

STUDENT RECORDS

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law.

The Superintendent or designee shall establish regulations for Board approval governing the identification, description and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and photocopy student records and shall protect the student and the student's family from invasion of privacy.

(cf. 3580 - District Records)

(cf. 4040 - Employee Use of Technology)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5125.3 - Challenging Student Records)

Custodian of Records

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or vice principal shall act as custodian of records for students enrolled. The custodian of records shall be responsible for implementing the Board policy and administrative regulation regarding student records. (5 CCR 431)

Legal Reference: (see next page)

STUDENT RECORDS (continued)

Legal Reference:

EDUCATION CODE

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

49060-49078 *Pupil records*

CODE OF CIVIL PROCEDURE

1985.3 *Subpoena duces tecum*

FAMILY CODE

3025 *Parental access to records*

GOVERNMENT CODE

6252-6260 *Inspection of public records*

WELFARE AND INSTITUTIONS CODE

16010 *Health and education records of a minor*

CODE OF REGULATIONS, TITLE 5

430-438 *Individual pupil records*

16020-16028 *Destruction of records of school districts*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 *Family Educational Rights and Privacy*

300.500 *Definition of "personally identifiable"*

300.501 *General responsibilities of public agencies*

300.502 *Opportunity to examine records*

300.573 *Destruction of information*

STUDENT RECORDS

Definitions

"Parent" means a natural parent, adoptive parent, or legal guardian or surrogate parent or foster parent. (Education Code 49061)

If parents are divorced or legally separated, only a parent having legal custody of the student may challenge the content of a record, offer a written response to a record or consent to release records to others. Either parent may grant consent if both parents notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

"Adult student" means a person who was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Once a student reaches the age of 18 or attends a postsecondary school, he/she alone shall exercise rights related to his/her student records and grant consent for the release of records. (Education Code 49061)

"Access" means a personal inspection and review of a record, an accurate copy of a record or receipt of an accurate copy of a record, an oral description or communication of a record and a request to release a copy of any record. (Education Code 49061)

"Personally identifiable information" includes but is not limited to the student's name, the name of the student's parent/guardian or other family member, the address of the student or student's family, a personal identifier such as the student's social security number or student number, other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name, a list of personal characteristics or other information that would make the student's identity easily traceable. (34 CFR 99.3)

"Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records, to any party, by any means including oral, written or electronic means. (34 CFR 99.3)

"Student record" means any item of information, other than directory information, directly related to an identifiable student gathered within or without the school system and maintained by the district or required to be maintained by a school employee in the performance of his/her duties whether recorded in handwriting, print, tapes, film, microfilm or by other means. Any information maintained for the purpose of second party review is considered a student record. (5 CCR 430) The student record shall include the student's health record. (Education Code 49061; 34 CFR 99.3)

STUDENT RECORDS (continued)

"Student record" shall not include informal notes about a student which a school employee keeps for private use and are not revealed to any other person except a substitute. (Education Code 49061)

"School officials and employees" are Governing Board members, district certificated employees and district administrators.

A "legitimate educational interest" is one held by officials or employees whose duties and responsibilities to the district require that they have access to student records.

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

"Mandatory permanent student records," or exact copy, which shall be kept indefinitely, unless forwarded to another district include: (5 CCR 432)

1. Legal name of student
2. Date and place of birth
3. Method of verification of birth date
4. Sex of student
5. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent's name and address and student's residence
6. Entering and leaving date of each school year and for any summer session or other extra session
7. Subjects taken during each year, half-year, summer session or quarter and marks or grades given
8. Verification of required immunizations or waiver

STUDENT RECORDS (continued)

"Mandatory interim student records," -may be destroyed 3 years after determining that their usefulness has ceased or the student has left the district, and include: (5 CCR 432)

1. A log identifying persons or agencies who request or receive information from the student record
2. Health information, including Child Health Development Disabilities Prevention Program verification or waiver
3. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge
4. Language training records
5. Progress slips/notices required by Education Code 49066 and 49067
6. Parental/guardian stipulations regarding access to directory information
7. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
8. Parental/guardian authorization or denial of student participation in specific programs
9. Results of standardized tests given within the past three years

"Permitted records," kept only as currently useful for appropriate educational purposes, may include: (5 CCR 432) They may be destroyed six months after the student completes or withdraws from the educational program. (5 CCR 437)

1. Objective counselor/teacher ratings
2. Disciplinary notices and data
3. Verified reports of relevant behavior patterns
4. Standardized test results older than three years
5. Supplementary attendance records

STUDENT RECORDS (continued)

No additions except routine updating shall be made to a student's record after graduation or permanent departure without prior consent of the parent or adult student. (5 CCR 437)

Records shall be destroyed in a way that guarantees they will not be viewed by the public. (5 CCR 437)

Persons Granted Access Without Prior Written Consent

The following persons or agencies shall have absolute access to any and all student records in accordance with law:

1. Parents/guardians of students younger than age 18 (Education Code 49069)

Access to student records and information shall not be denied to a parent because he/she is not the child's custodial parent. (Family Code 3025)

2. An adult student age 18 or older or a student under the age of 18 who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (34 CFR 99.31; 5 CCR 435)

STUDENT RECORDS (continued)

In addition, the following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest: (34 CFR 99.31; Education Code 49076)

1. Parents/guardians of a dependent student age 18 or older
2. Students who are age 16 or older or who have completed the 10th grade
3. School officials and employees (consistent with criteria defined by the district)
4. Members of a school attendance review board (SARB) and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student

(cf. 5113.1 - Truancy)

5. Officials and employees of other public schools, or school systems.
6. Federal, state, and local officials, as needed for program audits or compliance with law
7. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition or a prosecuting agency for consideration against a parent/guardian for failure to comply with compulsory education laws
8. Any probation officer or district attorney for the purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation
9. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681

Upon releasing student information to a judge or probation officer in such cases, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

