

**RELEASE OF DIRECTORY INFORMATION**

**Definition**

*Directory information* means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (Education Code 49061; 20 USC 1232g; 34 CFR 99.3)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation record 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

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*Directory information* does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

*Directory information* also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

## **RELEASE OF DIRECTORY INFORMATION (continued)**

### **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 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, how to refuse release, 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; 20 USC 1232g; 34 CFR 99.37)

*(cf. 5125 - Student Records)*

*(cf. 5145.6 - Parental Notifications)*

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that the district will not release such information without parental consent or a court order.

*(cf. 5145.13 - Response to Immigration Enforcement)*

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)

### **Parent/Guardian Consent**

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released, unless the parent/guardian, or the student if he/she is 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if his/her 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, 7908)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

**RELEASE OF DIRECTORY INFORMATION** (continued)

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

Regulation  
approved: February 23, 1999  
revised: June 13, 2006  
revised: November 10, 2009  
revised: March 27, 2012  
revised: September 14, 2015  
revised: June 4, 2018

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, 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 Visalia 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
- 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), as amended, to provide military recruiters, upon request, with students' 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 the last day of school in September. The district has designated the following information as directory information:

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study

**RELEASE OF DIRECTORY INFORMATION**

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

The district also may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information does not include your child's citizenship status, immigration status, place of birth, or any other information indicating national origin. The district will not disclose such information without your consent or a court order.

**CONDUCT** (continued)

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

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

*(cf. 5145.2 - Freedom of Speech/Expression)*

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)

10. Plagiarism or dishonesty on school work or tests

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6162.54 - Test Integrity/Test Preparation)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

11. Inappropriate attire

*(cf. 5132 - Dress and Grooming)*

**CONDUCT** (continued)

12. Tardiness or unexcused absence from school

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

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

*(cf. 5112.5 - Open/Closed Campus)*

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or an administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

*(cf. 5145.12 - Search and Seizure)*

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

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

*(cf. 1020 - Youth Services)*

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

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5127 - Graduation Ceremonies and Activities)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 6020 - Parent Involvement)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

**CONDUCT** (continued)

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

*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination**32280-32289 Comprehensive safety plan**35181 Governing board authority to set policy on responsibilities of students**35291-35291.5 Rules**44807 Duty concerning conduct of students**48900-48925 Suspension and expulsion**51512 Prohibition against electronic listening or recording device in classroom without permission*CIVIL CODE*1714.1 Liability of parents and guardians for willful misconduct of minor*PENAL CODE*288.2 Harmful matter with intent to seduce**313 Harmful matter**417.25-417.27 Laser scope or laser pointer**647 Use of camera or other instrument to invade person's privacy; misdemeanor**653.2 Electronic communication devices, threats to safety*VEHICLE CODE*23123-23124 Prohibitions against use of electronic devices while driving*CODE OF REGULATIONS, TITLE 5*300-307 Duties of students*UNITED STATES CODE, TITLE 42*2000h-2000h6 Title IX, 1972 Education Act Amendments*COURT DECISIONS*J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094**LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981**Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088**Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675**New Jersey v. T.L.O., (1985) 469 U.S. 325**Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503*

*Management Resources: (see next page)*



**CONDUCT** (continued)

*Management Resources:*

CSBA PUBLICATIONS

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Bullying at School, 2003*

WEB SITES

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

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

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

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

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

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

Policy  
adopted: February 23, 1999  
revised: August 22, 2000  
revised: January 28, 2003  
revised: July 13, 2010  
revised: August 14, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

## **STUDENTS**

### **BUS CONDUCT**

In order to help ensure the safety and well-being of students, bus drivers, and others, the Governing Board expects students to exhibit appropriate and orderly conduct at all times when using school transportation, including while preparing to ride, riding, or leaving the bus.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3516 - Emergencies and Disaster Preparedness Plan)  
(cf. 3540 - Transportation)  
(cf. 3541.2 - Transportation for Students with Disabilities)  
(cf. 3543 - Transportation Safety and Emergencies)  
(cf. 5131 - Conduct)

