoking marijuana “flower”.
- Are easily hidden, and smoked all over the campus.
- The impact on students varies case by case.
- Amount of chemicals released are just as outstanding as regular vapes.

Cannabis Wax Pens

- E-liquids
- Can be filled with Indica, Sativa, or Hybrid.
- Have a similar but more faint odor than smoking marijuana “flower”.
- Are easily hidden, and smoked all over the campus.
- The impact on students varies case by case.
- Amount of chemicals released are just as outstanding as regular vapes.
True or False: Vaping will need to be addressed by your Dress Code Policy.

A. True  
B. False
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VAPE DETECTORS IN BATHROOMS

• Can detect...
  – Certain chemicals in the air that are associated with vape pens and e-cigarettes
  – Different sounds that are associated with vaping
  – Loud noises that are associated with bullying or fighting or smoking in the bathrooms
• Will send a text message to specific administrators’ cell phones

TRAINING FOR STAFF

Never handle vaping units without gloves.

Place confiscated vaping units in containers

Dispose the vaping units appropriately, taking into consideration the batteries

GOING WHERE THEY ARE – ONLINE

• Recommended by the American Academy of Pediatrics:
  – Smokefree Teen – Site provides decision making tools
  – SmokefreeTXT – Six weeks of texts to quit sent
  – Become an Ex – (13+ years old) Systematic program for a customized quit plan; sponsored by Truth Initiative
  – US Drug and Food Administration: The Real Cost – Media campaign that details what smoking can cost
  – I Quit – Interactive site for teens with tips for quitting (cold turkey and countdown methods) and what to expect when they do
THE ANTI-JUUL

- National texting service
- For Teens who want to stop smoking or vaping
- Response messages are tailored by age
- ‘Chunking quitting into manageable steps’
- Practical, action-oriented tips that build confidence to quit

DISCIPLINE CHECKLIST

<table>
<thead>
<tr>
<th>Action/Event</th>
<th>Ed Code Section(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Misconduct</td>
<td>48900, .2, .3, .4, .7</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>48900(s)</td>
</tr>
<tr>
<td>Informal Conference w/ OMC</td>
<td>4911(h) – AB 667 (2017)</td>
</tr>
<tr>
<td>Administrative Decision</td>
<td>48900, 48915</td>
</tr>
<tr>
<td>Involvement of Law Enforcement</td>
<td>48902</td>
</tr>
<tr>
<td>Notice to Parent/Guardian</td>
<td>48911(d)</td>
</tr>
<tr>
<td>Parent/Guardian Conference</td>
<td>48911(h)</td>
</tr>
<tr>
<td>Foster/Homeless Notifications</td>
<td>48915.5 – 48918.1</td>
</tr>
<tr>
<td>Manifestation Determination</td>
<td>20 USC 1415(k)(E); 34 CFR 300.530(e)</td>
</tr>
<tr>
<td>Extension of Suspension</td>
<td>48911(g)</td>
</tr>
</tbody>
</table>

"Smoking"

- Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form
- Includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking

"Tobacco Product"

- Containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means
- An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

E-CIGARETTES/VAPING – EC 48901; BPC 22950.5
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A teacher may suspend a student from class for any EC 48900 violation for up to two days.

- The teacher must immediately report the suspension to the principal and send the student for appropriate action (refer to district policy).
  - The student may not be placed in another regular class.
  - The teacher may refer the student for consideration of a suspension from school.

The teacher must ask the parent/guardian to attend a parent-teacher conference; a school counselor, psychologist or administrator may be asked to attend the conference.

**TEACHER SUSPENSION – EC 48910**

- Violation of any EC 48900 and 48900.2 acts
- Student poses no imminent danger or threat to the campus, students or staff, or if no action to expel the student has been initiated
- Separated in another classroom, building or site
- ADA may still be collected if:
  - Classroom is staffed appropriately and each student has access to appropriate counseling services
  - Assignments and tests missed shall be provided upon request by the student; otherwise, the in-house suspension staff must assign schoolwork.
- Parent notification in person or by phone required; if suspended longer than one period, notification must be in writing.

**IN-SCHOOL SUSPENSION – EC 48911.1**

- Removal of a pupil from ongoing instruction for adjustment purposes [EC 48925]
- Suspended for not more than 5 consecutive school days at one time [EC 48911(a)]
- Suspended for not more than 20 school days in any school year [EC 48903]
  - 10 additional days for students who change schools
  - Days of suspension from another school district may or may not be counted

**OUT OF SCHOOL SUSPENSION**

- TEACHER SUSPENSION – EC 48910
- IN-SCHOOL SUSPENSION – EC 48911.1
- OUT OF SCHOOL SUSPENSION
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CA SCHOOL DASHBOARD 5X5

NOTIFYING LAW ENFORCEMENT – EC 48902

- PC 245. Assault with a deadly weapon or firearm by any means of force likely to produce great bodily injury – before suspension or expulsion
- EC 48900(c). Involves controlled substances, alcoholic beverages, or intoxicants of any kind
- EC 48900(d). Involves imitation of the substances listed in 48900(c) – within 1 schoolday after suspension or expulsion
- PC 626.9. Possession or discharge of firearm
- PC 626.10. Possession of any dangerous objects/weapons
- Possession or sale of narcotics or of a controlled substance

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(b) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

SUSPENSION & EXPULSION – EC 48900

1. Possessing, selling, or furnishing a firearm
2. Brandishing a knife at another person
3. Selling a controlled substance
4. Sexual assault or sexual battery
5. Possession of an explosive
REQUIRED FINDINGS

**Mandatory Expulsions**

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

**All Others**

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- Due to nature of violation, the presence of pupil causes a continuing danger to the physical safety of the pupil or others

PROCEDURAL CONSIDERATIONS

**Foundation**
- Policies and procedures
- School safety plan
- Student/parent notifications

**Prevention**
- Signage
- Education for parents and students
- Professional development for staff

VICENTE BRAVO

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