

ORANGE COUNTY DEPARTMENT OF EDUCATION
Costa Mesa, California

SUPERINTENDENT'S POLICY

100-18

Conduct

The Orange County Department of Education 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 Orange County Department of Education transportation.

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Orange County Department of Education policies and procedures. Students and parents/guardians shall be notified of Orange County Department of Education and school policies and procedures 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
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 Orange County Department of Education

The Orange County Department of Education 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
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. 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 Orange County Department of Education employee, and at any other time directed by an Orange County Department of Education 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.

10. Plagiarism or dishonesty on school work 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 or designee 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 may be conducted in accordance with Orange County Department of Education policy and procedures.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, an Orange County Department of Education employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate Orange County Department of Education or school policies and procedures may be subject to discipline including, but not limited to, suspension, expulsion, transfer to another location, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with

Orange County Department of Education policy and procedure. The Superintendent or designee may notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Orange County Department of Education policy, or procedure, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or Orange County Department of Education 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