The Superintendent or designee shall establish regulations related to student conduct on buses, bus driver authority, and the suspension of riding privileges. He/she shall make these rules available to parents/guardians, students, and other interested parties. (5 CCR 14103)

(cf. 3452 - School Bus Drivers)

Students found to be in violation of the district's bus conduct rules shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

### **Bus Surveillance Systems**

The Board believes that the use of surveillance systems on school buses will help to deter misconduct and improve discipline, ensure the safety of students and bus drivers, and prevent vandalism. Therefore, surveillance systems may be installed and used on school buses to monitor student behavior while traveling to and from school and school activities.

(cf. 3515 - Campus Security)

The Superintendent or designee shall notify students, parents/guardians, and staff that surveillance may occur on any school bus and that the contents of a recording may be a student record and, as such, may be used in student disciplinary proceedings or referred to

## STUDENTS

### BUS CONDUCT (continued)

local law enforcement, as appropriate. In addition, a prominent notice shall be placed in each bus stating that the bus is equipped with a surveillance monitoring system.

(cf. 5125 - Student Records)

#### *Legal References:*

##### *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/tn>*

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

Policy

adopted: February 23, 1999

revised: April 14, 2009

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

## **STUDENTS**

### **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.

(cf. 3542 - School Bus Drivers)

2. Riders should arrive at their designated bus stop five minutes prior to pick-up time and stand in a safe place at the stop to wait quietly for the bus.

(cf. 3541 - Transportation Routes and Services)

3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion.
5. Riders shall not block the aisle or emergency exit with their body or personal belongings.
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, whistling, yelling, singing, loud laughing, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.

(cf. 5144 - Discipline)

8. Riders shall not use tobacco products, eat, or drink while riding the bus.

(cf. 5131.62 - Tobacco)

## **STUDENTS**

### **BUS CONDUCT (continued)**

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.

(cf. 5131 - Conduct)

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)

(cf. 6163.2 - Animals at School)

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.

(cf. 3543 - Transportation Safety and Emergencies)

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.

## **STUDENTS**

### **BUS CONDUCT (continued)**

#### **Bus Surveillance Systems**

The Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The Law Enforcement Unit shall be responsible for all video surveillance equipment utilized pursuant to this Board Policy and Administrative Regulation. Recorded video images taken may be disclosed as the Law Enforcement Unit deems necessary for purposes of safety and security. This includes, but is not limited to, disclosure to the Superintendent, other administrators, outside law enforcement authorities, students, and parents of the students appearing in the video images.

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

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

**STUDENTS**

**BUS CONDUCT (continued)**

3. Viewing shall occur only at a school-related site and in the presence of the Superintendent or designee.
4. All persons who view a tape shall be identified in a written log.

In the event a recorded video image reflects conduct which results in the initiation of disciplinary action against a student, the District will treat the recorded video image as a student record. As such, the recorded video image will be considered a student record for purposes of privacy and access.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)



## **BULLYING**

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

*Cyberbullying* includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other 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.

*(cf. 5145.2 - Freedom of Speech/Expression)*

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6020 - Parent Involvement)*

## **Bullying Prevention**

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

*(cf. 5137 - Positive School Climate)*

*(cf. 6164.2 - Guidance/Counseling Services)*

## **BULLYING** (continued)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.94 - History-Social Science Instruction)*  
*(cf. 6163.4 - Student Use of Technology)*

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

### **Intervention**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

### **Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with the district and site procedures. If the complaint is not resolved by the school, the student or parent may request an investigation of the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

**BULLYING** (continued)

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

**Discipline**

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

*Legal Reference: (see next page)*

**BULLYING** (continued)

*Legal Reference:*

EDUCATION CODE

200-262.4 *Prohibition of discrimination*

32282 *Comprehensive safety plan*

35181 *Governing board policy on responsibilities of students*

35291-35291.5 *Rules*

48900-48925 *Suspension or expulsion*

48985 *Translation of notices*

PENAL CODE

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*

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (e-rate)*

COURT DECISIONS

*J.C. v. Beverly Hills Unified School District*, (2010) 711 F.Supp.2d 1094

*Lavine v. Blaine School District*, (2002) 279 F.3d 719

*Management Resources:*

CSBA PUBLICATIONS

*Addressing the Conditions of Children: Focus on Bullying*, Governance Brief, December 2012

