

SANTA ANA UNIFIED SCHOOL DISTRICT

BP 5131 (a)

Students

Conduct

The Governing Board believes that all students have the right to be educated in a positive learning environment that is supportive of well-rounded learning experiences, which prepare all of our students for success in college and career. 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. To maintain such an environment, the Board believes strongly in working collaboratively and comprehensively with staff, parents, and the community to ensure a District-wide, positive, relationship-based school learning environment. (cf. 0450 - Comprehensive Safety Plan) (cf. 51311 - Bus Conduct) (cf. 5137 - Positive School Climate) (cf. 6145.2 - Athletic Competition) The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline. When misconduct occurs, staff shall make every effort to identify and correct the causes of the student's behavior prior to use of exclusionary practices (e.g. suspension and expulsions).

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.

Student conduct that requires interventions, 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. 5137 - Weapons and Dangerous Instruments) (cf. 5152 - Safety)
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)

BP 5131 (b)

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 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.

5. Obscene acts or use of profane, vulgar, or abusive language. (cf. 5145.2 - Freedom of Speech/Expression)
6. 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)
7. Possession or use of a laser pointer, unless for valid instruction 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.

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

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

9. 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)
10. Inappropriate attire. (cf. 5132 - Dress and Grooming)
11. Tardiness or unexcused absence from school. (cf. 5113 - Absences and Excuses)
12. Failure to remain on school premises in accordance with school rules. (cf. 5112.5 - Open/Closed Campus)

Employees are expected to provide appropriate supervision to enforce standards of conduct. If an employee observes or receives a report, of a violation of these standards, they are 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 BP/AR 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.

The Superintendent or designee shall approve, for each school, a complement of effective, age-appropriate strategies for correcting student behavior. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. After multiple interventions to address behavior issues have not resulted in improved conduct, the student may be referred to the Pupil Placement Committee. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for acts enumerated in Education Code 48900 (s) which poses a threat or danger to the safety of students, staff, or district property.

Legal Reference:

EDUCATION CODE

200-262.4	Prohibition of discrimination
32280-32289	Comprehensive safety plan
35181	Governing board policy on responsibilities of students
35291-35291.5	Rules
44807	Duty concerning conduct of students
48900-48925	Suspension or 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 pupils

UNITED STATES CODE, TITLE 42

2000h-2 et seq. 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

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

CALIFORNIAN 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/lr/ss>
Center for Safe and Responsible Internet Use: <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>