

Conduct

The Solano County Office of Education (SCOE) 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 SCOE transportation.

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 County Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with SCOE policies and administrative regulations. Students and parents/guardians shall be notified of SCOE and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others
2. Conduct that disrupts the orderly classroom or school environment
3. Harassment of students or staff, including bullying, intimidation, so-called "cyber-bullying," 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

Cyber-bullying 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.

4. Damage to or theft of property belonging to students, staff, or SCOE
5. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment

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
7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. 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, s/he shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate SCOE or school rules and regulations may be subject to discipline in accordance with SCOE policy and administrative regulation, and contact with local law enforcement as appropriate.

Policy 5131 (Continued)

Students also may be subject to discipline in accordance with law, 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 SCOE property or disrupts the orderly delivery of the educational program.

Possession of Cellular Phones and Other Mobile Communications 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 on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices including, but not limited to, digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers, provided that 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.

If a disruption occurs or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If a school employee finds it necessary to confiscate a device, s/he shall return it at the end of the class period or school day.

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 discipline in accordance with SCOE policy and administrative regulation.

Bullying/Cyber-bullying

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

SCOE 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.

School staff shall 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.

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 Policy 5145.7 – Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyber-bullying against other students or staff or to threaten SCOE 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 constitutes cyber-bullying and to notify a teacher, principal, or other employee so that the matter may be investigated.

Cyber-bullying conducted using SCOE-owned equipment or on school premises, as well as off-campus cyber-bullying that impacts school activity or school attendance, may be subject to discipline in accordance with SCOE 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.

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Policy 5131 (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

Policy Cross-Reference:

- 0450 Comprehensive Safety Plan
- 1020 Youth Services
- 1220 Citizen Advisory Committees
- 1400 Relations Between Other Governmental Agencies and the Schools
- 3515.4 Recovery for Property Loss or Damage
- 4131 Staff Development
- 5020 Parent Rights and Responsibilities
- 5112.5 Open/Closed Campus
- 5113 Absences and Excuses
- 5113.1 Truancy
- 5131.1 Bus Conduct
- 5131.4 Student Disturbances
- 5131.5 Vandalism, Theft and Graffiti
- 5131.7 Weapons and Dangerous Instruments
- 5131.9 Academic Honesty
- 5132 Dress and Grooming
- 5136 Gangs
- 5137 Positive School Climate
- 5138 Conflict Resolution/Peer Mediation
- 5142 Safety
- 5144 Discipline
- 5144.1 Suspension and Expulsion/Due Process
- 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)

Policy 5131 (Continued)

Policy Cross-Reference: (Continued)

- 5145.2 Freedom of Speech/Expression
- 5145.3 Nondiscrimination/Harassment
- 5145.7 Sexual Harassment
- 5145.9 Hate-Motivated Behavior
- 5145.12 Search and Seizure
- 6020 Parent Involvement
- 6162.54 Test Integrity/Test Preparation
- 6162.6 Use of Copyrighted Materials
- 6163.4 Student Use of Technology
- 6164.2 Guidance/Counseling Services
- 6184 Continuation Education
- 6185 Community Day School