10. Any county placing agency for the purpose of fulfilling educational case management responsibilities required by the juvenile court or by law pursuant to Welfare and Institutions Code 16010 and to assist with the school transfer or enrollment of a student

(cf. 6173.1 - Education for Foster Youth)

STUDENT RECORDS (continued)

Foster family agencies with jurisdiction over currently enrolled or former students may access those students' records of grades and transcripts and any individualized education program (IEP) developed and maintained by the district with respect to such students. (Education Code 49069.3)

(cf. 6159 - Individualized Education Program)

When authorized by law to assist law enforcement in investigations of suspected kidnapping, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district or California private school. The information shall be released only to designated peace officers, federal criminal investigators, and federal law enforcement officers whose names have been submitted in writing by their law enforcement agency in accordance with the procedures specified in Education Code 49076.5. (Education Code 49076.5)

The Superintendent or designee may release information from a student's records to the following: (34 CFR 99.31, 99.36; Education Code 49076)

1. Appropriate persons, including parents/guardians of a student, in an emergency, if the health and safety of the student or other persons are at stake

The Superintendent or designee may release information specified in law regarding a student's immunization record to local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health. Prior to releasing such information, the Superintendent or designee shall notify the parent/guardian of his/her rights in accordance with law. (Health and Safety Code 120440)

Persons Granted Access With Prior Written Consent

Persons, agencies, or organizations not afforded access rights by law may be granted access only through written permission of the parent/guardian or adult student, or by judicial order. (Education Code 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent may grant consent if both parents notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Any person or agency granted access is prohibited from releasing information to another person or agency without written permission from the parent/guardian or adult student. (Education Code 49076)

STUDENT RECORDS (continued)

Access to Records by Authorized Persons

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained in different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall assure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. For those individuals for whom the law requires that access be granted based on a legitimate educational interest, the request shall specify such interest involved. Prior to granting the request, the custodian of records shall authenticate the individual's identity.

When prior written consent is required by law, the parent/guardian shall provide a signed and dated written consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

Within five business days following the date of request, a parent/guardian or other authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

STUDENT RECORDS (continued)

Access Log

For each student's record, the school custodian of records shall keep a log identifying all persons, agencies or organizations requesting or receiving information from the record. The log does not have to be signed by: (Education Code 49064)

1. Parents /guardians or adult students
2. Students 16 years of age or older who have completed the 10th grade
3. Parties obtaining district-approved directory information

(cf. 5125.1 - Release of Directory Information)

4. Parties who provide written parental consent. In this case, the consent notice shall be filed with the record
5. School officials or employees who have legitimate educational interest

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The log shall be accessible only to the legal parent or guardian, eligible student, adult student, dependent adult student, custodian of records and certain state/federal officials. (Education Code 49064; 5 CCR 432)

Notification of Parents/Guardians

Upon students' initial enrollment and at the beginning of each year thereafter, the district shall notify parents in writing of their rights related to student records. Insofar as practicable, these notices shall be written in the student's home language and also shall notify parents/guardians who are disabled. Parents also shall be notified that: (Education Code 49063; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

STUDENT RECORDS (continued)

1. The right to inspect and review student records and the procedures for doing so
2. What types of student records are kept and their location
3. The titles of the officials responsible for maintaining the records
4. The location of the log identifying those who request information from the records
5. District criteria for defining "school officials and employees" and for determining "legitimate educational interest"
6. District policies for reviewing and expunging student records
7. District procedures for challenging the content of student records

(cf. 5125.3 - Challenging Student Records)

8. The cost, if any, charged for reproducing copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073

The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
10. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the district to comply with the provisions of Section 438 of the Federal Educational Rights and Privacy Act (20 USC 1232g)
11. The availability of qualified certificated personnel to interpret records when requested (Education Code 49069)
12. The district forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll (34 CFR 99.34)

STUDENT RECORDS (continued)

Duplication of Student Records

To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of furnishing copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

The Superintendent or designee shall set a fee and update the amount annually if actual costs change.

Transfer of Student Records

When a student transfers to another school district or to a private school, this district shall forward a copy of his/her mandatory permanent records as requested by the other district or private school. The original or a copy shall be retained permanently by this district. (5 CCR 438)

Mandatory interim records shall be sent upon request to other California public school districts. Mandatory interim records may also be sent to out-of-state or private schools requesting them. (5 CCR 438)

Permitted records may be sent to any other public school district or private school. (5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

If the student transfers into the district from any other school district or a private school, this district shall inform the parent of his/her right to receive a copy of the permanent record received from the former school. The parent also shall be informed of his/her right to have a hearing in which to challenge the contents of that record. (5 CCR 438)

STUDENT RECORDS (continued)

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record as requested by the other district or private school. The original record or a copy shall be retained permanently by this district. If When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her suspension or expulsion. (Education Code 48201)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5119 - Students Expelled From Other Districts)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent. (5 CCR 438)

If the district is withholding grades, diploma or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

RELEASE OF DIRECTORY INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation.

(cf. 1112 - Media Relations)

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her determination of the best interests of district students. (Education Code 49073)

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49073 Release of directory information

49073.5 Directory information; military representatives; telephone numbers

49603 Public high schools; military recruiting

RELEASE OF DIRECTORY INFORMATION

Definition

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (34 CFR 99.3; Education Code 49061)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date and place of birth
6. Participation record in officially recognized activities and sports
7. Weight and height of athletic team members
8. Dates of attendance
9. Awards received
10. Most recent previous school attended

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to what categories of directory information the school or district plan to release, and to whom. (Education Code 49063, 49073)

The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (34 CFR 99.37; Education Code 49063, 49073)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

RELEASE OF DIRECTORY INFORMATION (continued)

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information may not be disclosed. (Education Code 49073)

Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, and representatives of the news media. (Education Code 49073)

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

When school property has been willfully damaged or not returned upon demand, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due.

This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

(cf. 5131.5 - Vandalism, Theft and Graffiti)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

If reparation is not made, the district shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.

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

If the student and parent/guardian are unable to pay for the damages or return the property, the principal or designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. (Education Code 48904)

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared.