*Safe Schools: Strategies for Governing Boards to Ensure Student Success*, 2011

*Providing a Safe, Nondiscriminatory School Environment for All Students*, Policy Brief, April 2010

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve*, 2008

*Bullying at School*, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Dear Colleague Letter: Harassment and Bullying*, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

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

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy  
adopted: August 14, 2012  
revised: October 8, 2013

**VISALIA UNIFIED DISTRICT**  
Visalia, California

## **Students**

### **STUDENT DISTURBANCES**

The Governing Board recognizes that all school staff must be prepared to cope with campus disturbances and to minimize the risks they entail. Staff should be especially sensitive to conditions that foster racial conflict, student protests, or gang intimidation and confrontations. Staff who believe that a disturbance is imminent, or who see a disturbance occurring, shall immediately contact the principal or designee who will implement the appropriate level of the school crisis response plan.

*(cf. 4131 – Staff Development)*

*(cf. 5136 – Gangs)*

*(cf. 5145.2 – Freedom of Speech/Expression)*

*(cf. 5145.9 – Hate-Motivated Behavior)*

The Superintendent or designee shall establish at each school an Emergency Response Plan as part of each site's comprehensive safe school plan for curbing disruptions which create disorder and may lead to riots, violence or vandalism at school or school-sponsored events.

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

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

*(cf. 3515 - Campus Security)*

*(cf. 5136 - Gangs)*

*(cf. 5144 - Discipline)*

*Legal Reference: (see next page)*

**Students**

**STUDENT DISTURBANCES (continued)**

*Legal Reference:*

EDUCATION CODE

*32210 Willful disturbance of public school or meeting*

*32211 Threatened disruption or interference with classes*

*35294-35294.5 School safety plans*

*38000-38005 Security departments*

*44810 Willful interference with classroom conduct*

*44811 Disruption of classwork or extracurricular activities*

*48907 Student exercise of free expression*

PENAL CODE

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

*415 Fighting; noise; offensive words*

*415.5 Disturbance of peace of school*

*416 Assembly to disturb peace; refusal to disperse*

*626-626.10 Crimes on school grounds*

*627-627.7 Access to school premises*

Policy  
adopted: February 23, 1999  
Revision: July 10, 2007

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

## **Students**

### **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

*(cf. 3515 - Campus Security)*

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)

*(cf. 5145.2 - Freedom of Speech/Expression)*

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

*(cf. 6163.4 - Student Use of Technology)*

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

**Students**

**STUDENT DISTURBANCES** (continued)

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.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

*(cf. 5144 - Discipline)*

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

**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.

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

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*



**VANDALISM, THEFT AND GRAFFITI**

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

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

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

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

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

*Legal Reference:*

EDUCATION CODE

48900 Grounds for suspension or expulsion

48904 Willful misconduct, limit of liability of parent or guardian

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

CODE OF REGULATIONS, TITLE 5

305 Pupil responsible for care of property

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

**ALCOHOL AND OTHER DRUGS**

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 4020 - Drug and Alcohol-Free Workplace)*  
*(cf. 5137 - Positive School Climate)*

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

*(cf. 1020 - Youth Services)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

*(cf. 5131.62 - Tobacco)*

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

*(cf. 5141.6 - School Health Services)*

## **ALCOHOL AND OTHER DRUGS (continued)**

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

### **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.

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (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**

The Superintendent or designee shall inform school staff, students, and parents/guardians 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.

