

PIEDMONT UNIFIED SCHOOL DISTRICT

Board Policy

Students

BP 5131

~~DISCIPLINE CODE/SCHOOL RULES AND PROCEDURES~~ CONDUCT

In keeping with the Piedmont High School motto, "Achieve the Honorable," the Board of Education expects all students to demonstrate age appropriate academic and personal integrity in their conduct. Being honest in all situations promotes learning, supports growth in intellect as well as character, and signifies each student's responsibility to respect peers, teachers, staff and administration.

Students are encouraged to be upstanders by standing-up or speaking-up when they witness or hear of prohibited behavior.

Expected Student Behavior

Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will be counseled, reprimanded, suspended, expelled and/or arrested as the laws are applied.

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 school rules related to conduct.

~~The Board of Education of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction.~~

~~Guidelines for student behavior and the rights and responsibilities of students, teachers, parents and administrators are outlined in the Administrative Regulation.~~

All students shall comply with the regulations, pursue the required course of study and submit to the authority of the teachers of the schools.

Participation/attendance at extra-curricular activities is considered a part of the education program. Participants/spectators carry responsibilities as representatives of their school and communities. All rules of student conduct also apply to extra-curricular activities.

The Board may enforce the provisions of Education Code 35291 by suspending or, if necessary, expelling a student in any elementary or secondary school who refuses or neglects to obey rules prescribed pursuant to that Section.

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

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5142](#) - 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)

4. Willful defiance of staff's authority

5. 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.

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. [5145.2](#) - Freedom of Speech/Expression)

7. 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)

8. Possession or use of a laser pointer, unless for a valid instructional 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.

9. Use of a 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 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 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](#))

10. 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)

11. Tardiness or unexcused absence from school

(cf. [5113](#) - Absences and Excuses)

(cf. [5113.1](#) - Chronic Absence and Truancy)

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 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.

(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.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, restorative justice, 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.

(cf. [1020](#) - Youth Services)

(cf. [1400](#) - Relations Between Other Governmental Agencies and the Schools)

(cf. [5020](#) - Parent Rights and Responsibilities)

(cf. [5127](#) - Graduation Ceremonies and Activities)

(cf. [5138](#) - Conflict Resolution/Peer Mediation)

(cf. [5144](#) - Discipline)

(cf. [5144.1](#) - Suspension and Expulsion/Due Process)

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. [6020](#) - Parent Involvement)

(cf. [6145](#) - Extracurricular and Cocurricular Activities)

(cf. [6159.4](#) - Behavioral Interventions for Special Education Students)

(cf. [6164.2](#) - Guidance/Counseling Services)

(cf. [6164.5](#) - Student Success Teams)

(cf. [6184](#) - Continuation Education)

(cf. [6185](#) - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination

[32280-32289](#) Comprehensive safety plan

[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](#)

[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 students](#)

UNITED STATES CODE, TITLE 42

[2000h-2000h6 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

CALIFORNIA 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/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>

~~This publication has been prepared and distributed to assist the school district and individual site principals to better inform all concerned persons of these policies.~~

~~Rights and Responsibilities of Students~~

~~1. Rights~~

- ~~a. To be informed of school rules and procedures.~~

- ~~b. To remain enrolled in school until removed under due process conditions as specified in the Education Code.~~
- ~~c. To have access to records upon reaching the age of sixteen.~~

~~2. Responsibilities~~

- ~~a. To attend classes regularly and on time.~~
- ~~b. To obey school rules and procedures.~~
- ~~c. To respect the rights of school personnel and other students.~~
- ~~d. To be prepared for class with appropriate materials and work.~~

Rights and Responsibilities of Teachers

~~1. Rights~~

- ~~a. To expect students to behave in a manner which will not interfere with the learning of other students.~~
- ~~b. To have parental support related to academic and social progress of students.~~
- ~~c. To expect students to put forth their best effort and participate in class in order to receive a passing grade.~~

