

Policy 5131: Conduct

Status: ADOPTED

Original Adopted Date: 08/20/2008 | **Last Revised Date:** 03/12/2014

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individual in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School Districts, all students have the right to be educated in a positive and safe environment that is free from disruption.

Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with District programs while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity.

The Superintendent or designee shall ensure that each school site develops standards of student conduct and discipline in compliance with District policies and administrative regulations. Students and parents/guardians shall be notified of District and school standards of 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 and gender-based harassment, hate-motivated behavior, cyberbullying, or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm or substantial disruption;
3. Conduct that disrupts the orderly classroom or school environment;
4. Willful defiance of staff's authority. School sites will develop standards that define defiance in a clear and nondiscriminatory way that minimizes discretion, and will establish safeguards to ensure standards are enforced in a nondiscriminatory manner;
5. Damage to or theft of property belonging to 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 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 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, unless such use is necessary to accommodate a student with a disability.

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a District employee. 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.

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 (Education Code 48901.5);

10. Plagiarism or dishonesty in school work or on tests;
11. Inappropriate attire. School sites will adopt clear and fair standards to notify students of what is considered inappropriate;

12. Tardiness or unexcused absence from school; and

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 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, the employee shall refer the matter to their supervisor or administrator for further investigation.

When a school official suspects that a search of a student or their 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 /Administrative Regulation 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 or other interventions 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, 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 substantially disrupts school activities.

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.

State References

Description

5 CCR 300-307

Duties of students

Civ. Code 1714.1

Liability of parent or guardian for act of willful misconduct by a minor -
<https://simbli.eboardsolutions.com/SU/NSknePFduiYWusJFnU3r9Q==>

Ed. Code 200-262.4

Prohibition of discrimination -
<https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==>

Ed. Code 32280-32289.5

School safety plans -
<https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==>

Ed. Code 35181

Governing board authority to set policy on responsibilities of students -
<https://simbli.eboardsolutions.com/SU/aMhrosfuwlgvxetzOUpGwQ==>

Ed. Code 35291-35291.5

Rules -
<https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjydsIshoC4A==>

Ed. Code 44807

Teachers' duty concerning conduct of students -
<https://simbli.eboardsolutions.com/SU/01QplusZUrsIshvuVCSGiVFIm8hw==>

Ed. Code 48900-48925

Suspension and expulsion -
<https://simbli.eboardsolutions.com/SU/dt5KNUUnSLpER0iplusCa0bRIQ==>

Ed. Code 51512

Prohibition against electronic listening or recording device in classroom without permission -
<https://simbli.eboardsolutions.com/SU/ciCt9PfBYvBXveNYtIKC8g==>

Pen. Code 288.2

Harmful matter with intent to seduce -
<https://simbli.eboardsolutions.com/SU/IBiJSN2uKoplusGvyOCzWon1A==>

Pen. Code 313

Harmful matter -
<https://simbli.eboardsolutions.com/SU/sg5EPQ8gPGUeOLYdg5uhOg==>

Pen. Code 417.25-417.27

Laser scope or laser pointer -
<https://simbli.eboardsolutions.com/SU/tci3AATNLXTcBxJ7plusSgdyg==>

Pen. Code 647

Use of camera or other instrument to invade person's privacy; misdemeanor -
<https://simbli.eboardsolutions.com/SU/HhDiFw1ly2YHHsM2DSWLZg==>

Pen. Code 653.2	Electronic communication devices; threats to safety - https://simbli.eboardsolutions.com/SU/b3lplu0Hih11bxg2qs6OYFQ==
Veh. Code 23123-23124	Prohibitions against use of electronic devices while driving - https://simbli.eboardsolutions.com/SU/OBbRSi49M8pUCxypsbuQXw==

Federal References

20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
------------------	---

Management Resources References

Description	
California Department of Education Publication	Bullying at School, 2003
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	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	National School Safety Center - https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXplMccKw==
Website	Center for Safe and Responsible Internet Use - https://simbli.eboardsolutions.com/SU/SYNvZCFDU9rOyHBP2bWINA==
Website	California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description	
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/8iMEISSt1NxxwZ7sbbZb3plu0g==
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/slshYAQd8Oka6Cl4chSHBYslshhg==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/3sEgordpNAd9pitTHk0IIA==
3515.4	Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/jG3bjL8Dddh50ldxbvyMNg==
3515.4	Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/qlshnBpLslshARXUyk5I9XcQZmg==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/RP1ACslshVmWv44fMTBcNJ7Kg==

