

STUDENT RECORDS

The Board of Education 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 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 copy student records and shall protect the student and the student's family from invasion of privacy.

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 a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

Legal Reference: (see next page)

STUDENT RECORDS (continued)

Legal Reference:

EDUCATION CODE

48201 Student records for transfer students who have been suspended/expelled
48904-48904.3 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
48918 Rules governing expulsion procedures
49060-49079 Pupil records
49091.14 Parental review of curriculum
51747 Independent study programs
56050 Surrogate parents
56055 Foster parents

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

FAMILY CODE

3025 Access to records by noncustodial parents

GOVERNMENT CODE

6252-6260 Inspection of public records

HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

16010 Health and education records of a minor

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

16020-16027 Destruction of records of school districts

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

300.500 Definition of "personally identifiable"

300.501 Opportunity to examine records for parents of student with disability

300.573 Destruction of information

COURT DECISIONS

Falvo v. Owasso Independent School District, 220 F.3d. 1200 (10th Cir. 2000)

Management Resources:

WEB SITES

U.S. Department of Education, Family Policy Compliance Office,
<http://www.ed.gov/policy/gen/guid/fpco/index.html>

STUDENT RECORDS

Definitions

Student records are any items of information gathered within or outside the district that are directly related to an identifiable student and maintained by the district or required to be maintained by an employee in the performance of his/her duties. Any information maintained for the purpose of second-party review is considered a student record. A student record may be recorded in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or by other means. Student records include the student's health record. (34 CFR 99.3; Education Code 49061, 49062; 5 CCR 430)

Student records do not include: (34 CFR 99.3; Education Code 49061, 49062)

1. Directory information
2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

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)

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)

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, and a list of personal characteristics or other information that would make the student's identity easily traceable. (34 CFR 99.3)

STUDENT RECORDS (continued)

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

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

School officials and employees are officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, 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)

A legitimate educational interest is one held by school officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records.

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Access to Student Records Without Prior Written Consent

Persons, agencies, or organizations specifically granted access rights to student records pursuant to law shall have access without prior written parental consent or judicial order. (Education Code 49076)

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)

STUDENT RECORDS (continued)

In addition, the following persons or agencies shall have access to those particular records that are relevant to the *legitimate educational interest* of the requester: (Education Code 49076)

1. Parents/guardians of a dependent student age 18 or older
2. Students age 16 or older or who have completed the 10th grade
3. School officials and employees
4. Members of a school attendance review board and any volunteer aide age 18 or older who has been investigated, selected, and trained by such a board to provide follow-up services to a referred student
5. Officials and employees of other public schools or school systems where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided
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
8. A prosecuting agency for consideration against a parent/guardian for failure to comply with compulsory education laws
9. 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
10. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student, or for purposes of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681
11. 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

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)

STUDENT RECORDS (continued)

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 99.36; Education Code 49076)

1. Appropriate persons in an emergency if the health and safety of the student or other persons are at stake
2. Accrediting associations
3. Under the conditions specified in Education Code 49076, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll
5. Agencies or organizations in connection with the student's application for or receipt of financial aid

However, information permitting the personal identification of a student or his/her parents/guardians for these purposes may be disclosed only as may be necessary to determine the eligibility of the student for financial aid, to determine the amount of financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.

6. County elections officials for the purpose of identifying students eligible to register to vote and offering such students an opportunity to register

The Superintendent or designee may release a student's immunization record information 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 right to refuse to share the information as well the other information specified in law. The following information may be released: (Health and Safety Code 120440)

STUDENT RECORDS (continued)

1. Name of the student and the student's parent/guardian
2. Student's gender
3. Student's date and place of birth
4. Types and dates of immunizations received
5. Manufacturer and lot number of the immunization received
6. Adverse reaction to the immunization
7. Other nonmedical information necessary to establish the student's unique identity and record

Persons Granted Access to Student Records 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)

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)

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)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records.

Authorized persons, organizations, or agencies from outside the school whose access requires consent from the parent/guardian or adult student shall submit their request, together with any required authorization, to the Superintendent or designee or the custodian of records. (5 CCR 435)

STUDENT RECORDS (continued)

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

Prior to disclosing a record pursuant to a court order or subpoena, the Superintendent or designee shall, unless otherwise instructed by the court, 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)

When the district discloses personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall make a reasonable attempt to notify the parent/guardian or adult student at his/her last known address, provide a copy of the record that was disclosed, and give him/her an opportunity for a hearing to challenge the record. (34 CFR 99.34)

Upon releasing student information to a judge or probation officer for the purpose of conducting a truancy mediation program or presenting evidence in a truancy petition, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

If the district is planning to release a student's immunization information to the county health department or California Department of Public Health, the Superintendent or designee shall inform the student's parents/guardians of the following: (Health and Safety Code 120440)

1. The type of information that will be shared

STUDENT RECORDS (continued)

2. The name and address of the agency with which the district will share the information
3. That any shared information shall be treated as confidential and shall be used to share only with each other and, upon request, with health care providers, child care facilities, family child care homes, service providers for the Women, Infants and Children (WIC) food program, county welfare departments, foster care agencies, and health care plans
4. That the information may be used only to provide immunization service; to provide or facilitate third-party payer payments for immunizations; and/or to compile and disseminate statistical information on immunization status on groups of people, without identifying the student
5. That the parent/guardian has the right to examine any immunization-related information shared in this manner and to correct any errors
6. That the parent/guardian may refuse to allow this information to be shared

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the *legitimate educational interest* of the requester. (Education Code 49064)

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 does not need to record access by: (Education Code 49064)

1. Parents/guardians or adult students
2. Students 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials or employees who have a *legitimate educational interest*

STUDENT RECORDS (continued)

The log shall be accessible only to the parent/guardian, adult student, dependent adult student, student age 16 years or older or who has completed the 10th grade, custodian of records, and certain state/federal officials. (Education Code 49064; 5 CCR 432)

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 the 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)

Changes to Student Records

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

Only a parent/guardian having legal custody of the student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following *mandatory permanent student records* shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure date of each school year and for any summer session or other extra session

STUDENT RECORDS (continued)

6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefore
2. A log identifying persons or agencies who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge
5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or denial of student participation in specific programs
10. Results of standardized tests administered within the past three years
11. Written findings resulting from an evaluation conducted to determine whether it is in a student's best interest to remain in independent study

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program, including: (5 CCR 432, 437)

1. Objective counselor/teacher ratings

STUDENT RECORDS (continued)

2. Standardized test results older than three years
3. Routine disciplinary data
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

If a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the parent/guardian of his/her rights regarding student records, including the right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers into this district from another, 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)

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 the transfer is to another California public school, the student's entire *mandatory interim record* shall also be forwarded. If the transfer is out of state or to a private school, the *mandatory interim record* may be forwarded. *Permitted student records* may be forwarded to any other district or private school. (5 CCR 438)

Upon receiving a request from an admitting school for a student's records, the district shall also forward any expulsion order and the causes for the expulsion. (Education Code 48918)

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)

STUDENT RECORDS (continued)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (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.

