



**Carmel Middle School**  
**Code of Conduct**  
**2021-22**



**Carmel Unified School District**

**Mission Statement**

The Carmel Unified School District community produces lifelong learners who are prepared for the challenges of higher education, the workplace, and their role as citizens of an ever-changing global community.

**Board of Education**

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**The Board of Education's Message**

The Carmel Unified School Board of Education is committed to providing a quality education in an environment that is safe and secure. Essential to this is the publication, explanation, and enforcement of school rules and procedures that define expected behavior and consequences for misbehavior. These rules and procedures have been adopted in accordance with the State of California Education Code.

**Carmel Middle School**

**Our Mission**

Carmel Middle School develops well rounded, lifelong learners of good character by setting high expectations, engaging students in learning, providing high levels of support, and creating a safe and positive school environment.

**We believe that:**

- High expectations stretch students to their greatest potential.
- All students can learn with the appropriate level of support.
- All students do not learn in the same way.
- High levels of student engagement lead to high levels of learning.
- Participation in diverse experiences creates well-rounded students.
- Actively teaching and modeling positive character traits creates a safe and positive school climate in which all students can flourish.
- An active, healthy lifestyle promotes physical and emotional wellbeing.

**Code of Conduct**

The CMS Code of Conduct outlines the rules which shall be followed to provide a safe, orderly, and respectful environment so teachers can teach, students can learn, and so we can create a school everyone wants to come to every day. All school rules are based on district policy and state law. Policies and rules are enforced fairly, uniformly and consistently without regard to race, beliefs, economic status, gender or gender identity.

If a student violates a school rule or policy, or is involved in any misbehavior which disrupts school activities, they may be warned or issued a referral. More serious disruptions, defiance, cheating, bullying, etc., will result in an immediate referral. Staff will warn students for minor disruptions or defiance such as chewing gum, littering, horseplay, etc., and those warnings will be reported to the office to be recorded. Three reported warnings in a trimester will result in a referral and lunch detention. Teachers, substitute teachers, staff, or bus drivers may warn students and/or write a referral to the administration. Warnings and referrals are cumulative by trimester.

### **Progressive Discipline Policy**

The administration and staff at Carmel Middle School are committed to the belief that everyone has a right to be treated with dignity and respect. Students who show a lack of regard or respect for others will be counseled and helped to understand that to diminish one, diminishes all. Appropriate behavior is the responsibility of each student.

All avenues shall be utilized to encourage the positive interaction of students. However, when misconduct occurs and a warning or referral is issued, the interventions we employ are intended to help the student learn from his/her mistakes and to exercise self-control.

Interventions include, but are not limited to, the following:

- advising and counseling students
- parental contacts and conferences
- lunch detention
- restricted use of school technology
- alternative learning environments
- schedule changes or creative scheduling
- placement in All Day In School Detention
- placement on Restricted Activities: the restriction of participation in school activities (including participation in after-school sports, and attendance at non-academic assemblies and school dances)
- when necessary, suspension, expulsion, and/or involvement of law enforcement

### **Restricted Activities**

Our Student Activities Program is a positive component of the CMS Code of Conduct. The program rewards students who obey school and classroom rules with the privilege of participating in dances, athletic competitions, field trips and other extracurricular activities. Students who choose to disobey school and classroom rules may be placed on the Restricted Activities list. Students are placed on the list when they reach their eighth tardy of the trimester, or by accumulating three referrals in a trimester, or by being suspended for any length of time. When a student is placed on the Restricted Activities list he/she will, at a minimum, lose the next school activity and may, at the discretion of school administration, be subject to additional consequences or loss of privileges and activities. Activities include, but are not limited to; school dances, field trips\*, athletic events, assemblies, etc. Students who receive another referral, or attempt to participate in an activity while on restricted activities, will have their restriction extended and may face additional penalties. Once a student completes his/her time on the Restricted Activities list and has demonstrated appropriate school behaviors, he/she will have the privilege of participating in all activities again.

**Students suspended from school during the final four weeks of school may lose the privilege of participating in any/all of their respective grade level activities.**

\*Field trip monies may be forfeited due to non-refundable policies and ineligibility. Specific trips may require higher standards than our regular eligibility requirements. Students may not earn more than one N or U, or combination thereof, in the third trimester in order to participate.

