

**CONDUCT**

The Governing Board believes that all students have the right to be educated in a 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, while going to or coming from school, while at school activities, and while on district transportation.

*(cf. 5131.1 - Bus Conduct)*

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district 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

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5136 - Gangs)*  
*(cf. 5142 - Safety)*

2. Conduct that disrupts the orderly classroom or school environment

*(cf. 5131.4 - Student Disturbances)*

3. Harassment of students or staff, including bullying, intimidation, so-called "cyberbullying," hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering

*Cyberbullying* includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the Internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

4. Damage to or theft of property belonging to students, staff, or the district

*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 5131.5 - Vandalism, Theft, and Graffiti)*

**CONDUCT** (continued)

5. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language

*(cf. 5145.2 - Freedom of Speech/Expression)*

7. Plagiarism or dishonesty in school work or on tests

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6162.54 - Test Integrity/Test Preparation)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

8. Inappropriate attire

*(cf. 5132 - Dress and Grooming)*

9. Tardiness or unexcused absence from school

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

10. Failure to remain on school premises in accordance with school rules

*(cf. 5112.5 - Open/Closed Campus)*

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 in accordance with Board policy and administrative regulation, and contact with local law enforcement, as appropriate.

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations between Other Governmental Agencies and the Schools)*

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 6020 - Parent Involvement)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

## **CONDUCT** (continued)

Students also may be subject to discipline in accordance with law, Board policy, and 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 disrupts the orderly delivery of the educational program.

### **Possession and Use of Cellular Phones and Other Personal Electronic Signaling Devices**

Students may possess or use personal electronic signaling devices including, but not limited to, cellular/digital phones, iPods, and gaming devices. Any use of an electronic device that exploits personal information, disrupts the educational process, invades personal privacy, creates a safety risk, or compromises the integrity of educational programs is strictly prohibited.

Permitted devices shall:

1. Be turned off and placed out of sight during the instructional time of the school day and at any other time when directed by a district employee.
2. Not disrupt the educational program or school activity.

If the device is used at an inappropriate time, it may be confiscated. If a school employee finds it necessary to confiscate a device, he/she may give the device to school administration so that the parent/guardian can be notified. A parent/guardian may be required to pick up the device from the school. A student who violates this policy may be restricted from possessing a personal electronic signaling device at school or school-related events.

Exception during supervised study – personal electronic devices may be utilized as an aid to instruction with the direct permission and supervision of the classroom teacher.

3. The use of any electronic device, to include cell phones, may NOT be used at any time in the gym locker rooms.

The school takes no responsibility for the loss or damage of such devices.

Due to the unique nature of Mather Youth Academy, students enrolled in this program will continue to be prohibited from possessing or using an electronic signaling device except with prior consent for health reasons.

### **Bullying/Cyberbullying**

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

**CONDUCT** (continued)

*(cf. 5137 - Positive School Climate)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

The district may provide students instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills and may involve parents/guardians, staff, and community members in the development of strategies to prevent and respond to bullying.

*(cf. 1220 - Citizen Advisory Committees)*

School staff may receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes whereby students may submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance. Students shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, principal, or other employee so that the matter may be investigated.

Cyberbullying conducted using district-owned equipment or on school premises, as well as off-campus cyberbullying that impacts school activity or school attendance, may be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

*(cf. 5145.12 - Search and Seizure)*  
*(cf. 6163.4 - Student Use of Technology)*

*Legal Reference: (see next page)*

**CONDUCT** (continued)

*Legal Reference:*

EDUCATION CODE

35181 Governing board policy on responsibilities of students

35291- 35291.5 Rules

44807 Duty concerning conduct of students

48900- 48925 Suspension or expulsion, especially:

48908 Duties of students

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

417.25-417.27 Laser scope

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

CODE OF REGULATIONS, TITLE 5

300-307 Duties of pupils

UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Emmett v. Kent School District No. 415, (2000) 92 F. Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

*Management Resources:*

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Governance and Policy Services Policy Brief, July 2007

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review, 2001

NATIONAL SCHOOL SAFETY CENTER PUBLICATIONS

Set Straight on Bullies, 1989

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

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

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://csriu.org> and <http://cyberbully.org>

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>

U.S. Office of Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.ncjrs.org>