

Students

STUDENT CONDUCT

The Governing Board considers that safety and proper behavioral conduct are prerequisites to a positive learning environment. Students shall be expected to exhibit appropriate conduct that will not interfere with the safety and learning environment of others 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.

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 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 to the school program
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to students, staff, or the district
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 substances
8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)
9. Use of a cell phone, smartwatch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy
10. Plagiarism or dishonesty on school work or tests
11. Wearing of any attire that violates district or school dress codes, including gang-related apparel
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

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When a school employee suspects that a search of a student or a student's 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.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

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.

Legal Reference:

<u>State</u>	<u>Description</u>
5 CCR 300-307	Duties of students
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	School discipline rules
Ed. Code 44807	Teachers' duty concerning conduct of students
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 51512	Prohibition against electronic listening or recording device in classroom without permission
Pen. Code 288.2	Harmful matter with intent to seduce
Pen. Code 313	Harmful matter
Pen. Code 417.25-417.27	Laser scope or laser pointer
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor
Pen. Code 653.2	Electronic communication devices; threats to safety
Veh. Code 23123-23124	Prohibitions against use of electronic devices while driving

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Legal Reference:

Federal

20 USC 1681-1688

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

Management ResourcesCalifornia Department of
Education Publication**Description**[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](#)

Website

[National School Safety Center](#)

Website

[Center for Safe and Responsible Internet Use](#)

Website

[California Department of Education, Safe Schools](#)

Website

[CSBA](#)

Website

[U.S. Department of Education](#)**WESTMINSTER SCHOOL DISTRICT**

Westminster, California

Policy Adopted: November 3, 1994

Revised: January 18, 2024