*(cf. 5141.52 - Suicide Prevention)*

### **Enforcement/Discipline**

Students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 3513.4 - Drug and Alcohol Free Schools)*

*(cf. 5131 - Conduct)*

*(cf. 5131.61 - Drug Testing)*

## **ALCOHOL AND OTHER DRUGS (continued)**

*(cf. 5131.63 - Steroids)*

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

*(cf. 5145.12 - Search and Seizure)*

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.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

*(cf. 5144 - Discipline)*

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

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

### **Program Evaluation**

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

*(cf. 0500 - Accountability)*

#### *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*

*Legal Reference continued: (see next page)*

## ALCOHOL AND OTHER DRUGS (continued)

*Legal Reference: (continued)*

EDUCATION CODE (continued)

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

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program

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

7101-7122 Student Support and Academic Enrichment Grants

*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>

Office of Safe and Healthy Students: <https://www2.ed.gov/about/offices/list/oese/oshs>

**ALCOHOL AND OTHER DRUGS**

**Instruction**

Students shall receive instruction by appropriately trained instructors about the nature and effects of alcohol and other drugs, including dangerous drugs defined by Health and Safety Code 11032. (Education Code 51260)

Site administrators shall determine that drug education instructors possess: (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

At all grade levels, instruction shall include a study of the effects of alcohol and other drugs upon the human system, as determined by science. 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 through 6, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 7 through 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 include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

*(cf. 6143 - Courses of Study)*

The district drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county office of education staff

**ALCOHOL AND OTHER DRUGS** (continued)

in planning and implementing collaborative alcohol and drug prevention programs. (Education Code 51260, 51268)

**Intervention**

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

If the principal or designee 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)

However, school staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. School counselors may report such information to the principal or parent/guardian only when they believe 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. They shall not disclose such information to the parent/guardian if they believe that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

*(cf. 5145.1 - Privacy)*

In cases of medical emergency, the principal is authorized to call an ambulance to remove the student to a hospital. Parents/guardians will be notified of this action and shall be responsible for the incurred expenses.

*(cf. 5141 - Health Care and Emergencies)*

**Confiscation of Electronic Signaling Devices**

Because electronic signaling devices (beepers, cellular telephones, etc.) are sometimes used to facilitate illegal drug transactions, the possession or use of such devices by students is prohibited on school premises, at all school-sponsored activities, and at any time while students are under the

**ALCOHOL AND OTHER DRUGS** (continued)

supervision and control of district employees. An exception shall be made only when the principal or designee has determined that the device is essential. (Education Code 48901.5)

The Superintendent or designee shall confiscate these devices from students.

*(cf. 5144 - Discipline)*

**Enforcement/Discipline**

Staff shall notify the principal or designee immediately upon suspecting a student is selling, providing or using alcohol or other drugs.

When any student uses, possesses or sells alcohol or illegal drugs at school or while under school jurisdiction, the following shall result:

1. Parent/guardian contact
2. Suspension or expulsion in accordance with law or Board policy

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

3. Contact with law enforcement authority within one school day of the suspension (Education Code 48902)

In addition, the following actions may be taken:

1. Referral to an appropriate counseling program
2. Transfer/alternative placement
3. Restriction from all extracurricular activities, including athletics

*(cf. 6145 - Extracurricular and Cocurricular Activities)*



**ALCOHOL AND OTHER DRUGS** (continued)

**Reports**

Upon request, the Superintendent or designee shall submit alcohol and drug prevention program information to the California Department of Education, including information on the prevalence of drug use and violence by youth in the schools and community. Such information shall also be made readily available to the public. (20 U.S.C. 7117)

## STUDENT ATHLETE DRUG TESTING

### Definitions

Drug: Any substance considered illegal by California Statute or which is controlled by the Food and Drug Administration.

Student Athlete: Any student participating in interscholastic athletic and cheerleading programs sponsored by the Visalia Unified School District.

Athletic Season: Fall, Winter, and Spring seasons begin on the first day of practice allowed by the California Interscholastic Federation and end the day prior to the beginning date of practice of the next season.

