

CONDUCT

The Governing Board believes that all students have the right to be educated in a *safe and* positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of other or interfere with the school program while on school grounds, ~~while~~ going to or coming from school, ~~while~~ at school activities, ~~and while on~~ or *using* district transportation.

The Superintendent or designee shall ensure that each school ~~site~~ develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Discrimination, harassment, intimidation, or bullying of students including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written or physical conduct that causes or threatens to cause violence, bodily harm or substantial disruption *to the school program*
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to ~~the~~ students, staff or the district  
~~The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.~~
6. Obscene acts or use of profane, vulgar, or abusive language
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs
8. Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose. ~~Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a students shall first obtain~~ *with prior* permission ~~from~~ *of* the principal or designee
9. Use of a ~~cellular/digital tele~~-phone, *smart watch*, pager, or other mobile communications device during instructional time *or in an unauthorized manner in violation of district policy*

~~The Governing Board recognizes that instructional time is precious and must be protected from unnecessary disruption. However, the Board also acknowledges the importance of electronic communication between students and parents, particularly when students are involved with activities that keep them after school hours. Therefore, students may be permitted to have in their possession a cellular phone or other personal electronic devices in school, on school property, at after school activities, and at school related functions. However, cellular phones or other personal electronic devices are only permitted to be used at the discretion of the teacher and/or Administrator for instructional purposes.~~

~~In permitting the possession of such devices, the District, the school site, its Administration and employees assume no liability for the loss or damage of the device or its misuse by another person. Cellular phones or other personal electronic devices are not to be used for unethical or unlawful purposes. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.~~

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If a disruption occurs or a student uses any cellular phone or personal electronic device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If a school employee finds it necessary to confiscate a device, he/she shall return it at the end of the class period or school day.

A student who violates this policy may be prohibited from possessing a cellular phone or personal electronic device at school or school-related events and/or may be subject to discipline in accordance with Board policy and administrative regulation.

School officials may search a student's personal electronic device, including, but not limited to, cellular phones, in accordance with Board Policy, Administrative Regulations, and applicable state and federal law. This includes that the District may search a student's personal electronic device with the specific consent of authorized possessor(s). If school officials reasonably suspect that a student's personal electronic device contains evidence of misconduct, and/or reasonably suspect that a student is using such a device to engage in misconduct, school officials shall confiscate the device, store it in a safe and secure location, and/or notify appropriate authorities. The device shall be retained for a reasonable amount of time to ensure that the misconduct does not persist or until the device has been searched. Notwithstanding the foregoing, any electronic information or data created, stored, or transmitted on District servers and systems, including, but not limited to, email, voicemail, and computer files are not private, shall be considered information and/or data that has been provided to the District with specific consent, and shall remain District property.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health.

10. Plagiarism or dishonesty on school work or tests
11. ~~Inappropriate~~ *Wearing of any attire that violates district or school dress codes, including gang-related apparel*
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

Employees are expected ~~to provide appropriate supervision~~ to enforce standards of conduct and, ~~if~~ *when* they observe or receive a report of a violation of these standards, to ~~immediately~~ *appropriately* intervene or ~~call for~~ *seek* assistance. ~~If an~~ *As necessary, the* employee ~~believes a matter has not been resolved,~~ he/she shall refer the matter to ~~his/her~~ *a supervisor or the principal or designee* for further investigation.

When a school ~~official~~ *employee* suspects that a search of a student or ~~his/her~~ *a student's* belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 – Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in ~~any unethical or illegal activity~~ *an unauthorized manner*, a district employee may confiscate the device. The employee shall store the ~~device~~ *item in a* securely ~~manner~~ until ~~an~~ *it is returned to the student or turned over to the principal or designee, as appropriate* ~~time~~.

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Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or co-curricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

**EDUCATION CODE**

- 200-262.4 Prohibition of discrimination
- 32280-32289 Comprehensive safety plan
- 35181 Governing Board authority to set policy on responsibilities of students
- 35291-35291.5 Rules
- 44807 Duty concerning conduct of students
- 48900-48925 Suspension and expulsion
- 51512 Prohibition use of electronic listening or recording device in classroom without permission

**CIVIL CODE**

- 1714.1 Liability of parents and guardians for willful misconduct of minor

**PENAL CODE**

- 288.2 Harmful matter with intent to seduce
- 313 Harmful matter
- 417.25-417.27 Laser scope or laser pointer
- 647 Use of camera or other instrument to invade person’s privacy; misdemeanor
- ~~647.7 Use of camera or other instrument to invade person’s privacy; punishment~~
- 653.2 Electronic communication devices, threats to safety

**VEHICLE CODE**

- 23124-23124 Prohibitions against use of electronic devices while driving

**CODE OF REGULATIONS. TITLE 5**

- 300-307 Duties of ~~pupils~~ *students*

**UNITED STATES CODE, TITLE 42**

- ~~2000h-2000h6~~ *20 USC 1681-1688* Title IX 1972 Education Act Amendments

**UNITED STATES CODE, TITLE 47**

- ~~254~~ Universal service discounts (e-rate)

**COURT DECISIONS**

- J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
- LaVine v. Blaine School District (2000, 9th Cir.) 257 F.3d 981
- Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088
- Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
- New Jersey v. T.L.O., (1985) 469 U.S. 325
- Tinker V. Des. Moines Independent Community School District, (1969) 393 U.S. 503

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Management Resources:

**CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Bullying at School, 2003

**WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: ~~<http://cyberbully.org>~~ <http://www.ewa.org/organization/center-safe-and-responsible-internet-use>

~~National School Boards Association: <http://www.nsba.org>~~

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

Date

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Revised: 2-13-96, 11-19-01, 10-14-02, 5-10-04, 10-13-09, 5-10-11, 7-31-12, 7-18-16

Revised: \_\_\_\_\_