The Superintendent or designee shall notify the parent/guardian in writing that this district's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code 48904.3)

The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. (Education Code 48904.3)

(cf. 5125 - Student Records)

Legal Reference: (see next page)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

Legal Reference:

EDUCATION CODE

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

48911 *Suspension by principal, designee or superintendent*

49069 *Absolute right to access*

approved: February 8, 2000
Students

Palermo, California
AR 5125.3(a)

CHALLENGING STUDENT RECORDS

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5125 - Student Records)

When a student's grade is challenged, the teacher who gave the grade shall be given an opportunity to state orally, in writing, or both, the reasons for which the grade was given. Insofar as practicable, he/she shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith or incompetency, the student's grade as determined by the teacher shall be final. (Education Code 49066)

Within 30 days of receiving a request to correct or remove information from a record, the Superintendent or designee shall meet with the parent/guardian and with the employee (if still employed) who recorded the information in question. The Superintendent shall then sustain or deny the allegations. (Education Code 49070)

If the parent/guardian's allegations are sustained, the Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)

If the Superintendent denies the allegations, the parent/guardian may write within 30 days to appeal the decision to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the employee (if still employed) who recorded the information in question. The Board shall then decide whether or not to sustain or deny the allegations. If it sustains any or all of the allegations, the Superintendent shall immediately correct or remove and destroy the information from the student's records. (Education Code 49070)

CHALLENGING STUDENT RECORDS (continued)

The decision of the Board shall be final. If the decision of the Superintendent or Board is unfavorable to the parent/guardian, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's record. (Education Code 49070)

Both the Superintendent and the Board have the option of appointing a hearing panel to assist in making the decision. The hearing panel may be used at the discretion of the Superintendent or the Board provided that the parent/guardian consents to releasing record information to panel members. (Education Code 49070, 49071)

The right to challenge a record becomes the sole right of the student when the student becomes 18 or attends a postsecondary institution. (Education Code 49061)

At the beginning of each school year, parents/guardians shall be notified of the availability of the above procedures for challenging student records. (Education Code 49063)

(cf. 1312 - Complaints Concerning the Schools)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49066 Grades; change of grade; physical education grade

49070 Challenging content of records

49071 Hearing panel

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act of 1974

AWARDS FOR ACHIEVEMENT

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for unique or exemplary achievements in academic, extracurricular or community service activities. The purpose of such awards shall be consistent with school goals.

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, a public ceremony, trophy, gift, plaque or cash gift.

The Superintendent or designee shall develop procedures for the appropriate selection of student award recipients.

(cf. 1260 - Educational Foundation)
(cf. 3290 - Gifts, Grants and Bequests)

Legal Reference:

EDUCATION CODE
35160 Authority of governing boards
35310-35319 Scholarship and loan funds
44015 Awards to employees and students
51450-51455 Golden State Seal Merit Diploma

Management Resources:

CDE PROGRAM ADVISORIES
0620.09 Use of Categorical Funds for Motivation Incentives

AWARDS FOR ACHIEVEMENT

Special awards, certificates, or other recognition may be given by the principal, vice principal or the teaching staff.

For grades 4-8 Academic Awards:

At the end of the school year, awards will be given to students who have an accumulative GPA of 3.0 or higher. Students who have a GPA between 3.0 and 3.49 will receive a "Principal's Award," between 3.5 and 4.0 receive the "Superintendent's Award."

GRADUATION CEREMONIES AND ACTIVITIES

Eighth grade graduation ceremonies shall be held to recognize those students who have successfully completed the required course of study, met the district criteria for promotion, passed all proficiency standards, and thereby earned the right to receive a diploma. The Governing Board believes that these students deserve a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

(cf. 3260 - Fees and Charges)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements/Standards of Proficiency)

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

Disciplinary Considerations

In order to encourage high standards of student conduct and behavior, the principal may deny the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. School rules shall ensure that the student and parent/guardian receive written notice of the privilege(s) to be denied, the grounds for such denial and the means whereby a student may appeal this decision.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

Honors and Awards

To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian. The Superintendent or designee shall establish procedures that ensure a fair determination of the students who have achieved the highest grade point average in the graduating class. If a tie exists, the principal may honor more than one valedictorian and/or salutatorian.

(cf. 5121 - Grades/Evaluation of Student Achievement)

The Superintendent or designee shall identify other school-sponsored awards which may be given during graduation exercises. A separate awards program may be held to recognize graduating students receiving other awards.

(cf. 5126 - Awards for Achievement)

Legal Reference: (see next page)

GRADUATION CEREMONIES AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

38119 *Lease of personal property; caps and gowns*

48904 *Liability of parent or guardian; withholding of grades, diplomas, transcripts*

51225.5 *Honorary diplomas; foreign exchange students*

51400-51403 *Elementary school diploma*

51410 *Diplomas: no indication of intellectual classification*

51411 *Residence as condition for graduation; prohibition*

51412 *Standards of proficiency*

56376 *Graduation - special education*

COURT DECISIONS

Harris v. Joint School District #241 (1994, 9th Cir.) No. 93-35839

Jones v. Clear Creek Independent School District (1992, 5th Cir.) 977 F.2d 963

Lee v. Weisman, (1992) 112 S.Ct. 2649

Sands v. Morongo Unified School District (1991) 53 Cal. 3d 863

Mifflin County School District v. Stewart (PA. Cmwlt. 1986) 503 A.2d 1012, 30 Educ. L.R. 403

Fowler v. Board of Education of the Hickory Administrative School Unit (1978) 448 F. Supp. 497

Lemon v. Kurtzman (1971) 403 U.S. 602

Management Resources:

CDE PROGRAM ADVISORIES

0615.89 *Granting credit for passing GED, SPB:88/89-11*

CONDUCT

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. While on school grounds, at school activities, and on district transportation, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards their teachers, other staff, students and volunteers.

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations.