### **Truancy**

California State law requires students to attend school and all classes on a regular basis. California Education Code recognizes only illness, medical appointments, quarantine, observance of a religious holiday, or attendance at funeral services as excused absences. **All other absences, including family vacations, oversleeping, personal reasons, or any absence not cleared within 48 hours are considered unexcused.**

A student will also receive an unexcused absence if he/she cuts class, arrives at school without a valid parent excuse 30 minutes after the start of school, or if he/she arrives ten minutes late to periods two through seven without a valid excuse from a staff member or parent.

A student who cuts a class will receive, at a minimum, lunch detention.

When a student receives an unexcused absence, parents are notified, a referral may be written, and detention may be assigned. After the third unexcused absence, California Ed Code considers a student truant and truancy proceedings are initiated with the Monterey County Truancy Abatement Program and the District Attorney's office.

Please note: Teachers are not required to accept make-up work from a student who receives an unexcused absence. CUSD Administrative Regulation [AR5113(c)] also states, "When a student has had 14 absences in the school year for illness, any further absences for illnesses must be verified by a physician or the school nurse." Failure to verify the subsequent absences will result in those absences being marked as unexcused and may lead to a student's designation as truant.

### **Tardiness**

A student is considered to be tardy if he/she is not seated and prepared to work before the tardy bell rings (including first period). Tardies accompanied by a doctor's note or appointment card are excused; however, other tardies, whether the fault of the parent or student, cannot be excused. Tardies are cumulative by trimester. For each tardy that occurs, the following consequence(s) will apply:

- 1<sup>st</sup> and 2<sup>nd</sup> Tardy: Marked as Tardy.
- 3<sup>rd</sup> Tardy: Written warning from office and Email to parents.
- 4<sup>th</sup> and 5<sup>th</sup> Tardy: Lunch Detention and Email Home.
- 6<sup>th</sup> Tardy: Referral to Assistant Principal, Parent Contact, 2 days of Lunch detention.
- 7<sup>th</sup> Tardy: Referral, 1 week of lunch detention, and parent contact.
- 8<sup>th</sup> Tardy and beyond, Referral, 1 week of lunch detention, parent contact for each subsequent tardy, and Placement on Restricted Activities which is explained under section XV.

## Dress Code

Carmel Middle School has adopted a gender neutral dress code. The dress code is designed to ensure that students attend school in attire appropriate for the learning environment. Students shall maintain good personal hygiene and shall refrain from the use of personal products that create a strong odor out of respect for student allergies or sensitivities. Students shall refrain from wearing clothing or accessories that make reference to drugs, alcohol, tobacco, sex, or violent, oppressive and/or demeaning behavior.

- All clothing covering the bottom half of the body must reach thumb-tip in length
- Shirts must cover midribs at all times
- Pants must be worn at hip level in a manner in which underwear is not exposed or would not be exposed if the shirt were raised (no sagging)
- Bare feet, for reasons of health and safety, are not allowed on campus
- With teacher permission, hats or hoods may be worn during class

## Consequences for Violating the Dress Code:

- First time offenders will receive a written warning and be required to change or cover up the clothing
- Second time offenders will receive a referral and be assigned lunch detention. Students will be required to change and the student's parents will be notified.
- Further offenses will, in addition to a referral, require the student to wait in in-school detention until students' parents bring appropriate clothing.
- Further offenses may result in All Day In School detention

The above standards are also in effect for all extra-curricular events and activities. Determination of appropriate clothing will be made by school administration.

## Prohibited Items and Actions

Students are prohibited from bringing lighters, fireworks, poppers, pepper spray/mace, tasers, tobacco, drugs, alcohol, knives of any kind, guns of any kind, or any other dangerous objects/toys. Possession of such items may result in a one to five-day suspension and the involvement of the Sheriff. Continued possession of such items may result in a recommendation for expulsion.