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. Insofar as practicable, the district shall provide these notices in the student's home language and shall effectively notify parents/guardians or eligible students who are disabled. (34 CFR 99.7; Education Code 49063)

The notice shall include: (34 CFR 99.7, 99.34; Education Code 49063)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining *school officials and employees* and for determining *legitimate educational interest*
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. 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

STUDENT RECORDS (continued)

11. The availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
12. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents/guardians to file a complaint with the United States Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that 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

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

RELEASE OF DIRECTORY INFORMATION

The Board of Education 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.

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation.

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)

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

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

UNITED STATES CODE, TITLE 10

503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

7908 Armed forces recruiter access to students and student recruiting information

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

Management Resources:

WEB SITES

U.S. Department of Education, Family Policy Compliance Office:

<http://www.ed.gov/policy/gen/guid/fpco/index.htm>

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. Photograph
5. Date and place of birth
6. Major field of study
7. Participation in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. 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. (Education Code 49063, 49073; 34 CFR 99.37)

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

RELEASE OF DIRECTORY INFORMATION (continued)

Parent/Guardian Consent

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g; 20 USC 7908)

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

RELEASE OF DIRECTORY INFORMATION

**PARENT/GUARDIAN NOTICE
RELEASE OF DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Santa Monica-Malibu Unified School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- a playbill, showing your child's role in a drama production;
- the annual yearbook;
- honor roll or other recognition lists;
- graduation programs; and
- sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by October 1st of each school year. The district has designated the following information as directory information:

1. Name
2. Address
3. Telephone number
4. Photograph
5. Date and place of birth

RELEASE OF DIRECTORY INFORMATION (continued)

6. Major field of study
7. Participation in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

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.

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.

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)

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

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

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

When a student 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 Board of Education. 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)

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)

CHALLENGING STUDENT RECORDS (continued)

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)

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 Board of Education 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, public ceremony, trophy, gift, plaque or cash gift.

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

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

CODE OF REGULATIONS, TITLE 5

876 Golden State Seal Merit Diploma

Management Resources:

WEB SITES

California Department of Education, Golden State Seal Merit Diploma:

<http://www.cde.ca.gov/ta/tg/sr/meritdiploma.asp>

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

AWARDS FOR ACHIEVEMENT

The Superintendent or designee may appoint an awards committee at each school to consider student accomplishments. This committee may consist of school administrators, teachers, parents/guardians and/or community members.

The committee shall submit recommendations for student awards to the Superintendent or designee for approval.

Individual awards in excess of \$200 must be expressly approved by the Board of Education. (Education Code 44015)

GRADUATION CEREMONIES AND ACTIVITIES

High school graduation ceremonies shall be held to recognize those students who have earned a diploma by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Board of Education 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.

At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may participate in graduation exercises without receiving his/her diploma. When the requirements have been satisfied, a diploma shall be sent to the student.

High school students who have passed the California High School Proficiency Examination or the General Education Development Test must also meet district graduation requirements in order to participate in graduation ceremonies.

Invocations, prayers or benedictions shall not be included in graduation ceremonies. The school or district shall not sponsor other ceremonies or programs for graduates that include prayer.

Disciplinary Considerations

In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. School rules shall ensure that prior to denial of the privilege(s), the student, and where practicable his/her parent/guardian, is made aware of the grounds for such denial and that the student is given an opportunity to respond to the proposed denial. If privilege(s) are to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal this decision.

Honors and Awards

To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian(s) and salutatorian(s). The Superintendent or designee shall establish procedures that ensure a fair determination of the valedictorian(s) and salutatorian(s).

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 school and nonschool awards.

Foreign exchange students may receive honorary diplomas during the graduation ceremony. (Education Code 51225.5)

GRADUATION CEREMONIES AND ACTIVITIES (continued)

Elementary/Middle School Promotion Exercises

The Board desires that each elementary and middle school provide age-appropriate promotion exercises to recognize students who have completed the school's course of study.

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

51410-51412 Diplomas

COURT DECISIONS

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290

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

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

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

Management Resources:

CDE PROGRAM ADVISORIES

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

WEB SITES

CDE: <http://www.cde.ca.gov>

CONDUCT

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

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

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.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others
2. Conduct that disrupts the orderly classroom or school environment
3. Harassment of students or staff, such as bullying, including cyberbullying, intimidation, 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, in accordance with the section entitled "Bullying/Cyberbullying" below

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

4. Damage to or theft of property belonging to students, staff, or the district
5. Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose, including employment

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.

6. Use of profane, vulgar, or abusive language

CONDUCT (continued)

7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. Failure to remain on school premises in accordance with school rules
11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or 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, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

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

Possession/Use of Cellular Phones and Other Mobile Communications Devices

The Board recognizes that beepers, pagers, cellular phones and other electronic signaling devices have become commonplace in our community and that many families have come to rely on these devices as a means of communication.

Nevertheless, with two exceptions California Education Code specifically prohibits the possession and/or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. The exceptions to this provision, which would allow students to possess and use such devices on campus, are cases in which a student or students have:

1. Prior consent of the principal or his/her designee, or

CONDUCT (continued)

2. Written documentation by a licensed physician or surgeon who has determined that student possession and use of an electronic signaling device is essential for the health of the pupil and where use of such device is limited for purposes related to the health of the student.
3. Written and/or verbal confirmation from the site Superintendent or designee that a state of emergency exists.

While electronic signaling devices of all types may be useful for communication purposes, the Board also recognizes the potential for distraction that these devices may cause in the classroom, on campus and at school activities. The Superintendent shall therefore establish procedures whereby the possession of electronic signaling devices in grades 9 through 12 is permitted, but use of such devices is restricted only to non-school hours. Under no circumstances shall the possession and/or use of any electronic signaling device be permitted on any school bus or at any time, if such possession and/or use is disruptive to the educational process.