Students and parents/guardians shall be notified of district and school rules related to conduct and shall receive regular instruction regarding these rules. In addition, parents/guardians and students may be provided information about early warning signs of harassing/intimidating behaviors, such as bullying, as well as prevention and intervention strategies.

Prohibited student conduct includes but is not limited to:

1. Behavior that endangers other students, the student him/herself, and/or staff

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5142 - Safety)

2. Behavior that disrupts the orderly classroom or school environment

(cf. 5131.4 - Campus Disturbances)

3. Harassment of students or staff, including bullying, intimidation, so-called "cyberbullying," 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

Cyberbullying 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.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

CONDUCT (continued)

4. Damage to or theft of property belonging to the district, staff or students

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, Theft and Graffiti)

5. Possession, use or sale of alcohol, tobacco or other drugs

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)

6. Possession or use of laser pointers (Penal Code 417.27)

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.

7. Profane, vulgar or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

8. Plagiarism or dishonesty in school work or on tests

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.4 - Student Use of Technology)

9. Inappropriate dress

(cf. 5132 - Dress and Grooming)

10. Tardiness and unexcused absence from school

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)

11. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

CONDUCT (continued)

Possession of Cellular Phones and Other Personal Electronic Signaling 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)

Grade Levels K - 5:

Except for prior consent for health reasons, possession or use of personal electronic signaling devices, cellular/digital telephones is prohibited.

Grade Levels 6 - 8:

Students may possess personal electronic signaling devices, including but not limited to pagers, beepers and cellular/digital telephones. Students who possess such devices at school, do so at their own risk. The school/district is not responsible for any stolen, lost, or damaged electronic signaling devices.

Permitted devices shall:

1. Be turned off at all times while a student is on campus, traveling on a school bus, or involved in any school related activity.
2. Be used with permission of a school employee only in an emergency situation while a student is on campus, traveling on a school bus, or involved in any school related activity.
3. Not disrupt the educational environment or any school related activity.
4. Not be used to engage in academic dishonesty.
5. Not be used to take and/or transmit images of other students.

If a disruption occurs, the employee shall direct the student to turn off the device and/or confiscate it. If a school employee finds it necessary to confiscate a device, he/she may either return it at the end of the class period or school day or keep it until the principal or designee has consulted with the student's parent/guardian.

A student who violates this policy may be suspended and will be prohibited from possession a personal electronic signaling device at school and all school related activities for the remainder of the school year.

CONDUCT (continued)**Enforcement of Standards**

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware 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 administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(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. 6164.2 - Guidance/Counseling Services)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Bullying/Cyberbullying

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

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

The district may provide students instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills in the development of strategies to prevent and respond to bullying.

(cf. 1220 - Citizen Advisory Committees)

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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

CONDUCT (continued)

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 AR 5145.7 - Sexual Harassment.

The district may be deemed to be justified in responding when material: (1) is posted, sent, or displayed to other students through the district's Internet system; (2) originated on campus, such as a photo taken with a cell phone; (3) is related to on-campus bullying; (4) causes emotional harm to another student and interferes with his/her right to feel secure and successful at school; or (5) causes or threatens to cause school disruptions.

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

Cyberbullying conducted using district-owned equipment or on school premises, as well as off-campus cyberbullying that impacts school activity or school attendance, may be subject to discipline in accordance with district 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.

(cf. 5145.12 - Search and Seizure)

(cf. 6163.4 - Student Use of Technology)

*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*

CIVIL CODE

1714.1 *Liability of parents and guardians for willful misconduct of minor*

PENAL CODE

417.25-417.27 *Laser scope*

CODE OF REGULATIONS, TITLE 5

300-307 *Duties of pupils*

UNITED STATES CODE, TITLE 42

2000h-2000h6 *Title IX, 1972 Education Act Amendments*

Management Resources: (see next page)

CONDUCT (continued)

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

California Department of Education, Safe Schools and Violence Prevention Office:

<http://www.cde.ca.gov/spbranch/safety>

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

BUS CONDUCT

Bus transportation is a privilege extended only to students who display good conduct while preparing to ride, riding, or leaving the bus. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a student to be denied transportation.

The Superintendent or designee shall establish regulations related to bus conduct, bus driver authority, and the suspension of riding privileges. The Governing Board shall make these rules available to parents/guardians and students. (5 CCR 14103)

(cf. 3452 - School Bus Drivers)
(cf. 3540 - Transportation)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 5131 - Conduct)

Bus Surveillance Systems

Surveillance systems are used on school buses to monitor student behavior while traveling to and from school and school activities. The Board believes that such monitoring will deter misconduct and help to ensure the safety of students and staff. Students found to be in violation of the district's bus conduct rules shall be subject to discipline in accordance with district policy and regulations.

(cf. 3515 - Campus Security)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee may deny a student the privilege of using school transportation upon the student's continued disorderly conduct or his/her persistent refusal to submit to the authority of the driver. (5 CCR 14103)

At the discretion of the Superintendent or designee, school bus video recordings also may be used to resolve complaints by students and/or parents/guardians and to help employees maintain discipline.

Legal Reference: (see next page)

BUS CONDUCT (continued)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

39800 Transportation

44808 Duty to supervise conduct of students

48918 Expulsion procedures

49061 Definition of student records

49073-49079 Privacy of student records

GOVERNMENT CODE

6253-6253.4 Public records open to inspection

6254 Records exempt from disclosure

CODE OF REGULATIONS, TITLE 5

14103 Authority of the driver

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

BUS CONDUCT

Because school bus passengers' behavior can directly affect their safety and the safety of others, the following regulations apply at all times when students are riding a school bus, including school activity trips.

1. Riders shall follow the instructions and directions of the bus driver at all times.

(cf. 3542 - School Bus Drivers)

2. Riders should arrive at the bus stop on time and stand in a safe place to wait quietly for the bus.

(cf. 3541 - Transportation Routes and Services)

3. Riders shall enter the bus in an orderly manner and go directly to their seats.

4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion and shall not obstruct the aisle with their legs, feet, or other objects. When reaching their destination, riders shall remain seated until the bus stops and only then enter the aisle and go directly to the exit.

