

**Policy 5131: Conduct**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2010 | **Last Revised Date:** 10/01/2019 | **Last Reviewed Date:** 10/01/2019

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 others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

The Superintendent or designee shall ensure that each school 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 or staff, 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 students, staff, or the district
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 substances
8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)
9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy
10. Plagiarism or dishonesty on school work or tests
11. 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 enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or 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 an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

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 cocurricular 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 nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

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#### **Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 300-307	<a href="#"><u>Duties of students</u></a>
Civ. Code 1714.1	<a href="#"><u>Liability of parent or guardian for act of willful misconduct by a minor</u></a>
Ed. Code 200-270	<a href="#"><u>Prohibition of discrimination</u></a>
Ed. Code 32280-32289.5	<a href="#"><u>School safety plans</u></a>
Ed. Code 35181	<a href="#"><u>Governing board authority to set policy on responsibilities of students</u></a>
Ed. Code 35291-35291.5	<a href="#"><u>Rules</u></a>
Ed. Code 44807	<a href="#"><u>Teachers' duty concerning conduct of students</u></a>
Ed. Code 48900-48925	<a href="#"><u>Suspension and expulsion</u></a>
Ed. Code 51512	<a href="#"><u>Prohibition against electronic listening or recording device in classroom without permission</u></a>

Pen. Code 288.2	<a href="#">Harmful matter with intent to seduce</a>
Pen. Code 313	<a href="#">Harmful matter</a>
Pen. Code 417.25-417.27	<a href="#">Laser scope or laser pointer</a>
Pen. Code 647	<a href="#">Use of camera or other instrument to invade person's privacy; misdemeanor</a>
Pen. Code 653.2	<a href="#">Electronic communication devices; threats to safety</a>
Veh. Code 23123-23124	<a href="#">Prohibitions against use of electronic devices while driving</a>
<b>Federal</b>	<b>Description</b>
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Bullying at School, 2003</a>
Court Decision	Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
Court Decision	Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
Court Decision	Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
Court Decision	Emmett v. Kent School District No. 415 (2000) 92 F.Supp. 1088
Court Decision	J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094
Court Decision	LaVine v. Blaine School District (2000, 9th Cir.) 257 F.3d 981
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
CSBA Publication	<a href="#">Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>

Website	<a href="#">National School Safety Center</a>
Website	<a href="#">Center for Safe and Responsible Internet Use</a>
Website	<a href="#">California Department of Education, Safe Schools</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education</a>

## Cross References

<b>Code</b>	<b>Description</b>
0440	<a href="#">District Technology Plan</a>
0440	<a href="#">District Technology Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1114	<a href="#">District-Sponsored Social Media</a>
1114	<a href="#">District-Sponsored Social Media</a>
1313	<a href="#">Civility</a>
1330.1	<a href="#">Joint Use Agreements</a>
3513.4	<a href="#">Drug And Alcohol Free Schools</a>
3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3516.2	<a href="#">Bomb Threats</a>
4131	<a href="#">Staff Development</a>
4219.21	<a href="#">Professional Standards</a>
4219.21-E(1)	<a href="#">Professional Standards</a>
4231	<a href="#">Staff Development</a>
4319.21	<a href="#">Professional Standards</a>
4319.21-E(1)	<a href="#">Professional Standards</a>
5000	<a href="#">Concepts And Roles</a>
5020	<a href="#">Parent Rights And Responsibilities</a>
5020	<a href="#">Parent Rights And Responsibilities</a>
5112.5	<a href="#">Open/Closed Campus</a>