4131	Staff Development - https://simbli.eboardsolutions.com/SU/BWkeN4McHiPJshe7LmjMEg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/N7WDSUsIshMSslshiWDtjRvnABvQ==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/wGPBPx9gl7eBfzF0yOdX7A==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/q3BODXEgNMIVyh72120fGQ==
5000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/tEgLVQZR9t1vvkPm3xw9Xw==
5020	Parent Rights And Responsibilities - https://simbli.eboardsolutions.com/SU/GA9hUdHplusQQfyM293slshslshfgKQ==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/JSwOBbosOJwpzZfyqB5eplusA==
5127	Graduation Ceremonies And Activities - https://simbli.eboardsolutions.com/SU/VwoJ6Mu02tGs5ZXQpdWGfA==
5131.1	Bus Conduct - https://simbli.eboardsolutions.com/SU/WoRdokvqyeK5D5ZagyfruQ==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/XpluspMTmZwxl379NWXVZavCw==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/gF7CM9GY0HNQslshVUYQslshuqFw==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/oSmzbPoHDTTCZyZnVm5DplusGA==
5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/V5yPqVYEPDaYZHu0phRR9Q==
5131.63	Steroids - https://simbli.eboardsolutions.com/SU/H1xjir2HVSkNdjLcH0qbBXg==
5131.7	Weapons And Dangerous Instruments - https://simbli.eboardsolutions.com/SU/eYS6ektqHQslshl8sT2oA3hsA==
5131.9	Academic Honesty - https://simbli.eboardsolutions.com/SU/eGua4FGZVljevoqv5UJDplusA==
5132	Dress And Grooming - https://simbli.eboardsolutions.com/SU/ZNRTMoyhic33AKz6iX5uSg==
5136	Gangs - https://simbli.eboardsolutions.com/SU/IAmL9jLYjxpGcg20f4nlqA==
5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/mH9XP7TAyfs5gG16b4MYyg==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/HJoEtYhdB6TXnNnvUwxl3g==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/hlg1Ny7iuXwRzLmsrhwEIA==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/FCRBgg2YtjQxe1XWqmqMMw==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/X8dYplus3y0KOM9ynCaH0OvNQ==
5142	Safety - https://simbli.eboardsolutions.com/SU/C1CAplus3nMnlf0LiCKVqplusA5w==
5144	Discipline - https://simbli.eboardsolutions.com/SU/arzB6j956FQB9ZVpuPXrdg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/cL7VGO0gOAB8Uq0LwYnIVQ==

5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/YbZmlEgZM69ECslshslsh0Lm8plusplusA==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/F6slshdw9TuqpbVmzn9adoTIQ==
5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/tEHCaclpOjlvpa2efd0FNA==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/rTVEGjulSslshzIzjHaDyg71w==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/HS2jqQmcpirrVcOPcO1cA==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/hg8YrNfWlz9xowEWRGjf4A==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/rBQeKJ8CuSK3Vs2ghQlp6A==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/8uQACoOGLQW90jy5rRhSVw==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/9VqcQFGQvtC93eHXkr8uFg==
6116	Classroom Interruptions - https://simbli.eboardsolutions.com/SU/4pslshIGnwzKyLKBRRzJgdfw==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/51jD3XTslsh3lp6JOLqHKxWIA==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/wTGAoyyS1lg9S8K8MCaiJw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/VbMmUulRE4mNN5BvoFh0Ag==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/NzSssODr4DFgKRGKKbxC5A==
6145.5	Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/Vq9NoslshlslshCsbxxWYSmJgA5A==
6145.8	Assemblies And Special Events - https://simbli.eboardsolutions.com/SU/AqYspz43BfMCB3cSlpbCXw==
6159.4	Behavioral Interventions For Special Education Students - https://simbli.eboardsolutions.com/SU/DGdUMrSBwf1T5eXac6NCpw==
6159.4	Behavioral Interventions For Special Education Students - https://simbli.eboardsolutions.com/SU/4NikQDDplpyYFA9E2FvoVg==
6162.54	Test Integrity/Test Preparation - https://simbli.eboardsolutions.com/SU/5aN4CplujBzplustlqs0cloKiXA==
6163.4	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/sYc1GUunbWU43SBERZYebA==
6163.4-E PDF(1)	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/KLJx2omqwfVVfRhcllY3IQ==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/ULy61SPu3ykXzwHDslsh6bLWw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/WW8plus8ZVtEZLLpU2ljJS7pg==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/VFvbf9BHGCLplus7ycTTYVhg==