5. Riders should be courteous to the driver and to fellow passengers.

6. Because serious safety hazards can result from noise or behavior that distracts the driver, loud talking, loud laughing, yelling, loud singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing and changing seats are prohibited actions which may lead to suspension of riding privileges.

7. Riders may bring electronic devices onto the bus only if such devices are permitted at school. If the use of cellular telephones or similar devices disrupts the safe operation of the school bus, the bus driver may direct the student to no longer use the device on the bus.

(cf. 5131 - Conduct)

8. No part of the body, hands, arms or head should be put out of the window. Nothing should be thrown from the bus.

9. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.

10. No animals shall be allowed on the bus. (Education Code 39839; 13 CCR 1216)

BUS CONDUCT (continued)

11. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

Disciplinary Action

Riders who fail to comply with the above rules shall be reported to the school principal, who shall determine the severity of the misconduct and take action accordingly. In all instances of misconduct, the rider and his/her parent/guardian shall be given notice and warning.

1. First violation: Warning by Principal, written parent notification, discipline may be administered.
2. Second violation: Student may ride home that night but will not be permitted on **ANY** bus for five school days.
3. Third violation: Exclusion from riding **ANY** bus for the remainder of the school year unless reinstated by the Principal.
4. Fourth violation: Automatic exclusion from riding **ANY** bus for **ANY** reason. Minimum exclusion shall be until the last day of the trimester following the trimester in which the exclusion occurred.

Bus drivers shall not deny transportation except as directed by the principal.

Bus Surveillance Systems

The Superintendent or designee shall supervise the use and maintenance of video cameras.

Students and staff shall not tamper or interfere with video camera equipment on school buses.

The Superintendent or designee shall notify students, parents/guardians and staff that video surveillance may occur on any school bus and that video recordings may be used in student disciplinary proceedings. This notification shall include a copy of the district's policy and regulation on bus conduct. In addition, a prominent notice shall be placed in each bus, stating that the bus is equipped with a video monitoring system.

BUS CONDUCT (continued)

The Superintendent or designee shall routinely review videotapes taken on school buses and shall document any evidence of student misconduct. Two weeks after this review, the Superintendent or designee may erase any tapes that do not show incidents of misconduct.

Tapes retained as part of an individual student's disciplinary record shall be maintained in accordance with law and Board policy governing the access, review and release of student records. Tapes retained as part of an expulsion record are nonprivileged, disclosable public records pursuant to Education Code 48918.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Videotapes may be viewed by persons other than the Superintendent or designee under the following conditions:

1. When student misconduct is revealed as a result of a school bus videotape or reported to the Superintendent or designee by a student, staff member or parent/guardian, students involved in the incident and their parents/guardians may ask the Superintendent or designee for an opportunity to view the videotape.
 - a. Requests for viewing must be made within five school days of receiving notification that misconduct occurred.
 - b. A viewing shall be provided or denied within five days of the request.
 - c. Viewing will be limited to those frames containing the incident of misconduct.
2. Bus drivers and school administrators may ask to view a videotape in order to observe a specific problem and work toward its solution.
3. Viewing shall occur only at a school-related site and in the presence of the Superintendent or designee.
4. All persons who view a tape shall be identified in a written log.

CAMPUS DISTURBANCES

The Governing Board recognizes that all school staff must be prepared to cope with campus disturbances and to minimize the risks they entail. Staff should be especially sensitive to conditions that foster racial conflict, student protests, or gang intimidation and confrontations.

The Superintendent or designee shall establish at each school a disturbance response plan for curbing disruptions which create disorder and may lead to riots, violence or vandalism at school or school-sponsored events.

The Superintendent or designee shall consult with law enforcement authorities to plan for police support during school disruptions. Each school's disturbance response plan shall address the role of law enforcement. When a disturbance directly threatens students or staff, the Superintendent or designee has the authority to call in law enforcement personnel for assistance and may dismiss school.

Students who participate in disturbances may be subject to disciplinary action.

(cf. 3515 - Campus Security)

(cf. 5136 - Gangs)

(cf. 5144 - Discipline)

Legal Reference:

EDUCATION CODE

32210 *Willful disturbance of public school or meeting*

32211 *Threatened disruption or interference with classes*

35294-35294.5 *School safety plans*

38000-38005 *Security patrols*

44810 *Willful interference with classroom conduct*

44811 *Disruption of classwork or extracurricular activities*

48907 *Student exercise of free expression*

PENAL CODE

403-420 *Crimes against the public peace, especially:*

415 *Fighting; noise; offensive words*

415.5 *Disturbance of peace of school*

416 *Assembly to disturb peace; refusal to disperse*

626-626.10 *Crimes on school grounds*

627-627.7 *Access to school premises*

CAMPUS DISTURBANCES

All school staff shall respond to campus disturbances in accordance with the school's response plan. Response plans shall describe:

1. The means which will be used to signal an emergency situation and maintain communication among staff and with the Superintendent or designee.
2. Each staff member's specific duties during a disturbance.
3. Procedures for ensuring the safety of students and staff.
4. Conditions, as prearranged with law enforcement authorities, under which the principal or designee shall:
 - a. Inform the police
 - b. Secure police assistance
 - c. Give the police responsibility for a specific crisis situation
5. Procedures for the orderly dismissal of school when authorized by the principal or designee.

All media inquiries during crisis situations shall be routed to the Superintendent or designee.

(cf. 1112 - Media Relations)

Extension of Class Period

During any disturbance in which additional students might become involved while changing classes, the principal or designee may notify all staff that the present class period will be extended until further notice. Upon receiving this notification:

1. Teachers shall ensure that all students in their charge remain in one location under their supervision.
2. Teachers shall ask any students who are in the halls to return to their classes at once.