~~2. Responsibilities~~

- ~~a. To conduct a well planned and effective classroom program.~~
- ~~b. To inform parents through progress reports, report cards, and conferences about the academic progress, school citizenship and general behavior of children.~~
- ~~c. To initiate and enforce a set of classroom regulations consistent with school and district policies, rules and procedures.~~
- ~~d. To inform students of their grading policies.~~

Rights and Responsibilities of Administrators

~~1. Rights~~

- ~~a. To hold students to strict accountability for any disorderly conduct in school or on their way to and from school.~~
- ~~b. To take appropriate action in dealing with students guilty of misconduct.~~
- ~~c. To recommend disciplinary action: reprimand, suspension and/or expulsion as the situation demands.~~

2. Responsibilities

- a. ~~To provide leadership that will establish, encourage and promote good teaching and effective learning.~~
- b. ~~To establish, publicize and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.~~
- c. ~~To request assistance in matters concerning serious instructional, behavioral, emotional, health or attendance problems.~~

Rights and Responsibilities of Parents

1. Rights

- a. ~~To be informed of district policy and school rules and procedures related to their children.~~
- b. ~~To be informed of all facts and school action related to their children.~~
- c. ~~To inspect their child's records with the assistance of a certificated staff member for proper explanation.~~

2. Responsibilities

- a. ~~To visit school periodically and to participate in conferences with teachers or counselors on the academic and behavioral status of their students.~~
- b. ~~To provide supportive action by making sure that students have enough sleep and adequate nutrition.~~
- c. ~~To maintain a consistent set of standards and rules for the student.~~
- d. ~~To be familiar with district policies and school rules and procedures.~~
- e. ~~To ensure that students attend regularly and to contact the school promptly when known absences occur.~~

GUIDELINE FOR STUDENT BEHAVIOR

~~These guidelines illustrate some of the disciplinary actions that may be taken, but do not limit the possibility for other alternative disciplinary measures. Additional consideration will be given to the specific nature of an incident. The District will attempt to have students learn from the disciplinary action to create a more positive school climate.~~

Problem Areas	Possible Actions to Be Taken
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Tardiness	Informal talk, work detail, detention, parent involvement
Unexcused Absence / Excessive Unexcused Absence	Work detail, parent involvement, suspension, exclusion from participating in extra-curricular activities, SARB, *Millennium Learning High School
Defiance of Authority	Conference, work detail, detention, parent involvement, suspension, transfer to *Millennium Learning High School
Cheating	Parent involvement, conference, suspension
Disruptive Behavior	Informal talk, work detail, parent involvement, suspension transfer to *Millennium High School
Inappropriate Attire	Informal talk, sent home to change, detention, suspension
Illegal Parking	Police involvement
Litter	Work detail, detention
Skateboarding	Warning, confiscation
Verbal Abuse	Informal talk, detention, conference, suspension
Forgery	Informal talk, parent involvement, work detail, detention, suspension
Theft	Parent/police involvement, suspension, expulsion
Smoking on Campus	Detention, suspension
Vandalism	Parent involvement, work detail, restitution, suspension
Fighting	Informal talk, parent involvement, suspension, expulsion
Drugs/Alcohol	Parent/police involvement, suspension, expulsion
Arson	Parent/police involvement, suspension, expulsion
Extortion / Robbery	Parent/police involvement, suspension, expulsion
Explosive Devices	Parent/police involvement, suspension, expulsion

Extortion/Robbery	Parent/police involvement, counseling, anger management, suspension, expulsion
Explosive Devices	Parent/police involvement, counseling, anger management, suspension, expulsion
Harassment (including Sexual Harassment)	Parent/police involvement, counseling, anger management, suspension, expulsion
Bullying / Intimidation	Parent/police involvement, counseling, anger management, suspension, expulsion
Hazing	Parent/police involvement, counseling, anger management, suspension, expulsion
Knife / Gun	Parent/police involvement, counseling, anger management, suspension, expulsion

* Millennium High School provides an alternative learning environment to which students may be voluntarily or involuntarily transferred. It is an option only available at the secondary school level.