Students who do possess an electronic signaling device under the terms of this policy, must either keep their device turned off while on school campus and during school activities.

The district and/or staff shall not be responsible or liable for the theft or loss of any electronic signaling device.

Students in grades K through 8 are not permitted to possess and/or use any electronic signaling device while on school campus unless the students meets one or both of the exceptions listed in the Education Code.

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

Bullying/Cyberbullying

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

The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying. This instruction may involve parents/guardians, staff, and community members.

CONDUCT (continued)

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.

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 for students to 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.

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 constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall 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 of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Legal Reference: (see next page)

CONDUCT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*

32261 *Bullying*

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*

51512 *Prohibition use of electronic listening or recording device in classroom without permission*

CIVIL CODE

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

PENAL CODE

417.25-417.27 *Laser scope*

647 *Use of camera or other instrument to invade person's privacy; misdemeanor*

647.7 *Use of camera or other instrument to invade person's privacy; punishment*

653.2 *Electronic communication devices, threats to safety*

VEHICLE CODE

23124 *Use of cellular phones provisional license holders*

CODE OF REGULATIONS, TITLE 5

300-307 *Duties of pupils*

UNITED STATES CODE, TITLE 42

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

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (e-rate)*

COURT DECISIONS

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review, 2001

NATIONAL SCHOOL SAFETY CENTER PUBLICATIONS

Set Straight on Bullies, 1989

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

Management Resources continued: (see next page):

CONDUCT (continued)

Management Resources: continued

WEB SITES

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

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://csriu.org> and <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

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

NetSmartz: <http://www.netsmartz.org>

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

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 Board of Education shall make these rules available to parents/guardians and students. (5 CCR 14103)

It shall be the policy of the district to implement a digital Closed Circuit Television (CCTV) video surveillance system on district-owned busses. Video cameras and Global Positioning Systems (GPS) may be used on school buses to monitor student behavior while traveling to and from school and school activities and to track vehicle location, course of direction and speed. 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. 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.

The implementation of such a system is solely for the protection of district property and assets from theft and vandalism, and to maintain safety and discipline through deterrence and video documentation and GPS tracking. There is no real-time monitoring. The systems are not designed or intended to protect individuals from being victims of violent or property crime, or to detect other potentially illegal or undesirable activities which may occur. However, any information about illegal activities or activities in violation of district policies obtained through the video recordings or GPS records may be used to assist the district or law enforcement as evidence in such cases.

Audio recordings shall not be utilized by school district officials for surveillance purposes; such prohibition does not preclude the use of audio recordings by law enforcement officials in accordance with their official duties and/or otherwise authorized by law.

Any video recording used for surveillance purposes in school busses shall be the sole property of the district. Video recordings and GPS records will be reviewed in the event of damage or loss of property, or when there are indications that a crime has been committed or that district policies have been violated. All video recordings and GPS records will be secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations. Release of such videos and records will be made only as permissible pursuant to applicable law.

BUS CONDUCT (continued)

Appropriate signage will be posted on school busses notifying students, staff and the general public of the district's use of surveillance cameras and GPS systems. Students and staff will receive additional notification, as appropriate, regarding the use of surveillance cameras and GPS systems on school busses.

The implementation of the surveillance system shall not replace the need for ongoing vigilance of the district security personnel or school supervision.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

39800 Transportation

39839 Transportation of guide dogs, signal dogs, service dogs

44808 Duty to supervise conduct of students

48900 Grounds for suspension and expulsion

48918 Expulsion procedures

49060-49079 Student records

49073-49079 Privacy of student records

GOVERNMENT CODE

6253-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 5

14103 Authority of the driver

CODE OF REGULATIONS, TITLE 13

1200-1228 General provisions, school bus regulations

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

Management Resources:

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

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

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tm>

U.S. Department of Education, Family Policy Compliance Office:

<http://www.ed.gov/policy/gen/guid/fpco>

BUS CONDUCT

Bus Rider Rules

The following rules apply at all times when students are riding a school bus, including when on school activity trips:

1. Riders shall follow the instructions and directions of the bus driver at all times.
2. Riders should arrive at their designated bus stop on time and stand in a safe place at the stop to wait quietly for the bus.
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.
5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.
6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.
7. Any noise or behavior that could distract the driver, such as loud talking, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.
8. Riders shall not use tobacco products, eat, or drink while riding the bus.
9. 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.
10. Riders shall not put any part of the body out of the window nor throw any item from the bus.
11. 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.
12. Service animals are permitted on school transportation services; all other animals are prohibited. (Education Code 39839; 13 CCR 1216)

BUS CONDUCT (continued)

13. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.
14. 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.

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. The principal or designee shall notify the student's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee.

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

Bus Surveillance Systems

To provide guidelines and establish procedures for closed circuit television and GPS monitoring coverage in district vehicles, authorized users of such a system, closed circuit television monitoring, closed circuit television system modification and expansion, and closed circuit television and GPS maintenance and repairs.

CCTV Coverage

1. Use of closed circuit television cameras in school busses shall be positioned to provide maximum coverage within the bus. GPS systems in school busses will be used to monitor location, course of direction and speed
2. Each vehicle utilizing closed circuit television/GPS system shall be posted with appropriate signage indicating use of closed circuit television/GPS on the site or vehicle. Signs shall be conspicuous in size so that a reasonable person would be able to discern their contents.

Authorized CCTV/GPS Users

Authorized users shall receive training from the vendor or other knowledgeable person regarding proper use of the closed circuit television/GPS equipment and district policy. Included in such training shall be maintenance, storage and use of surveillance images, changing recording media and record keeping.

BUS CONDUCT (continued)

CCTV/GPS Monitoring

1. The district shall make every effort to ensure that recorded video images are monitored on a scheduled basis
2. Information obtained through video and GPS surveillance shall be used for property conservation and law enforcement purposes or to enforce district policies.
3. Remote closed circuit television monitoring may also be conducted via intranet, Internet, wireless or other means.

CCTV/GPS System Modification and Expansion

1. A closed circuit television/GPS system(s) in any vehicle shall not be modified, cameras moved or relocated, or the system otherwise altered from its installed state without prior consultation with the superintendent or designee, and the closed circuit television system vendor. Alterations to the closed circuit television/GPS system shall be documented in writing with a signature of approval from the Superintendent or designee.
2. Insofar as possible, closed circuit television/GPS systems throughout the district shall include like equipment and technology. Campus based closed circuit television systems shall be able to be upgraded to permit remote site monitoring by internet capable computers utilizing a host site or other means to receive uploaded real time camera images from each site and providing selective access to those images by authorized users.