Students are also prohibited from chewing gum at school, and from bringing laser pointers, body and deodorant sprays, or other personal property/toys not related to school activities. Skateboards must be stored in the skateboard rack in front of the school. Students should not bring large amounts of money to school and are also **prohibited from selling anything on campus.**

## Drug Canine Units

Use of drug-detecting canines is one part of a comprehensive approach to drug and alcohol issues in CUSD. Reaching the goal of zero use and/or possession of drugs and alcohol on campus depends on students, parents, and staff members working together. Per CUSD Board Policy, random searches by dogs do take place on campuses at unannounced times during the school year.

## Cell Phones

The use of cell phones during school hours is prohibited. **Cell phones must be turned off and put away in a backpack or other location (cell phones in pockets) during regular school**

hours, defined by the signal of the first to last school bell. On the first and second offense, the student will be given a referral, assigned a lunch detention and may reclaim their phone at the end of the school day. On the third offense, the student will be given a referral, assigned a lunch detention, the parent must pick up the item, and a Cell Phone Contract will be signed by the student and parent describing the consequences for further violations. Inadvertent or accidental ringing of a cell phone will result in a one-time warning. Subsequent incidents of this nature will be counted as a first offense in the above policy.

### **Academic Honesty**

Students who copy work from others, lend inappropriate assistance to others, submit work that is not a clear reflection of their own knowledge or efforts, or engage in forgery are guilty of “academic dishonesty” and will be penalized. When a student violates the Academic Honesty Policy at any time during the student’s three years at CMS, he/she will be disciplined in a manner consistent with the nature of the infraction, including but not limited to:

- Receive a zero for the academic exercise, parents will be notified by the teacher, and a referral will be written.
- Repeat offenders will be assigned a minimum of one day All Day in School Detention.

### **Disruptive Classroom Behavior**

When a student is disruptive in class, the teacher may elect to send the student to In-School Detention (ISD) for the remainder of the period. Upon arrival to ISD, the detention monitor will contact the student’s parents and inform them that their child was removed from class. The teacher assigning the ISD is responsible for notifying the parent via phone or email of the reason for the ISD.

- Every time a student is sent to ISD, a lunch detention is also assigned.
- If a student is sent to ISD three times within a trimester, a referral will be written and the student will be assigned to one week of lunch detention. A student and parent conference with the teacher(s), counselor, and/or administrator may be arranged.
- Additional in-schools beyond 3 will result in a referral and placement on restricted activities.
- At each trimester, the student’s slate is cleared of the in-school tally. Teachers have the right to remove a student from their classroom for a total of two days, including the day of the disruption.
- Teachers **MUST** make parental contact and may request that a parent accompany their child to class, and/or arrange for a parent/teacher conference.

### **Teasing, Bullying, Cyber-bullying, and Harassment**

Teasing, bullying, cyber-bullying, and harassment will not be tolerated at CMS. Teasing occurs when a student makes fun of another student. Bullying occurs when a student is intimidated by verbal or physical conduct or actions. Harassment is negative verbal or physical conduct directed at another student. Students who engage in such behavior will be disciplined in a manner consistent with the nature of the infraction. Students who repeatedly engage in such behavior will receive increasingly severe consequences up to, and including, suspension from school and/or recommendation for expulsion from the district. Students who engage in sexual, racial, ethnic, and religious harassment will be dealt with more severely.

At a minimum, students are subject to the following:

- First offense: Receive a referral, assigned to lunch detention
- Second offense: Referral, All-Day In-School Detention, and Behavior Contract

- Third offense: Suspended from school for one to five days
- Fourth offense: Suspended from school for three to five days, involvement of law enforcement as necessary, and possible recommendation for expulsion

### **Internet and Technology Use**

Access to CMS computers and the network requires student signatures on the Digital Citizenship Agreement. Network administrators may review files and communications to ensure that students are using the system responsibly. Violations may result in a referral, restricted computer and network access, and other disciplinary and legal actions when necessary. Violations of the Acceptable Use Policy include but are not limited to:

- Searches for inappropriate content
- Sending or displaying offensive messages, pictures, or media of any kind
- Using another student's username and password to access the network
- Trespassing in another's folder, work, or files
- Use of obscene or profane language
- Harassing, intimidating or bullying others
- Accessing online chat rooms or social networking sites

### **Chromebook Responsibility**

Students are required to bring their fully charged Chromebook/Netbook to school each day. Students who forget their laptop at home or forget to charge the laptop may check out a loaner laptop in the library. However, students who repeatedly forget to bring or charge their laptop will receive written warning on the third occurrence, and lunch detentions on the fourth and fifth occurrences. On the sixth and subsequent occurrences a referral will be written, the student will meet with the assistant principal, parents will be contacted, and progressively increasing detentions will be assigned.