Prohibited Activities

1. Disturbing the Peace

It is a misdemeanor to intentionally cause or attempt to cause a riot by engaging in conduct which urges a riot or urges others to act forcefully or violently, or to burn or destroy property under circumstances which produce a clear, present, and immediate danger of such acts occurring. (Penal Code 404.6)

CAMPUS DISTURBANCES (continued)

Anyone who, in a public place, fights, challenges another to fight, or uses offensive words likely to provoke a fight is guilty of a misdemeanor. (Penal Code 415)

2. Disruption of School Operations

Students shall be subject to disciplinary action for any exercise of free expression which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school, such as may occur when students:

- a. Organize or participate in unauthorized assemblies on school premises.
- b. Participate in sit-ins or stand-ins which deny students or employees normal access to school premises.

3. Refusal to Disperse

Persons who assemble for the purpose of disturbing the public peace or committing any unlawful act are severally guilty of a misdemeanor if they do not disperse when desired or commanded to do so by a public officer. (Penal Code 416)

Persons who remain present at the place of any riot, rout or unlawful assembly after being lawfully warned to disperse are guilty of a misdemeanor. (Penal Code 409)

4. Boycotts

Students participating in any protest that involves nonattendance at school or at a school activity where attendance is required shall be identified as truant, regardless of any parental approval of their act.

VANDALISM, THEFT AND GRAFFITI

The Governing Board considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any district-owned real or personal property, including the writing of graffiti.

(cf. 3515.4 - Recovery for Property Loss or Damage)

Any district student who commits an act of vandalism shall be subject to disciplinary action by the district and also may be prosecuted through other legal means. If reparation of damages is not made, the district also may withhold the student's grades, diploma and/or transcripts in accordance with law.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

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

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension or expulsion

48904 Willful misconduct, limit of liability of parent or guardian

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

PENAL CODE

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

CODE OF REGULATIONS, TITLE 5

305 Pupil responsible for care of property

ALCOHOL AND OTHER DRUGS

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. Therefore, the Board has adopted a zero tolerance policy. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that includes instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1020 - Youth Services)

(cf. 4020 - Drug and Alcohol-Free Workplace)

(cf. 6020 - Parent Involvement)

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's program in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.

The Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the district's program.

ALCOHOL AND OTHER DRUGS (continued)

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

(cf. 1100 - Communication with the Public)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

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

The Board expects staff to conduct themselves in accordance with the district's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

(cf. 5137 - Positive School Climate)

The district's drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.

(cf. 1020 - Youth Services)

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

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs. Age-appropriate K-8 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

Teachers shall be trained to answer students' questions related to alcohol and drugs and to help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and other drugs.

(cf. 4131 - Staff Development)

(cf. 6142.2 - AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

ALCOHOL AND OTHER DRUGS (continued)

Intervention, Referral and Recovering Student Support

School staff, students and parents/guardians shall be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board policy and administrative regulations.

(cf. 5145.11 - Questioning and Apprehension)

(cf. 5145.12 - Search and Seizure)

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including recommendation for expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulations. Such students also may be referred to an appropriate rehabilitation program. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics.

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

Legal Reference: (see next page)

ALCOHOL AND OTHER DRUGS (continued)

Legal Reference:

EDUCATION CODE

- 44049 Known or suspected alcohol or drug abuse by student*
- 48900 Suspension or expulsion (grounds)*
- 48900.5 Suspension, limitation on imposition; exception*
- 48901 Smoking or use of tobacco prohibited*
- 48901.5 Prohibition of electronic signaling devices*
- 48902 Notification of law enforcement authorities; civil or criminal immunity*
- 48909 Narcotics or other hallucinogenic drugs*
- 48915 Expulsion; particular circumstances*
- 49423 Administration of prescribed medication*
- 49480 Notice to school by parent or guardian; consultation with physician*
- 49602 Confidentiality of pupil information*
- 51202 Instruction in personal and public health and safety*
- 51203 Instruction on alcohol, narcotics and restricted dangerous drugs*
- 51210 Areas of study*
- 51220 Areas of study, grades 7 to 12*
- 51260 Elementary and secondary school instruction in drug education by appropriately trained instructors*
- 51262 Use of anabolic steroids; legislative finding and declaration*
- 51264 CDE assistance for inservice training*
- 51265 Gang violence and drug and alcohol abuse prevention inservice*
- 51268 Collaboration to avoid duplication of effort*

BUSINESS AND PROFESSIONS CODE

- 25608 Alcohol on school property; use in connection with instruction*

HEALTH AND SAFETY CODE

- 11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions*
- 11053-11058 Standards and schedules*
- 11353.6 Juvenile Drug Trafficking and Schoolyard Act*
- 11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds*
- 11361.5 Destruction of arrest or conviction records*
- 11372.7 Drug program fund; uses*
- 11802 Joint school-community alcohol abuse primary education and prevention program*
- 11965-11969 The School-Community Primary Prevention Program*
- 11998-11998.3 Drug and Alcohol Abuse Master Plans*
- 11999-11999.3 Alcohol and drug program funding; no unlawful use*
- 124175-124200 Adolescent family life program (Department of Health Services)*

PENAL CODE

- 13864 Comprehensive alcohol and drug prevention education*

Legal Reference continued: (see next page)

ALCOHOL AND OTHER DRUGS (continued)

Legal Reference: (continued)

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over; suspension, delay, or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7143 Safe and Drug-Free Schools and Communities Act of 1994

ALCOHOL AND OTHER DRUGS

Drug Use and Abuse

The Principal and Vice Principal shall enforce the following procedures relative to student drug use and abuse on school property or whenever the student is under the jurisdiction of the schools:

1. No internal medication is to be administered by school personnel except as prescribed by a doctor.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

2. Dangerous and narcotic drugs which a student has on prescription and carries onto school property for ingestion as prescribed by a doctor must be in their original containers and kept in the Nurse's or Principal's Office, whichever provides greater security.
3. Whenever any staff member has reason to believe that a student may be under drug influence, that staff member shall immediately notify the Principal and the Principal, if in agreement, shall notify the parents/guardians to come and remove the student to their home, to a physician, or to medical facilities.
4. In severe cases, if the parents/guardians cannot or will not come to the school, the Principal is authorized to call an ambulance to remove the student to a hospital. Parents/guardians will be notified of this action and shall be responsible for the incurred expenses.
5. Upon reasonable evidence of drug use, the student will be suspended from school until such time as a doctor authorizes the student's return to school under stated conditions as recommended by the doctor.