CCTV/GPS Maintenance & Repairs

1. Only a qualified CCTV/GPS vendor shall maintain, repair, clean, service, adjust, or replace any closed circuit television and GPS equipment or components.
- 2.. Operating system software including videotapes shall not be altered, downloaded, copied, edited or modified by anyone other than a qualified CCTV/GPS vendor.
3. All physical damage to the closed circuit television/GPS system shall be documented and investigated.
4. A closed circuit television/GPS system log shall be maintained in each vehicle, which records each system user, dates and times of use, activity, repairs or notices of malfunction. Such system logs shall be maintained on an ongoing basis and kept available in secure storage for no less than three years.

BUS CONDUCT (continued)

Storage and Recall of Recorded CCTV/GPS Information

1. Recorded video images stored on media shall be maintained for a period of three years.
2. All closed circuit television and GPS recording media shall be considered legal evidence and treated as confidential or as directed by district counsel. Release of original closed circuit television media or GPS tracking records to individuals or agencies outside of the district may only occur when a subpoena or other court order is received and reviewed by district counsel.
3. Original closed circuit television media and GPS tracking records shall never be edited or manipulated in any manner. When recorded closed circuit television media or GPS tracking records are requested by any law enforcement agency as part of an ongoing investigation; a duplicate copy may be provided for that purpose upon approval by district counsel.

STUDENT DISTURBANCES

The Board of Education desires to provide orderly campuses that create a positive school environment and are conducive to learning. When students initiate or are involved in a campus disturbance that has the potential to threaten the safety of students or staff, the Superintendent or designee may request law enforcement assistance.

The Superintendent or designee and the principal of each school shall establish a school disturbance response plan that is intended to curb disruptions which may lead to riots, violence, or vandalism at school or at school-sponsored events. In developing each school's plan, the Superintendent or designee shall consult with local law enforcement authorities to create guidelines for law enforcement support and intervention.

Staff are encouraged to be alert to conditions at school that may lead to a disturbance, such as racial or cultural conflict, student protests, or gang intimidation and confrontations. Staff who believe that a disturbance is imminent, or who see a disturbance occurring, shall immediately contact the principal and invoke the school disturbance response plan.

Students who participate in a campus disturbance shall be subject to disciplinary action in accordance with Board policy and administrative regulations.

Legal Reference: (see next page)

STUDENT DISTURBANCES (continued)

Legal Reference:

EDUCATION CODE

32210 *Willful disturbance of public school or meeting*
32211 *Threatened disruption or interference with classes*
32280-32288 *School safety plans*
35160 *Authority of governing boards*
38000-38005 *Security patrols*
44810 *Willful interference with classroom conduct*
44811 *Disruption of classwork or extracurricular activities*
48900 *Grounds for suspension or expulsion*
48907 *Student exercise of free expression*
51512 *Prohibited use of electronic listening or recording device*

PENAL CODE

243.5 *Assault or battery on school property*
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*
653b *Loitering about schools or public places*

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

WEB SITES

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

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

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>

STUDENT DISTURBANCES

Prohibited Activities

A student involved or attempting to be involved in any of the following prohibited activities shall be subject to discipline:

1. Disturbing the peace, including, but not limited to, causing or attempting to cause a riot, burning or destroying property, fighting, challenging another to fight, or using offensive words likely to provoke a fight
2. Disrupting school operations, including, but not limited to, exercising free expression which is obscene, libelous, or slanderous or 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 substantially disrupting the orderly operation of the school (Education Code 48907)

Other examples of activities that may be considered disrupting school operations include, but are not limited to:

- a. Organizing or participating in unauthorized assemblies on school premises
 - b. Participating in sit-ins or stand-ins which deny students or employees normal access to school premises
 - c. Interfering with or unauthorized use of the district's computer system
3. Refusing to disperse, including, but not limited to, assembling for the purpose of causing a disruption and refusing to disperse upon the direction of school personnel
 4. Boycotting school, including, but not limited to, participating in any protest that involves nonattendance where attendance is required at school, class, or at a school activity

Any student who participates in a boycott shall be given an unexcused absence and may be classified as truant, regardless of any parent/guardian approval of the absence.

Extension of Class Period and/or Dismissal of School

During any disturbance in which additional students might become involved while changing classes, the principal or designee may notify all staff that any class currently in session will be extended until further notice. Upon receiving this notification, staff shall ensure that all students in their charge remain in one location under their supervision and shall ask all students who are in the halls to return to their classes immediately.

STUDENT DISTURBANCES (continued)

The principal may also request that the Superintendent dismiss school in accordance with the school disturbance response plan.

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

VANDALISM, THEFT AND GRAFFITI

The Board of Education 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.

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.

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 Board of Education 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 in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. 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.

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.

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.

Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.

The Board encourages the establishment of site-level advisory groups to assist in promoting alcohol- and drug-free schools.

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.

ALCOHOL AND OTHER DRUGS (continued)

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.

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 of drugs or alcohol when such use is illegal. (20 USC 7114, 7162; Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

Intervention, Referral and Student Assistance Programs

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 or at school-sponsored activities.

Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. 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.

Legal Reference: (see next page)

ALCOHOL AND OTHER DRUGS (continued)

Legal Reference:

EDUCATION CODE

44049 *Known or suspected alcohol or drug abuse by student*
44645 *In-service training anabolic steroids*
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*
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*
51260-51269 *Drug education*
60041 *Instructional materials*
60110-60115 *Instructional materials on alcohol and drug education*

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*
11053-11058 *Standards and schedules*
11353.6 *Juvenile Drug Trafficking and Schoolyard Act*
11357 *Unauthorized possession of marijuana; 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*
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

13860-13864 *Suppression of drug abuse in schools*

VEHICLE CODE

13202.5 *Drug and alcohol related offenses by person under age of 21, but aged 13 or over;*

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*
7101-7184 *Safe and Drug-Free Schools and Communities Act*

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:
<http://www.cde.ca.gov/ls/he/at>
California Healthy Kids: <http://www.californiahealthykids.org>
U.S. Department of Education, Office of Safe and Drug Free Schools:
<http://www.ed.gov/about/offices/list/osdfs/index.html>

Policy
adopted:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

ALCOHOL AND OTHER DRUGS**Instruction**

The curriculum of all elementary and secondary schools shall include instruction on the effects upon the human body, as determined by science, of tobacco, alcohol, narcotics, dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51203, 51260)

In grades 1-6, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 7-12, instruction in drug education shall be conducted in health courses and in any other appropriate area of study required by Education Code 51220. (Education Code 51260)

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

Instruction shall be provided by appropriately trained instructors who have demonstrated competencies, as determined by the principal or designee, in the following areas: (Education Code 51260)

1. The ability to interact with students in a positive way
2. Knowledge of the properties and effects of tobacco, alcohol, narcotics, dangerous drugs, and shared drug apparatus
3. Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions

Intervention

District staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.

