

Student Discipline and Intervention Matrix

The following Figure 5 presents student behaviors and recommended interventions for Type I through Type VI offenses.

Figure 5 Student Discipline and Intervention Matrix				
Behavior/Offense	Recommended Intervention	Suspension	Referral for Expulsion	Contact OUSD Co. of Safety
Type I (Classroom-Managed Behaviors)				
Dress code violation	Teachers are expected to complete at least three Pre-Referral Interventions from the Universal Referral Form (URF) before an office referral (see Pre-Referral Intervention Guide for details)	No	No	No
Picking on, bothering, or distracting other students				
Technology violation (i.e., using cell phone in class without permission)				
Use of profanity or vulgarity (not directed toward adults)				
Failure to follow directions (all grades)				
Cutting class or repeatedly truant				
Possessed or used tobacco including vape pens with tobacco				
Type II				
Repeated Type I offense	One or more appropriate interventions from the Post-Referral Guide (also listed at the bottom of the URF)	No	No	No
Repeated failure to follow directions K-12. (Suspensions never permitted)				
Use of profanity toward adults		Discouraged and not permitted unless tiered interventions have been provided and failed. If so, suspension permitted 1 -2 days		
Trespassing				
Bullying/Harassment Level 1 (teasing, name calling, excluding, giving dirty looks, gossiping)				
Sexual Harassment Level 1 (verbal, written, or electronic comments that are sexually offensive or degrading)				
Intentional destruction of school property including graffiti or tagging	Optional 1 Day			

Possession of firecrackers (non-projectile)				
False activation of fire alarm				

Student Discipline and Intervention Matrix (continued)

Behavior/Offense	Recommended Intervention	Suspension	Referral for Expulsion	Contact OUSD Co. of Safety
Type III				
Repeated Type II	Parent consultation and one or more appropriate interventions from the Post-Referral Intervention Guide.	Discouraged and not permitted unless tiered interventions have been attempted and failed (K-12 students may not be suspended for defiance)	No	No
Failure to follow directions when it causes an unsafe situation (no mental or physical harm to others)	Parent consultation and one or more appropriate interventions from the Post-Referral Intervention Guide.	No	No	No
Bullying/Harassment Level 2 (bullying based on race, disability, sexuality, and other protected classes, or pushing, poking, tripping, shoving, or making threats)		Optional 1-2 days (K-4 students may not be suspended for harassment or sexual harassment)	Discouraged unless secondary factors present*	
Sexual Harassment Level 2 (touching that is inappropriate,, embarrassing, and/or offensive but does not rise to the level of sexual battery - including electronic sexual harassment) (Note: Contact legal for Title IX guidance prior to any discipline)				
Stole or attempted to steal school or private property (not directly from a person but from an unattended location such as a backpack or without force or intimidation)				
Possessed or sold drug paraphernalia Including vape pens				
Engaging in consensual sexual behavior on campus				
Attempted to cause, or threatened to cause physical				No

injury to staff or students (not involving threats re weapons)				
Fighting Level 1 (mutual combat resulting in minor injuries such as cuts, scrapes; or instigating a physical altercation)				No
Intoxication	Parent consultation plus referral for substance abuse assessment. Refer to the Responding To Alcohol / Tobacco / Drug Use on Campus Guide	Optional....	No	No

Student Discipline and Intervention Matrix (continued)

Behavior/Offense	Recommended Intervention	Suspension	Referral for Expulsion	Contact OUSD Co. of Safety
Type IV				
Assault - resulting in minor injuries such as cuts, scrapes	Parent conference plus one or more appropriate interventions from the Post-Referral Guide	Optional; no more than 3 day. 5 days only if referring for DHP (K-4 students may not be suspended for harassment or sexual harassment)	Expulsion permitted if secondary findings are present	No
Bullying / Harassment Level 3 [severe or pervasive conduct, including online conduct, that has a substantially detrimental effect on physical or mental health or as described in 48900(r)]				
Sexual Harassment Level 3 (severe or pervasive conduct of a sexual nature as described in 48900.2) - electronically sending/forwarding explicit pictures of another student (Note: Contact legal for Title IX guidance prior to any discipline)				No (except for sexual battery, which must be reported to police)
Possessing and/or using marijuana (with no intent to sell) Including vape pens with cartridge	Responding To Alcohol /Tobacco/ Drug Use on Campus		Expulsion not permitted for first offense of possession of one ounce or less of marijuana; expulsions permitted for	No

Possessing and/or using a controlled substance other than marijuana			repeated offenses if tiered interventions have failed or student poses danger	Yes - for disposal
Possession of an imitation firearm such as a BB gun(that does not project a metallic object), igniting or selling firecrackers/fireworks.	Parent Conference <u>plus</u> one or more appropriate interventions from the post referral guide	Case-by-case basis depending on safety threat or mitigating factors	Case-by-case basis depending on safety threat or mitigating factors	No
BB gun that projects metallic object		Case-by-case basis depending on safety threat or mitigating factors	Case-by-case basis depending on safety threat or mitigating factors	Yes
Committed harassment, threats, or intimidation against a student witness (including gang-related behavior)		Optional - up to 5 days if referring for DHP, otherwise 3 days max	Expulsion discretionary and if secondary findings are present *	Depends on nature of threats
Threatening to cause physical injury with a weapon (This includes social media)				No, unless in possession of a weapon at the time of the threat

Student Discipline and Intervention Matrix (continued)

Behavior/Offense	Recommended Intervention	Suspension	Referral for Expulsion	Contact OUSD Co. of Safety
Type V (Expulsion "Conditional")				
Possession of a knife, taser, stun gun, or other dangerous object (brandishing a knife and possessing firearm/explosive listed separately)	Welcome circle to develop reentry plan including referral to COST	Expected 1-3 days., 5 days if referring for expulsion	Conditional- Only when there is clear evidence that the presence of the pupil causes a continuing danger to the	Yes – For Disposal
Caused serious physical injury to another student except in self-defense				No

Committed an assault or battery on a school employee			physical safety of the pupil or others. Must prove secondary findings* Otherwise -- restorative justice approaches to pupil support and accountability should be employed.	
Committed robbery (taking property by force or intimidation directly from someone)				No
Furnishing a controlled substance other than marijuana	Responding To Alcohol/Tobacco/Drug Use on Campus			Yes – For disposal only.

Type VI The “Big 5” Offenses

Brandishing a knife (Waving or pointing in a threatening manner)				Yes - contact Co. of Safety for disposal
Committed or attempted sexual assault or battery (Title IX) (Note: Contact legal for Title IX guidance prior to any discipline)		Mandatory, 5 days (Please consult with legal prior to administering any discipline - new Title IX due process rights)	Mandatory	Yes - contact Co. of Safety
Selling a controlled substance ¹ (see note below)				Yes - contact OUSD Co. of Safety
Possessing, selling, or furnishing a firearm				
Possession of an explosive (i.e. bomb, grenade, missile, poison gas). This does not include fireworks/firecrackers				Yes - contact OUSD Co. of Safety

Coordinator of Safety: (510) 874-7777

Resources:

[School Admin Guidance for Police Free Schools](#)

¹ 1 Administrators who find an ounce or less of marijuana on a student should presume that the student had the marijuana for their own consumption (see Type IV offense) and not for the purpose of selling.

* Any offense that is not Type 6 must have “secondary findings” to allow for expulsion. Secondary findings are defined as 1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct or 2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.