

CONDUCT

The Board of Trustees recognizes its responsibility to adopt and enforce rules and regulations governing student behavior to provide students with a learning environment conducive to an effective education.

Introduction

The Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students are 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.

Applicability

This policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent of the district, and applies to all of the district's students. (Education Code § 234.1)

Prohibited Student 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 employees; including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, harassment (such as threats, name-calling, or insults) based on actual or perceived race, ethnicity religion, gender, weight, health, or sexuality; 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 the authority of a District employee
5. Damage to or theft of property belonging to students, staff, or the District
 - (a) The District is not responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged

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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 a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)
 - (a) 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
 - (a) 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 that infringes on the privacy rights of any other person.
 - (b) 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 on schoolwork or tests
11. Inappropriate attire
12. Tardiness or unexcused absence from school
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, 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.

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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 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 non-school hours which poses a threat or danger to the safety of students, staff, or District property, or substantially disrupts school activities.

Duties and Responsibilities of School Employees

School personnel who witness an act of discrimination, harassment, intimidation, or bullying shall take immediate steps to intervene when safe to do so. (Education Code § 234.1)

Free Speech Protection

This policy shall not be construed to limit pupil rights to free speech as protected by the United States Constitution, the California Constitution, Education Code § 48907 and § 48950, and other applicable law.

*Legal Reference:***EDUCATION CODE***200-262.4 Prohibition of discrimination**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*

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647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

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

Policy

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CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California