(cf. 5114 - Suspension and Expulsion)

The following procedures will be followed when there is reason to believe that a student is selling or is in possession of drugs improperly:

1. The Principal shall advise the local juvenile narcotics officer or law enforcement personnel. The Principal, in cooperation with the juvenile authorities, will make the decision as to whether the school or the juvenile authorities will notify the parents/guardians.
2. A certificated or classified employee will take the student to the school office, where the Principal will confront the student with the suspicion, or the Principal may notify the police before taking the pupil to the office. The student should be suspended from a classroom in a drug case only by the Principal.

ALCOHOL AND OTHER DRUGS (continued)

3. A search for drugs may be made by the Principal, which may include searching the student's locker and/or other District-owned facilities, such as science drawers, shop lockers, etc. Such search should be conducted by the Principal with at least one (1) other certificated person as witness. No school staff member should search a student, but may ask the student to volunteer for self-search. In most cases, when a personal search seems to be in order, the Principal should call for a police officer to make the search.

(cf. 5145.12 - Search and Seizure)

4. The student may be interrogated by the Principal without notifying the student of his/her rights, but, if the Principal believes that a law has been broken, the police shall be notified.
5. In the absence of the Principal, the Vice Principal or designee shall act in the place of the Principal.

When there is good evidence that a student has actually used, sold, or is in possession of narcotics on or about school premises or on school-sponsored functions, the police must be called. Regardless of any legal action taken by the police, however, the District must take action as follows:

1. Immediately suspend the student according to the provisions of Board Policy 5144.1 - Suspension and Expulsion.
2. The Principal shall recommend expulsion of the student to the Governing Board.

Use of Tobacco

Possession and use of tobacco in any form will not be permitted.

TOBACCO

The Governing Board recognizes that tobacco use presents health risks and desires to provide support and assistance in the prevention and intervention of tobacco use among youth.

(cf. 3513.3 - Tobacco-Free Schools)

Students shall not smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or while under the supervision of district employees. Students who violate this prohibition shall be subject to disciplinary procedures which may result in suspension from school.

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

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The district's comprehensive prevention/intervention program shall be based on research identifying strategies that have proven effective in preventing or reducing tobacco use among youth.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The district shall provide developmentally appropriate tobacco use prevention instruction for students in grades kindergarten through 8.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The Superintendent or designee also may provide students with counseling and other support services to assist in the prevention or reduction of tobacco use.

(cf. 6164.2 - Guidance/Counseling Services)

Because of the additional health risks of tobacco use for prenatal development, the district shall provide information to prevent or reduce tobacco use among pregnant and parenting minors.

(cf. 5146 – Pregnant Minors)

TOBACCO (continued)

Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code 104420)

(cf. 4159/4259/4359 - Employee Assistance Programs)

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

51202 Instruction in personal and public health and safety

HEALTH AND SAFETY CODE

104420 Implementation of tobacco use prevention program

Students

AR 5131.62

TOBACCO

Tobacco Use Prevention Instruction

All students in grades four through eight shall receive instruction that addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiological, cosmetic and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

ANABOLIC STEROIDS

The Governing Board recognizes that the use of anabolic steroids presents a serious health and safety hazard. As part of the district's drug prevention and intervention efforts, the Superintendent or designee and staff shall make every effort to ensure that students do not begin or continue the use of anabolic steroids.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

Students participating in athletics are prohibited from using anabolic steroids or any other performance-enhancing drugs. Coaches shall inform students about this prohibition and the dangers of using such drugs.

(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

51262 Use of anabolic steroids; legislative finding and declaration

CIVIL CODE

1812.97 Warning statement; posting in athletic facilities

ANABOLIC STEROIDS

The following warning, reproduced in 10-point bold type, shall be posted in every locker room of schools with classes in grades 7-8 and contained in any contracts for the lease or rental of the school's athletic facilities: (Civil Code 1812.97)

Warning: Use of steroids to increase strength or growth can cause serious health problems. Steroids can keep teenagers from growing to their full height; they can also cause heart disease, stroke, and damaged liver function. Men and women using steroids may develop fertility problems, personality changes, and acne. Men can also experience premature balding and development of breast tissue. These health hazards are in addition to the civil and criminal penalties for unauthorized sale, use, or exchange of anabolic steroids.

WEAPONS AND DANGEROUS INSTRUMENTS

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from the fear and danger presented by firearms and other weapons.

Possession of Weapons

The Board therefore prohibits any person other than authorized law enforcement from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school or while going to or coming from school.

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds, or buses, or at school-related or school-sponsored activity.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4158/4258/4358 - Employee Security)

Any students possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to suspension and/or expulsion in accordance with law, (mandatory one year) Board policy and administrative regulations. Any student who is determined to have brought a firearm to school or possessed a firearm at school, as verified by a school employee, shall be expelled for not less than one year.