If the principal or designee, in his/her professional capacity or in the course of his/her employment, knows, observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian. (Education Code 44049)

ALCOHOL AND OTHER DRUGS (continued)

School staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. A school counselor may report such information to the principal or parent/guardian only when he/she believes that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. The school counselor shall not disclose such information to the parent/guardian if he/she believes that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

CONTROLLED SUBSTANCE

Policy Statement

Unlawfully possessing, using, selling, being under the influence of or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind, at any school activity or on any school district or adjacent property, is considered to be a threat to the educational process. For the offenses indicated, the student, under guidelines indicated below, may be subject to suspension, transfer to another school, expulsion and an obligation to complete the district counseling requirement.

Definitions of Evidence

1. Hard Evidence:

- a. An admission by the student of unlawfully possessing, using, selling, being under the influence of, or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind.
- b. Discovery of the controlled substance and/or alcoholic beverage, or intoxicant of any kind, on the student's person or in possessions such as lockers or backpacks under the student's control.
- c. Eyewitness testimony of any school personnel of the actual unlawful possession, sale, use or furnishing to others.
- d. Eyewitness testimony of two or more students of the actual unlawful possession, sale, use or furnishing to others.

2. Soft Evidence:

Soft evidence is more subjective; it involves all other forms of evidence and usually based on observation of student behavior.

Discipline and Counseling Procedures for Governing Use, Possession, Being Under the Influence of a Controlled Substance (Grades 1-12)

1. Hard Evidence: - First Offence:

If the Superintendent or designee determines, in the presence of hard evidence, that the student unlawfully possessed, used, sold, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage, or intoxicant of any kind, the following steps shall be taken.

- a. The student shall be suspended for a maximum of five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)

DRUG TESTING (continued)

The rights and responsibilities section of the school district suspension form shall be observed by the school principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to an appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student shall be allowed to complete all assignments and tests missed during a suspension.

- b. Students in grades 1-12 shall be placed on academic probation for a period of ten weeks. The terms of probation include loss of privileges from participating in the following: all sports, dramatic, choral or musical performances, dances, cheerleading, graduation and awards ceremonies.
 - (1) Students must complete 24 hours of substance abuse counseling in a program offered by the district, or students must obtain preapproval if counseling will be provided by a private agency or therapist. Parents must attend 12 hours of substance abuse counseling designed for parents.
 - (2) Students must complete 40 hours of community service from a list of approved agencies provided by the district, or receive preapproval for community services with other organizations.
 - (3) The principal has the option of requiring that the student participate in a 12-step program if the behavior warrants additional intervention.
 - (4) If the student does not complete and provide documentation for all of the above measures, he/she will remain on probation with loss of privileges until all are completed. If the student fails to complete all of the above by the last day of the semester in which the 10-week probation was scheduled to end, the student will be transferred to another school in the district for the entire next semester. At the end of that semester, the student will be returned to his/her home school.

- c. Hard Evidence - Second Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that for a second time within middle school (Grades 6-8) or a second time within high school (Grades 9-12), the student unlawfully possessed, used, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage or intoxicant of any kind, the following steps shall be taken:

DRUG TESTING (continued)

- (1) The student shall be suspended for a maximum of five days. The rights and responsibilities section of the district suspension form shall be observed by the principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student shall be allowed to complete all assignments and tests missed during the suspension.
 - (2) The principal shall recommend that the student be expelled from the district unless it is determined that expulsion is inappropriate under the particular circumstances of the case. During the period when the student is awaiting the expulsion hearing, make-up work will be provided.
 - (3) If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five day suspension, the permit will be revoked and the student will be directed to enroll in his/her neighborhood school.
2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.

Discipline Procedures for Providers of Controlled Substances or Alcoholic Beverage, or Intoxicant of Any Kind To Others (Grades 1-12)

In cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold or provided a controlled substance or alcoholic beverage, or intoxicant of any kind, to others, the following steps shall be taken:

1. The student shall be suspended for a maximum of five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)
2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.
3. The principal shall inform the Superintendent or designee of the incident and actions taken.
4. The Superintendent or designee shall recommend that the student be expelled from school, unless the principal finds, and so reports to the Superintendent or designee in writing, that expulsion is inappropriate under the particular circumstances of the case.

DRUG TESTING (continued)

Soft Evidence Procedures

Soft evidence cases will usually involve situations in which the student is suspected of being under the influence of a controlled substance, alcoholic beverage or intoxicant of any kind. In such a case, the administrator may consult with the school nurse and may require the completion of the Behavioral Observation Form shown in the Discipline Handbook.

Distribution Guidelines

1. The above policy and procedure shall be distributed to all students Grades 1-12 at the beginning of each school year and to transfer students at the time of enrollment.
2. Within the first 10 days of school each principal shall implement procedures to ensure that all students have acknowledged that they have received a copy of the above policy and indicated their obligation to share the contents of the policy with the parent/guardian.
3. Each principal will ensure that all middle and high school students are explicitly informed of the provisions of the controlled substance policy through assemblies, presentations and/or direct instruction in appropriate classes.

Legal Reference:

EDUCATION CODE

44049 *Known or suspected alcohol or controlled substance abuse by student*

51262 *Use of anabolic steroids; legislative finding and declaration*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

CODE OF REGULATIONS, TITLE 5

350 *Fees not permitted*

COURT DECISIONS

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, (2002) 122 S.Ct. 2559

Vernonia School District v. Acton, (1995) 115 S.Ct. 2385

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

Management Resources:

OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS

What You Need To Know About Drug Testing in Schools, August 2002

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Partnership for a Drug-Free America: <http://www.drugfreeamerica.org>

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

TOBACCO

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

Students shall not smoke or use tobacco, or any product containing tobacco or nicotine, while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. (Education Code 48901)

The district's comprehensive prevention/intervention program shall be based on an ongoing assessment of objective data regarding tobacco use in the schools and community and on research identifying strategies that have proven effective in preventing or reducing tobacco use among youth. The program shall be designed to meet a set of measurable goals and objectives and shall be periodically evaluated to assess progress.

