

CONDUCT

The Board of Education 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.

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

(cf. 0450 – Comprehensive Safety Plan)
(cf. 5131.1 – Bus Conduct)
(cf. 5137 – Positive School Climate)
(cf. 6145.2 – Athletic Competition)

The Superintendent or designee shall ensure that each school site develop 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

(cf. 5131.7 – Weapons and Dangerous Objects)

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

(cf. 5131.2 – Bullying)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual Harassment)
(cf. 5145.9 – Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 – Student Disturbances)

4. Willful defiance of staff's authority

CONDUCT (cont.)

5. Damage to or theft of property belonging to the students, staff, or the district. Due to extensive damage done to school property, gum is not allowed to be sold, possessed, and/or chewed on school District property

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

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. Use of profane, vulgar, or abusive language

(cf. 5145.2 – Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

(cf. 5131.6 – Alcohol and Other Drugs)
(cf. 5131.62 – Tobacco)
(cf. 5131.63 – Steroids)

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 – Academic Honesty)
(cf. 6162.54 – Test Integrity/Test Preparation)
(cf. 6162.6 – Use of Copyrighted Materials)

11. Inappropriate attire

(cf. 5132 – Dress and Grooming)

12. Tardiness or unexcused absence from school

(cf. 5113 – Absences and Excuses)
(cf. 5113.1 – Chronic Absence and Truancy)

CONDUCT (cont.)

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

(cf. 5112.5 – Open/Closed Campus)

14. Student dance movements and mannerisms must fall within the standards of good taste and decency. Dancing that is lewd, lascivious, or deemed inappropriate based on District standards will not be tolerated. Physically dangerous dancing or movements will not be permitted. Students who engage in inappropriate behaviors will be stopped and warned on the first occasion. Parents will be contacted and students will be asked to leave the dance should students continue the inappropriate behavior. School officials are given the right to make decisions on suitable dance movements.

Possession of Cellular Phones and Other Electronic Signaling Devices

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 health-related purposes. (Education Code 48901.5)

Students may possess or use personal electronic signaling devices including, but not limited to, pagers, beepers, and cellular/digital phones provided such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests. Any signaling device may be used *ONLY before* school begins and *after* the regular school day ends or during the lunch period when outside.

Permitted devices shall:

1. Be turned off during class time and at any other time directed by a district employee (device shall not be used during class as a calculator and/or for text messaging.)
2. Not disrupt the educational program or school activity

If a disruption occurs or a student uses any mobile communication device for improper activities, an employee shall direct the student to turn off the device and/or confiscate it. If a school employee finds it necessary to confiscate a device, he/she may either return it at the end of the class period or school day or keep it until the principal or designee has consulted with the student's parent/guardian.

CONDUCT (cont.)

In accordance with the Board's policy and administrative regulation on search and seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.

(cf. 5145.12 – Search and Seizure)

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with board policy and administrative regulation.

Electronic communication devices are the personal property of students and are voluntarily brought to school. The District assumes no liability for lost or stolen personal property.

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

When a school official suspects that a search of a student or his/her 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 Board Policy and Administrative Regulation 5145.12 - Search and Seizure.

(cf. 5145.12 – Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

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.

CONDUCT (cont.)

The Superintendent or designee shall notify 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. 5127 – Graduation Ceremonies and Activities)
- (cf. 5138 – Conflict Resolution/Peer Mediation)
- (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. 6145 – Extracurricular and Co curricular Activities)
- (cf. 6159.4 – Behavioral Interventions for Special Education Students)
- (cf. 6164.2 – Guidance/Counseling Services)
- (cf. 6164.5 – Student Success Teams)
- (cf. 6184 – Continuation Education)
- (cf. 6185 – Community Day School)

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.

Consequences for Violations of Rules for Possession/Use of Mobile Communication Devices

Failure to adhere to rules for possession/use of mobile communication devices will result in any or all of the following consequences:

First Offense:

- Confiscation
- Warning
- Return to parent with signed contract for possession/use
- Violation recorded in student discipline record *

Second Offense:

- Confiscation - return to parent
- Suspension (1-3 days)
- Record 48900(k) violation in student discipline record
- Loss of privilege to possess device at school for one (1) semester

Third Offense:

- Confiscation - return to parent
- Suspension (1-3 days)
- Record 48900(k) violation in student discipline record
- Recommend to a discipline panel hearing with possible removal from the site
- Loss of privilege to possess device at school for one (1) year

CONDUCT (cont.)

Flagrant disregard of this policy or refusal to cooperate with school authorities will result in a suspension on the first offense.

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 against 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

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

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

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

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION 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

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, Safe Schools Office: www.cde.ca.gov/lr/ss

Center for Safe and Responsible Internet Use: cyberbully.org

National School Boards Association: www.nsba.org

National School Safety Center: www.schoolsafety.us

U.S. Department of Education: www.ed.gov

CONDUCT (cont.)

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: October 21, 1999

Revised: August 10, 2000

Revised: September 5, 2002

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Revised: September 4, 2003

Revised: June 17, 2004

Revised: July 16, 2009

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Revised: June 14, 2012