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other dangerous weapon or instrument without permission, sells, or furnishes a firearm, or commits any act of assault with a firearm or other weapon or commits any act of assault with a firearm or other weapon. (20 USC 8922; Education Code 48902; Penal Code 245, 626.9, 626.10)

Possession of Pepper Spray

Students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5125 - Student Records)

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

(cf. 5138 - Conflict Resolution/Peer Mediation)

*Legal Reference:*EDUCATION CODE

35291 *Governing board to prescribe rules for the government and discipline of the schools*

48900 *Grounds for suspension/expulsion*

48902 *Notification of law enforcement authorities*

48915 *Required recommendation for expulsions*

48916 *Readmission*

49330 *Injurious object*

49331 *Removal from possession of pupil by designated employee*

49332 *Notification of parent or guardian; retention of object by school personnel; release*

49333 *Return of object*

49334 *Injurious objects: notification to law enforcement*

PENAL CODE

245 *Assault with deadly weapon*

417.2 *Imitation firearms*

417.4 *Imitation firearm; drawing or exhibiting*

626.9 *Gun-Free School Zone Act of 1995*

626.10 *Dirks, daggers, knives, razor or stun gun; bringing or possessing in school or on school grounds; exception*

12020-12028.5 *Unlawful carrying and possession of concealed weapons*

12403.7 *Weapons approved for self defense*

12403.8 *Minors 16 or over; tear gas and tear gas weapons*

UNITED STATES CODE, TITLE 20

6301-8962 *Improving America's Schools Act, especially:*

8921-8922 *Gun-Free Schools Act of 1994*

WEAPONS AND DANGEROUS INSTRUMENTS

Prohibited weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Knives: razor blades and box cutters, any dirks, daggers, ice picks or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade (Education Code 48915)
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
4. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure or spring action, or any spot marker gun (Penal Code 626.10)
5. Any other dangerous device, instrument or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
6. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (Education Code 48900)

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

(cf. 5145.12 - Search and Seizure)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action

WEAPONS AND DANGEROUS INSTRUMENTS

3. Immediately notify the local law enforcement agency and the principal

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.3 - District/Police Security Department)

(cf. 4158/4258/4358 - Employee Security)

When informing the principal or designee about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

The principal or designee shall report any possession of a weapon or dangerous instrument, including imitation firearms, to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22 - Dress and Grooming)
(cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

The principal at a school, with the approval of the Superintendent, may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5136 - Gangs)

*Legal Reference:*EDUCATION CODE

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

35294.1 School safety plans

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al. (C.D. Cal. 1993)

827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education. (1992) 2 Cal. 4th 251

Hartzell v. Connell. (1984) 35 Cal. 3d 899

DRESS AND GROOMING

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with district policy and regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

The following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
4. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.
5. Tattoos and other body markings shall be free of writings, pictures, or other insignia which are vulgar, crude, profane, or sexually suggestive, which bear drug, alcohol, or tobacco or company advertising, promotional likeness, or which advocate, racial, ethnic, or religious prejudice.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

DRESS AND GROOMING (continued)

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel or symbols at school or school activities, the principal, in consultation with staff and parents/guardians, shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus.

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed periodically and updated whenever related information is received.

GANGS

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups or gangs which exhibit drug use, violence or disruptive behavior. The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

(cf. 3515.1 - Crime Data Reporting)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

The Superintendent or designee shall provide inservice training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.

To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5132 - Dress and Grooming)

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference: (see next page)

GANGS (continued)

Legal Reference:

EDUCATION CODE

32230-32239 *School Violence Reduction Program*

35183 *Gang-related apparel*

35294.1 *School safety plans*

48907 *Student exercise of free expression*

51264 *Educational inservice training; CDE guidelines*

51265 *Gang violence and drug and alcohol abuse prevention inservice training*

51266-51266.5 *Model gang and substance abuse prevention curriculum*

58730-58736 *Gang Risk Intervention Programs*

PENAL CODE

186.22 *Participation in criminal street gang*

13826-13826.7 *Gang violence suppression*

UNITED STATES CODE, TITLE 20

7101-7143 *Safe and Drug-Free Schools and Communities Act of 1994*

Management Resources:

CDE PUBLICATIONS

On Alert: Gang Prevention in School and Inservice Guidelines, January 1994

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

GANGS

Prevention and Intervention Measures

In order to discourage the influence of gangs, school staff shall take the following measures:

1. Any student displaying behavior, gestures, apparel or paraphernalia indicative of gang affiliation shall be referred to the principal or designee.
 - a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
 - b. The student may be sent home to change clothes if necessary.

(cf. 5132 - Dress and Grooming)

2. Staff members shall be provided with the names of known gang members.
3. Students who seek help in rejecting gang associations may be referred to community-based gang suppression and prevention organizations.

(cf. 1020 - Youth Services)

4. Any gang graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
 - a. Daily checks for graffiti shall be made throughout the campus.
 - b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

(cf. 3515 - Campus Security)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

5. Classroom and after-school programs at each school shall be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:
 - a. Explain the dangers of gang membership
 - b. Provide counseling for targeted at-risk students
 - c. Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, anger management, ethnic/cultural tolerance, and mediation skills

GANGS (continued)

- d. Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang
- e. Provide positive interaction with local law enforcement staff

(cf. 5137 - Positive School Climate)

Gang prevention lessons may be taught jointly by teachers and law enforcement staff.

- 6. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging, including:
 - a. Positive sports and cultural activities and affiliations with the local community

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

- b. Structured, goal-oriented community service projects

(cf. 6142.4 - Learning through Community Service)

POSITIVE SCHOOL CLIMATE

The Governing Board desires to provide an orderly, caring and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5132 - Dress and Grooming)

(cf. 5144 - Discipline)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Board encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds. The district shall provide instruction and counseling designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about racial bias and show them how to deal with discriminatory behavior in appropriate ways.

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6141.6 - Multicultural Education)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. The Superintendent or designee may initiate student courts, campus beautification projects, buddy systems, vandalism prevention campaigns and other similar programs. Staff shall encourage and reward success and achievement, participation in community projects and positive student conduct.

(cf. 5126 - Awards for Achievement)

(cf. 5131.4 - Campus Disturbances)

(cf. 5136 - Gangs)

(cf. 6142.4 - Learning through Community Service)

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction and mediation skills. Staff shall receive training that implements and supports conflict resolution techniques, and training in conflict resolution techniques shall be available to parents/guardians and volunteers.

POSITIVE SCHOOL CLIMATE (continued)

Legal Reference:

EDUCATION CODE

233.5 Duty concerning instruction of students

32230-32239 School violence reduction program

35160 Authority of governing boards

35160.1 Broad authority of school districts