The district shall provide developmentally appropriate tobacco use prevention instruction for students in grades kindergarten through 12.

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

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

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

The Superintendent or designee shall coordinate prevention and cessation efforts with the local health department, other local agencies and community organizations and shall involve students, parents/guardians, families and the community in support of school-based programs.

Legal Reference: (see next page)

TOBACCO (continued)

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

104350-104495 *Tobacco use prevention education*

PENAL CODE

308 *Minimum age for tobacco possession*

UNITED STATES CODE, TITLE 20

7111-7117 *Safe and Drug-Free Schools and Communities Act*

Management Resources:

CDE PUBLICATIONS

Getting Results: Developing Safe and Healthy Kids, 1998-99

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000

WEB SITES

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Association of State Boards of Education: <http://www.nasbe.org>

TOBACCO

Tobacco Use Prevention Education

Instruction for students in grades 4 through 8 shall address the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, 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

The district's program for grades 9 through 12 shall:

1. Target current smokers and students who are most at risk for beginning to use tobacco, including young women, low-achieving students, students from families whose members include tobacco users, and students who associate with peers who use tobacco
2. Offer or refer students to precessation readiness classes or cessation classes for current smokers
3. Utilize existing antismoking resources

STEROIDS

The Board of Education recognizes that the use of steroids and other performance-enhancing supplements 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 reasonable effort to prevent students from using steroids or other performance-enhancing supplements.

Students in grades 7-12 shall receive a lesson on the effects of steroids as part of their health, physical education, or drug education program.

Students participating in interscholastic athletics are prohibited from using steroids and dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine. (Education Code 49030)

Before participating in interscholastic athletics, a student athlete and his/her parent/guardian shall sign a statement that the student athlete pledges not to use androgenic/anabolic steroids and dietary supplements banned by the U.S. Anti-Doping Agency and the substance synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition.

A student who is found to have violated the agreement or this policy shall be restricted from participating in athletics and shall be subject to disciplinary procedures including, but not limited to, suspension or expulsion in accordance with law, Board policy, and administrative regulation.

Coaches shall educate students about the district's prohibition and the dangers of using steroids and other performance-enhancing supplements.

The Superintendent or designee shall ensure that district schools do not accept sponsorships or donations from supplement manufacturers that offer muscle-building supplements to students.

Legal Reference: (see next page)

STEROIDS (continued)

Legal Reference:

EDUCATION CODE

49030-49034 *Performance-enhancing supplements*

51260-51269 *Drug education, especially:*

51262 *Use of anabolic steroids; legislative finding and declaration*

CIVIL CODE

1812.97 *Warning statement; posting in athletic facilities*

HEALTH AND SAFETY CODE

110423.2 *Dietary supplements*

Management Resources:

CALIFORNIA INTERSCHOLASTIC FEDERATION BYLAWS

California Interscholastic Federation Constitution and Bylaws 2005-06

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

California Interscholastic Federation: <http://www.cifstate.org>

National Center for Drug Free Sport: <http://www.drugfreesport.com>

National Institute on Drug Abuse: <http://www.nida.nih.gov>

U.S. Anti-Doping Agency: <http://www.usantidoping.org>

STEROIDS

The district shall not accept a sponsorship from any manufacturer or distributor whose name appears on the label of a dietary supplement that contains substances banned by the U.S. Anti-Doping Agency and the substance synephrine. Such supplements shall not be sold, distributed, or marketed at a school-related event. (Education Code 49031)

Marketing includes, but is not limited to, direct product advertising, provision of educational materials, product promotion by a district employee or volunteer, product placement, clothing or equipment giveaways, or scholarships. Marketing shall not include the inadvertent display of a product name or advertising by a person who is not a manufacturer or distributor. (Education Code 49031)

School personnel and coaches may provide only nonmuscle-building nutritional supplements to student athletes for the purpose of providing additional calories and electrolytes, provided that they do not contain any dietary supplements prohibited by the U.S. Anti-Doping Agency and the substance synephrine. Permissible nonmuscle-building nutritional supplements are identified according to the following classes: carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, and vitamins and minerals.

School personnel, including coaches, shall follow the manufacturer’s recommendations when discussing the use of any drug or food supplement with a student athlete. In order to minimize the health and safety risks to student athletes, school personnel shall not supply or recommend any drug, medication, or food supplement to enhance an athlete’s performance.

Notice

The principal or designee shall ensure that the following warning, reproduced in 10-point bold type, is posted in every locker room of schools with classes in grades 7-12 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.

STEROIDS

**AGREEMENT FOR STUDENT ATHLETE AND PARENT/GUARDIAN
REGARDING USE OF STEROIDS**

_____ (print name of student athlete) _____

Directions: As a condition of membership in the California Interscholastic Federation (CIF) and in accordance with Education Code 49030, the Board of Education of the Santa Monica-Malibu Unified School District has adopted Board Policy 5131.63 prohibiting the use and abuse of androgenic/anabolic steroids as specified below. CIF Bylaw 524 requires that all participating students and their parents/guardians sign this agreement.

By signing below, we agree that the student shall not use androgenic/anabolic steroids or any dietary supplement banned by the U.S. Anti-Doping Agency as well as the substance synephrine, without a written prescription from a licensed health care practitioner to treat a medical condition.

We recognize that under CIF Bylaw 200.D the student may be subject to penalties, including ineligibility for any CIF competition, if the student or his/her parent/guardian provides false or fraudulent information to the CIF.

We understand that the student’s violation of the district’s policy regarding steroids may result in discipline against him/her including, but not limited to, restriction from athletics or suspension or expulsion from school.

Signature of student athlete

Date

Signature of parent/guardian

Date

BEEPERS, PAGERS, CELLULAR PHONES AND OTHER ELECTRONIC SIGNALING DEVICES

The Board of Education recognizes that beepers, pagers, cellular phones and other electronic signaling devices have become commonplace in our community and that many families have come to rely on these devices as a means of communication.

Nevertheless, with two exceptions California Education Code specifically prohibits the possession and/or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by students of the school while the students are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. The exceptions to this provision, which would allow students to possess and use such devices on campus, are cases in which a student or students have:

1. Prior consent of the principal or designee, or
2. Written documentation by a licensed physician or surgeon who has determined that student possession and use of an electronic signaling device is essential for the health of the student and where use of such device is limited for purposes related to the health of the student.
3. Written and/or Verbal confirmation from the site principal or designee that a state of emergency exists.