### **Physical Violence and Fighting**

Students who physically harm another person will, at a minimum, receive an All-Day In-School Detention. Students who engage in fighting will be suspended for one to five days. All parties involved in a fight may be suspended. Self-defense is limited to actions required to escape injury, and does not include fighting back when escape is possible.

### **Profanity and Inappropriate Language**

Students who use inappropriate and/or profane language will receive a warning or referral depending on the severity of the situation. Continued use of profanity/inappropriate language will result in progressive discipline that may include suspension from school.

### **Public Displays of Affection**

Students shall refrain from engaging in public displays of affection. Such displays include kissing, hand holding, romantic hugging, sitting on students' laps, or other behaviors that promote romantic relationships on campus. First time offenses result in a warning and parent phone call. Second offenses result in a referral and lunch detention. Further offenses will be considered an act of defiance and will result in more serious consequences including All Day In School Detention and/or placement on Restricted Activities.

### **Failure to Serve Assigned Detention**

Students who fail to serve an assigned detention will receive a referral and have that detention time doubled. Repeated failure to serve detention will result in an All Day In School Detention and placement on Restricted Activities.

### **Athletics**

To be eligible for athletic participation, a student must be enrolled in Carmel Middle School, and have received a GPA of 2.0 or higher on his/her most recent trimester grade report (including progress reports and third trimester reports from the previous year), must have no F grades, and must have no more than one U citizenship mark. Students who are participating on an athletic team will be suspended from competition if they do not maintain the required standards throughout the season. A student who has been suspended from competition due to academic concerns indicated on a trimester progress report will have a two week window to raise their grades to meet the required standards. The student will not be allowed to participate in games or practice at this time. Students may regain eligibility by providing the Athletic Director with an updated AERIES report indicating that grades have improved to meet the required standards. A student who does not meet the required standards as indicated on a trimester report card will be removed from the team.

If a student participating in athletics is suspended or assigned an ALL Day (ADIS) or Partial Day In-School Detention (PDIS) for:

- **1-2 days:** He/she shall not be present at athletic games, practices, or tryouts for one week following the last day of the suspension or ADIS/PDIS.
- **3-5 days:** He/she shall not be present at athletic games, practices, or tryouts for two weeks following the last day of the suspension or ADIS/PDIS.
- A student who is suspended from school, or assigned an ADIS/PDIS more than 2 times during a season will be removed from the team for conduct unbecoming a CMS athlete.
- Individual coaches may implement more severe consequences for inappropriate behavior at their discretion in addition to any consequences provided by school administration. Consequences may include recommending removal from a team to CMS administration.

**If a student does not fully participate in P.E. on the day of practice/scrimmage/game they may not participate in any athletic activities of any kind.**

### **California Education Code: Suspension/Expulsion**

By State law the following offenses by a student are grounds for suspension or expulsion, whether they occur while on school grounds, while going to or coming from school, during the lunch period (on or off the campus), during a school-sponsored activity, or while going to or coming from a school sponsored activity:

- a. (1) Caused, attempted to cause, or threatened to cause physical injury to another person.  
(2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- c. Unlawfully possessed, used, sold or otherwise furnished, or been under the influence of, a controlled substance, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance, an

alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco, or any products containing tobacco or nicotine products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1).
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm.
- n. Committed or attempted to commit a sexual assault.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p. Unlawfully offered, arranged to sell, or sold the prescription drug Soma.
- q. Engaged in or attempted to engage in hazing.
- r. Engaged in an act of bullying, including by means of an electronic act, directed toward a pupil or school personnel.
- s. Aided or abetted the infliction or attempted infliction of physical injury to another person.
- t. Committed sexual harassment.
- u. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
- v. Intentionally engaged in harassment, threats, or intimidation directed against a pupil or group of pupils.
- w. Made terroristic threats against school officials or school property, or both.