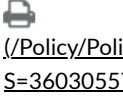


Board Policy Manual



>> Regulation 5131: Conduct

Status: ADOPTED

Original Adopted Date: 02/20/2003 | Last Revised Date: 05/01/2008 | Last Reviewed Date: 05/01/2008 [see more](#)

Electronic Signaling Devices

A portable communication device refers to any device carried, worn, or stored by a student to receive or communicate messages. Such devices may include but are not limited to portable pagers, hand-held radios, personal data assistants (PDAs), laptop computers with cellular/phone capability, and cellular telephones. This definition will also include any new technology developed for similar purposes. Excluded from this definition is any particular device with communication capabilities that have been specifically approved for instructional purposes.

Students may possess portable communication devices on the district property and at district sponsored events. The students must ensure that the device is turned off and out of sight during times of unauthorized use. Students shall not turn on/use the device during instructional and/or assessment periods, lunch, or recess, except as required by Board policy for medical reasons or emergencies. Use of devices by students riding to and from school on district buses is not permitted. This includes commercially chartered buses used for school-sponsored activities during these periods or activities, except as required by Board policy for medical reasons.

Students attending adult school classes, Saturday school, detention, library, or any other instructional activity within the district shall not turn on/use a portable communication device during these periods or activities, except as required by Board policy for medical reasons.

Any staff member or student having knowledge or reasonable suspicion of unauthorized possession or use of a portable communication device by a student on district property shall promptly report this information to the principal or designee.

1. If, after appropriate investigation, a student is found in unauthorized possession or use of a portable communication device, the principal or designee shall confiscate the device in accordance with reasonable search and seizure procedures.
2. Any student who violates this regulation will be subject to disciplinary action, depending on circumstances, the disciplinary action could include, but not limited to, conference with parent/guardian, confiscation of the device, and/or suspension from school.

Procedures in this regulation will be incorporated into the local school discipline plan process and notification to parents/guardians.

The district assumes no responsibility or liability for loss or damage to a portable communication device or for the unauthorized use of any such device or devices on school grounds, including, but not limited to devices left in school lockers or in automobiles.

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	Description
5 CCR 300-307	Duties of students (https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I2A983D204C6911EC93A8000D3A7C4BC3&transitionType=Default&contextData=%28sc.Default%29#I2A99EAD34C6911EC93A8000D3A7C4BC3)
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1714.1&lawCode=CIV)
Ed. Code 200-270	Prohibition of discrimination (http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=1&chapter=2&part=1&lawCode=EDC&title=1&article=1)
Ed. Code 32280-32289.5	School safety plans (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=1&title=1&part=19&chapter=2.5&article=5)
Ed. Code 35181	Governing board authority to set policy on responsibilities of students (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=35181)
Ed. Code 35291-35291.5	Rules (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=3&title=2&part=21&chapter=2&article=10)
Ed. Code 44807	Teachers' duty concerning conduct of students (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=44807)
Ed. Code 48900-48925	Suspension and expulsion (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=4&title=2&part=27&chapter=6&article=1)
Ed. Code 51512	Prohibition against electronic listening or recording device in classroom without permission (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=51512)
Pen. Code 288.2	Harmful matter with intent to seduce (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=288.2)
Pen. Code 313	Harmful matter (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=313)
Pen. Code 417.25-417.27	Laser scope or laser pointer (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PEN&division=&title=11&part=1&chapter=&article=)
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=647)
Pen. Code 653.2	Electronic communication devices; threats to safety (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=653.2)
Veh. Code 23123-23124	Prohibitions against use of electronic devices while driving (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=VEH&division=11&title=&part=&chapter=12&article=1)

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

Management Resources	Description
California Department of Education Publication	Bullying at School, 2003 (https://www.cde.ca.gov/lr/ss/se/documents/bullyingatschool.pdf)
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 ()

Management Resources

Court Decision

Court Decision

CSBA Publication

CSBA Publication

CSBA Publication

Website

Website

Website

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Website

Description

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 ()

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007 ()

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010 ()

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
(<https://www.csba.org/GovernanceAndPolicyResources/ConditionsOfChildren/~/-~/media/722EF232A117447F9711112F75FBC212.ashx>)

CSBA District and County Office of Education Legal Services (<https://legalservices.csba.org/>).

National School Safety Center (<http://www.schoolsafety.us>).

Center for Safe and Responsible Internet Use (<https://www.ewa.org/organization/center-safe-and-responsible-internet-use>).

California Department of Education, Safe Schools (<http://www.cde.ca.gov/lss/>).

CSBA (<http://www.csba.org>).

U.S. Department of Education (<http://www.ed.gov>).

Cross References

Code

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Description

District Technology Plan (/Policy/ViewPolicy.aspx?S=36030557&revid=swdLleoCGFUGSkGy9XslshIHg==).

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Comprehensive Safety Plan (/Policy/ViewPolicy.aspx?S=36030557&revid=xlhi02W2QDEomsIslshfplusSXQzLQ==).

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Staff Development (/Policy/ViewPolicy.aspx?S=36030557&revid=hPMY7WYNcplus50AupluswMEFc6A==).

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5131.7	Weapons And Dangerous Instruments (/Policy/ViewPolicy.aspx?S=36030557&revid=en1S4fvcEYzq6LSziSMHWQ==)
5131.8	Mobile Communication Devices (/Policy/ViewPolicy.aspx?S=36030557&revid=j1LHk7lQIRr3sVzzVTJuUQ==)
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5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) (/Policy/ViewPolicy.aspx?S=36030557&revid=ixzTS3V7YxeHSXsLHHEGBQ==)
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6159.4	Behavioral Interventions For Special Education Students (/Policy/ViewPolicy.aspx?S=36030557&revid=IU58nh2z37Kslsh1yLOTtLITg==)
6162.54	Test Integrity/Test Preparation (/Policy/ViewPolicy.aspx?S=36030557&revid=pluszotrYd0UOiopGKS9NZ99g==)
6163.4	Student Use Of Technology (/Policy/ViewPolicy.aspx?S=36030557&revid=yL1fOTFQvVmz4Wso9OsIshCig==)
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