While electronic signaling devices of all types may be useful for communication purposes, the Board also recognizes the potential for distraction that these devices may cause in the classroom, on campus and at school activities. The Superintendent or designee shall therefore establish procedures whereby the possession of electronic signaling devices in grades 9-12 is permitted, but use of such devices is restricted only to non-school hours. Under no circumstances shall the possession and/or use of any electronic signaling device be permitted on any school bus or at any time, if such possession and/or use is disruptive to the educational process.

Students who do possess an electronic signaling device under the terms of this policy, must either keep their device turned off while on school campus and during school activities.

The district and/or staff shall not be responsible or liable for the theft or loss of any electronic signaling device.

Students in grades K-8 are not permitted to possess and/or use any electronic signaling device while on school campus unless the students meets one or both of the exceptions listed in the education code.

BEEPERS, PAGERS, CELLULAR PHONES AND OTHER ELECTRONIC SIGNALING DEVICES (continued)

The Superintendent or designee shall establish a written administrative procedure which shall include a definition of "electronic signaling devices", conditions for possession/use and the discipline procedures to be implemented if abuse occurs. On or before June 30, 2002 the Superintendent shall update the Board regarding the implementation of this policy.

BEEPERS, PAGERS, CELLULAR PHONES AND OTHER ELECTRONIC SIGNALING DEVICES

Definition

This regulation applies to any device which may be used to electronically communicate with an individual or individuals, another device or devices. This includes but is not limited to:

1. Beepers/pagers
2. Cellular phones
3. Two-way radios or "walkie-talkies"
4. Personal digital assistants (PDAs) with infrared or wireless communication capabilities
5. Laptop computers with infrared or wireless communication capabilities
6. Calculators, watches or any other electronic device that may transmit or communicate via infrared and/or wireless technology

Conditions Under Which Electronic Signaling Devices May be Used

Board Policy 5131.64 gives "limited" approval for student possession and use of electronic signaling devices while on campus, to students in grades 9-12 only. All devices must be turned off or kept on silent/vibrate mode while on campus. Specifically, these devices may be used:

1. On or off campus before school
2. Off campus during lunch (to the extent that the site permits off campus lunch)
3. On or off campus after school
4. Possession of the device is permitted at any time while on or off campus, but the device may be used only during times outlined in A through C above
5. When a state of emergency has been declared (verbally or in writing) by the school Superintendent or designee

Conditions Under Which Electronic Signaling Devices May NOT be Used

While the possession of electronic signaling devices is permitted on campus by any student in grades 9-12, under no circumstances will the use of electronic signaling devices be permitted during the following times:

BEEPERS, PAGERS, CELLULAR PHONES AND OTHER ELECTRONIC SIGNALING DEVICES (continued)

1. Instructional classroom time, including assemblies, pep rallies and any other activity which takes place during a regularly scheduled classroom period (or periods).
2. During passing periods, recess, nutrition breaks, or on-campus lunch.
3. On field trips or excursions which are conducted during the normal school day and during regular classroom instructional hours.
4. While traveling in any school district bus or vehicle.
5. During on or off-campus school activities and events.
6. Any specific situation where the Superintendent and/or administrative designee determines that the possession and/or use of any electronic signaling device is disruptive to the educational process.

During the times indicated in A through E above, students may be in possession of an electronic signaling device, but the device must be turned off and kept out of view (i.e. inside a backpack, pocket, etc.).

Special Circumstances for Students With Specific Health-Related Issues

In any case where a student's personal physician has determined that a medical condition exists which for health and safety reasons, requires the student to have immediate communication access to parents, doctors, etc., the student shall be permitted to carry and use the device as prescribed. There shall be no restrictions (unless stipulated by the physician) as to when and where the device may be used for communication purposes that are related to the student's medical condition. In all cases where a student must be permitted to carry an electronic signaling device for medical purposes, the parent/guardian shall supply the school office with an original physician's prescription or order. The parent/guardian must also give permission for the school nurse or other district staff to contact the physician for purposes of clarification and exchange of information regarding the student's medical condition. A copy of the prescription shall be kept in the student's cum record and all teachers and staff shall be notified of the student's permission to have and use the device at any time, for medically necessary reasons.

Disciplinary Procedures for Inappropriate Use of Electronic Signaling Devices

In the event a student is found to be using any electronic signaling device during the non-permitted instances (Section "C" above), the following shall occur:

BEEPERS, PAGERS, CELLULAR PHONES AND OTHER ELECTRONIC SIGNALING DEVICES (continued)

1. On the first offense, the student shall be given a verbal warning and told to shut the device off and put it out of view.
2. On the second offense, the device shall be confiscated and held in the office. The student's parent/guardian shall be notified and the device will be held until the parent/guardian personally retrieves it.

If at any time during the school day or during a school-sponsored event it is determined that an electronic signaling device is being used for illegal or illicit purposes, the device shall be immediately confiscated by school personnel and the appropriate actions as outlined under California Education Code 48900 shall be taken. Depending upon the circumstances of the specific situation, the device may be held for evidence and not released to the parent/guardian until any and all investigations and proceedings have been completed.

Possession and/or Use of Electronic Signaling Devices for Students in Grades K-8

No student in grades K-8 shall be permitted to possess or use any electronic signaling device while on campus, except as provided in section "D" above.

Responsibility for Lost, Stolen or Damaged Electronic Signaling Devices

Students and their parents take full responsibility for any and all electronic signaling devices which the student may bring to school. In no event or circumstance, will the district or its staff be held responsible or liable for the loss, theft or damage to any such device.

WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education desires students and staff to be free from the danger presented by firearms and other weapons and recognizes that they have the right to a safe and secure campus free from psychological and physical harm.

Possession of Weapons

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

Unless he/she has obtained prior written permission as specified below, 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, except that the Board may set an earlier date for readmission on a case-by-case basis, in accordance with Board policy and administrative regulation. (Education Code 48915; 20 USC 7151)

Students possessing or threatening others with any weapon, dangerous instrument, or imitation firearm are subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

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 to confiscate a weapon, dangerous instrument, or imitation firearm from any person on school grounds.

The principal or designee shall notify law enforcement authorities when any student possesses a weapon without permission or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151)

Possession of Pepper Spray

To prevent potential misuse that may harm students or staff, 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.