DEFINITIONS OF POSSIBLE DISCIPLINARY ACTIONS	
Informal Talk	A school official may talk to the student and try to reach agreement on expected behavior
Work Detail	The student may be assigned clean-up in specific areas on or off campus at an assigned time.
Parent Involvement	Parent(s) are notified by telephone, personal contact, or certified letter. A conference may be conducted
Conference	A formal conference may be held between the student, his/her parent(s), appropriate school personnel and any other individuals concerned. Recommendations are made to correct the student's behavior. A student performance contract may be a result of parent involvement or a conference.

Detention	Students may be detained in school for disciplinary or other reasons. Saturday School is a voluntary alternative to some suspensions and to weekday detention
*Removal from Classes	<p>The student may be removed from one or more classes, but remain at school during these class periods, or receive appropriate disciplinary action such as:</p> <ul style="list-style-type: none"> serves one or more detention/work details has privileges suspended removed from class with no credit
In-School Suspension	A student may be assigned to an in-school suspension program at the discretion of the principal or designed for offenses when suspension is permitted
Suspension	<p>The student will be informed that he/she is subject to a suspension (five days or less). The student also will be informed regarding due process procedures. An attempt is made to notify the student's parent(s) or legal guardian by telephone, informing them of the suspension. Notification to the parent(s) or legal guardian includes instructions regarding the due process procedures. Recorded in Student Record.</p>
SARB (School Attendance Review Board)	School Attendance Review Board may be established to help students with school attendance or behavior problems
Police Involvement	The District maintains a positive working relationship with the Piedmont Police Department and frequently works in conjunction with the Juvenile Services Officer
Transfer to Millennium High School	A proposed involuntary transfer notice may be Independent Learning High sent to parent/guardian to initiate the transfer

	for a student to receive special behavioral and/or educational services
* Semester Suspension	A Millennium High School student may receive a semester suspension for a violation of the District's discipline policy
Expulsion	The student will be informed that he/she is subject to expulsion. The student also is informed regarding due process procedures. The student's parent(s) or legal guardian is notified by telephone, certified letter or personal delivery that the student is subject to expulsion. Notification to the parent(s) or legal guardian(s) must include clear instructions regarding due process procedures. The Superintendent recommends to the Board of Education that the student should be expelled. The due process procedures are immediately initiated. The expulsion does not become effective until the due process procedures have been completed. Recorded in student file.

Administrative Suspension Procedure

1. An informal conference is held with the student. The student will be allowed the opportunity to present his/her version and evidence in his/her defense. The student will be advised of the reason for disciplinary action.
2. An attempt will be made to make a telephone contact with the parent/guardian regarding a suspension.
3. A parent/guardian will be mailed or given a written notice of suspension within twenty-four (24) hours.
4. A parent/guardian shall respond to the school's request for a conference, without delay, according to the law.
5. A parent/guardian will be informed that suspension may be reviewed by the Superintendent or designee.
6. In ordinary circumstances, a student may not be suspended for more than five (5) consecutive days.

- ~~7. No student shall be suspended for more than twenty (20) days from one school during the year, except for Independent Learning High School students.~~
- ~~8. A suspended student may be required to complete and receive credit for assignments and tests missed during the suspension, as provided by the teacher. The teacher does not necessarily have to allow a suspended student to make up missed work or tests.~~
- ~~9. A suspended student must remain under parent supervision and is not to be on or near any school campus, or attend any school activity for the duration of the suspension.~~

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~~

~~48908 Duties of pupils~~

~~48980-48981 Notification of parent or guardian~~

~~CIVIL CODE~~

~~417.25 Liability of parents and guardians for willful misconduct of minor~~

~~PENAL CODE~~

~~417.25 Laser scope~~

~~CODE OF REGULATIONS, TITLE 5~~

~~300-307 Duties of pupils~~

~~UNITED STATES CODE, TITLE 42~~

~~2000h - 2000h-6 Title IX, 1972 Education Act Amendments~~

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