5113	<a href="#"><u>Absences And Excuses</u></a>
5113	<a href="#"><u>Absences And Excuses</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.11	<a href="#"><u>Attendance Supervision</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5127	<a href="#"><u>Graduation Ceremonies And Activities</u></a>
5131.1	<a href="#"><u>Bus Conduct</u></a>
5131.1	<a href="#"><u>Bus Conduct</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5131.4	<a href="#"><u>Student Disturbances</u></a>
5131.4	<a href="#"><u>Student Disturbances</u></a>
5131.41	<a href="#"><u>Use Of Seclusion And Restraint</u></a>
5131.5	<a href="#"><u>Vandalism And Graffiti</u></a>
5131.6	<a href="#"><u>Alcohol And Other Drugs</u></a>
5131.6	<a href="#"><u>Alcohol And Other Drugs</u></a>
5131.62	<a href="#"><u>Tobacco</u></a>
5131.62	<a href="#"><u>Tobacco</u></a>
5131.63	<a href="#"><u>Steroids</u></a>
5131.63	<a href="#"><u>Steroids</u></a>
5131.7	<a href="#"><u>Weapons And Dangerous Instruments</u></a>
5131.7	<a href="#"><u>Weapons And Dangerous Instruments</u></a>
5131.8	<a href="#"><u>Mobile Communication Devices</u></a>
5131.9	<a href="#"><u>Academic Honesty</u></a>
5132	<a href="#"><u>Dress And Grooming</u></a>
5132	<a href="#"><u>Dress And Grooming</u></a>
5136	<a href="#"><u>Gangs</u></a>
5136	<a href="#"><u>Gangs</u></a>

5137	<a href="#"><u>Positive School Climate</u></a>
5138	<a href="#"><u>Conflict Resolution/Peer Mediation</u></a>
5141.4	<a href="#"><u>Child Abuse Prevention And Reporting</u></a>
5141.4	<a href="#"><u>Child Abuse Prevention And Reporting</u></a>
5141.52	<a href="#"><u>Suicide Prevention</u></a>
5141.52	<a href="#"><u>Suicide Prevention</u></a>
5142	<a href="#"><u>Safety</u></a>
5142	<a href="#"><u>Safety</u></a>
5144	<a href="#"><u>Discipline</u></a>
5144	<a href="#"><u>Discipline</u></a>
5144.1	<a href="#"><u>Suspension And Expulsion/Due Process</u></a>
5144.1	<a href="#"><u>Suspension And Expulsion/Due Process</u></a>
5144.2	<a href="#"><u>Suspension And Expulsion/Due Process (Students With Disabilities)</u></a>
5144.4	<a href="#"><u>Required Parental Attendance</u></a>
5144.4	<a href="#"><u>Required Parental Attendance</u></a>
5145.12	<a href="#"><u>Search And Seizure</u></a>
5145.12	<a href="#"><u>Search And Seizure</u></a>
5145.2	<a href="#"><u>Freedom Of Speech/Expression</u></a>
5145.2	<a href="#"><u>Freedom Of Speech/Expression</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.7	<a href="#"><u>Sex Discrimination and Sex-Based Harassment</u></a>
5145.7	<a href="#"><u>Sex Discrimination and Sex-Based Harassment</u></a>
5145.9	<a href="#"><u>Hate-Motivated Behavior</u></a>
6116	<a href="#"><u>Classroom Interruptions</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6144	<a href="#"><u>Controversial Issues</u></a>
6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>

6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.5	<a href="#"><u>Student Organizations And Equal Access</u></a>
6145.5	<a href="#"><u>Student Organizations And Equal Access</u></a>
6145.8	<a href="#"><u>Assemblies And Special Events</u></a>
6153	<a href="#"><u>School-Sponsored Trips</u></a>
6153	<a href="#"><u>School-Sponsored Trips</u></a>
6159.4	<a href="#"><u>Behavioral Interventions For Special Education Students</u></a>
6162.54	<a href="#"><u>Test Integrity/Test Preparation</u></a>
6163.4	<a href="#"><u>Student Use Of Technology</u></a>
6163.4-E(1)	<a href="#"><u>Student Use Of Technology</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6184	<a href="#"><u>Continuation Education</u></a>