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 strategy shall also provide a method of informing 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.

*Legal Reference:*EDUCATION CODE35291 *Governing board to prescribe rules for discipline of the schools*48900 *Grounds for suspension/expulsion*48902 *Notification of law enforcement authorities*48915 *Required recommendation for expulsions*48916 *Readmission*49330-49335 *Injurious objects*PENAL CODE245 *Assault with deadly weapon*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*653k *Soliciting a minor to commit certain felonies*12001 *Control of deadly weapons*12020-12036 *Unlawful carrying and possession of concealed weapons*12220 *Unauthorized possession of a machine gun*12401-12404 *Tear gas*12550-12556 *BB devices and imitation firearms*UNITED STATES CODE, TITLE 206301-7941 *No Child Left Behind Act; especially:*7151 *Gun-Free Schools Act**Management Resources:*CSBA PUBLICATIONS*911: A Manual for Schools and the Media During a Campus Crisis, 2001**Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999*CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS0401.01 *Protecting Student Identification in Reporting Injurious Objects*WEB SITESCSBA: <http://www.csba.org>California Attorney General's Crime and Violence Prevention Center: <http://www.safestate.org>California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>National Alliance for Safe Schools: <http://www.safeschools.org>National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug Free Schools:

<http://www.ed.gov/about/offices/list/osdfs/index.html>Policy
adopted:**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**
Santa Monica, California

WEAPONS AND DANGEROUS INSTRUMENTS

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: any dirks, daggers 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 3-1/2 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, especially 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)

If an employee knows that a student possesses any of the above devices, he/she 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
3. Immediately notify the local law enforcement agency and the principal

When informing the principal 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.

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

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

Regulation
approved:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California

ACADEMIC HONESTY

The Board of Education believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

The Superintendent or designee may establish a committee comprised of students, parents/guardians, staff, administrators and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty. Any recommendations for discipline shall be incorporated into the school's site level discipline rules.

Legal Reference:

EDUCATION CODE
35291-35291.5 Rules

DRESS AND GROOMING

The Board of Education 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.

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.

Gang-Related Apparel

The principal, staff and parents/guardians at a school 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.

Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

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 law, Board of Education policy and administrative regulations. These school dress codes shall be regularly reviewed.

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

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)

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.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan 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. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

GANGS

The Board of Education desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence, or disruptive behavior. The Superintendent or designee shall maintain continual, visible supervision of school premises so as to deter gang intimidation of students and confrontations between members of different gangs.

The Superintendent or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

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. The staff shall be informed about conflict management techniques and alerted to intervention measures and community resources which may help our students.

The Board prohibits the presence of any apparel, jewelry, accessory, notebook or manner of grooming which, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in gangs which advocate drug use, violence, or disruptive behavior.

Legal Reference:

EDUCATION CODE

32282 School safety plans

35183 Gang-related apparel

41510-41514 School Safety Consolidated Competitive Grant

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

PENAL CODE

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7184 Safe and Drug-Free Schools and Communities Act

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

POSITIVE SCHOOL CLIMATE

The Board of Education desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

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 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 professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

Legal Reference: (see next page)

POSITIVE SCHOOL CLIMATE (continued)

Legal Reference:

EDUCATION CODE

233-233.8 *Hate violence prevention*

32280-32289 *School safety plans*

32295.5 *Teen court programs*

35181 *Governing board policy on responsibilities of students*

35291-35291.5 *Rules*

44807 *Teachers' duty concerning conduct of students*

48900-48925 *Suspension and expulsion*

Management Resources:

CSBA PUBLICATIONS

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

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

California Department of Education, Learning Support: <http://www.cde.ca.gov/ls>

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

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/offices/OESE/SDFS>

CONFLICT RESOLUTION/PEER MEDIATION

To promote student safety and contribute to the maintenance of a positive school climate, the Board of Education encourages the development of school-based conflict resolution programs designed to help students learn constructive ways of handling conflict. The Board believes that such programs can reduce violence and promote communication, personal responsibility and problem-solving skills among students.

Conflict resolution strategies shall be considered as part of each school's comprehensive safety plan and incorporated into other district discipline procedures as appropriate. Conflict resolution programs shall not supplant the authority of staff to take appropriate action as necessary to prevent violence, ensure student safety, maintain order in the school, and institute disciplinary measures.

Schoolwide programs may include curriculum in conflict resolution, including, but not limited to, instruction in effective communication and listening, critical thinking, problem-solving processes and the use of negotiation to find mutually acceptable solutions. In addition, the curriculum may address students' ethical and social development, respect for diversity, and interpersonal and behavioral skills.

Conflict resolution programs may incorporate peer mediation strategies in which selected students are specially trained to work with their peers in resolving conflicts.

Students' participation in any peer mediation program shall be voluntary and kept confidential by all parties involved.

In developing a conflict resolution and/or peer mediation program, school-site teams shall address, as appropriate:

1. The grade levels and courses in which the conflict resolution curriculum shall be delivered
2. Staff development related to the implementation of the curriculum and modeling of appropriate behaviors and communication skills
3. The selection of peer mediators involving, to the extent possible, a cross-section of students in terms of grade, gender, race, ethnicity, and socioeconomic status, and including some students who exhibit negative leadership among peers
4. Training and support for peer mediators, including training in mediation processes and in the skills related to understanding conflict, communicating effectively and listening
5. The process for identifying and referring students to the peer mediation program
6. The types of conflicts suitable for peer mediation

CONFLICT RESOLUTION/PEER MEDIATION (continued)

7. Scheduling and location of peer mediation sessions
8. Methods of obtaining and recording agreement from all disputants
9. The appropriate involvement of parents/guardians, the community and staff, including counseling/guidance and security staff
10. Communications to students, parents/guardians and staff regarding the availability of the program
11. Methods of following up with students to determine the effectiveness of the process
12. Development of assessment tools to periodically evaluate the success of the program including, but not limited to, measurements of whether there has been a reduction in violence at the school and whether the school's suspension rates have fallen since the program has been introduced

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

32295.5 Teen court programs

35291-35291.5 Rules

44807 Duty concerning conduct of students

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to safe schools

Management Resources:

CSBA PUBLICATIONS

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

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 1995

USDE PUBLICATIONS

Creating Safe and Drug-Free Schools: An Action Guide, 1996

WEB SITES

U.S. Department of Education, Safe and Drug-Free Schools Program:

<http://www.ed.gov/offices/OESE/SDFS/>

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

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