### POLICY STATEMENT

Visalia Unified School District ("the District") is conducting a mandatory random drug testing program for Student Athletes. Its purposes are: (1) to provide for the health and safety of all Student Athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for Student Athletes to refuse to use illegal drugs and use of controlled substances illegally; (3) to encourage Student Athletes who use drugs to participate in drug treatment programs; and (4) to discourage drug use campus-wide.

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.63 - Anabolic Steroids)*

#### *Legal Reference:*

#### EDUCATION CODE

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

*48900 Suspension or expulsion (grounds)*

*48900.5 Suspension, limitation on imposition; exception*

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

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

Policy  
adopted: July 8, 1997  
revised: January 13, 2009

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

## **Students**

### **STUDENT ATHLETE DRUG TESTING**

#### **Procedures for Student Athletes or Cheerleaders**

Consent: Each student wishing to participate in any interscholastic athletic program or cheer program and the student's custodial parent or legal guardian shall consent in writing to drug testing. Random testing will be conducted weekly during the athletic season. At the option of the district, all student athletes and cheerleaders may be drug tested at the beginning of any athletic season. Selection for random testing will be by lottery drawing from a "pool" of all student athletes or cheerleaders participating in interscholastic athletic programs in the district at the time of the drawing.

#### **Sample Collection**

Samples will be collected on the same day the student is selected for testing. All students providing samples will provide a specimen in a secured, individual stall with the door closed.

Students must report immediately to the testing area upon notification from a school staff member that they have been randomly selected to take a drug test.

Any student who does not immediately report to the testing area, or who leaves the testing area without permission from drug testing staff or school nurse before giving a sample will be considered the same as a positive test.

Any student who is unable to provide a sample within 90 minutes will be considered the same as a positive test.

Any student who provides a tainted sample will be considered the same as a positive test.

#### **Prescription Medication**

Students who are taking prescription medication may provide in a sealed envelope verifiable information regarding a doctor's prescription, to school personnel at the time a sample is collected. That envelope will be forwarded unopened to the testing lab with the sample with instructions for the lab to consider the student's use of such medication to assure the accuracy of the result. Such information provided by the student will not be disclosed to any school official.

Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests".

## **STUDENT ATHLETE DRUG TESTING** (continued)

### **Scope of Tests**

The testing lab will include test for but not be limited to, one or more of the following illegal drugs and controlled substances: marijuana metabolite, cocaine metabolite, opiates, phencyclidine (PCP), amphetamines, alcohol, benzodiazepines, barbiturates, propoxyhene (darvocet), methadone, oxycotin, and steroids. The Superintendent/designee shall decide from week to week which illegal drugs, controlled substances, and intoxicants will be screened; but in no event shall that determination be made after selection of students for testing. Student athlete samples will not be screened for the existence of any physical condition other than drug intoxication.

### **Limited Access to Results**

The testing lab will be authorized to report results only to the Superintendent/designee.

### **Procedures In The Event Of A Positive Result**

Whenever a student athlete's or cheerleader's test result indicates the presence of illegal drugs or controlled substances (a "positive test"), the following will occur:

The principal of the school will be informed of the positive test by the testing service. The principal will then contact the parents of the student and inform them of the positive test and will also inform parents that they have 72 hours to contact the testing service so that a follow-up plan may be established.

### **First Positive Result**

For the first positive result, the student athlete or cheerleader will be given two options:

1. The student may elect to participate in an evaluation of his/her drug use, including a possible referral to either a substance treatment or prevention/education program along with submission to additional drug testing (a responsibility of the student and (parent/guardian) for up to six weeks. **If the student elects this option, he or she will remain eligible for athletics or cheer.**

The site principal will offer to the parent the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent must approve this release of confidential information.

## **STUDENT ATHLETE DRUG TESTING** (continued)

2. The student may elect not to participate in an evaluation of his/her drug use and possible substance treatment or education, as described above. **If the student elects this option, he or she will be ineligible for athletics or cheer for one calendar year and must provide a current clean drug test for reinstatement.**

### **Second Positive Result**

For the second positive result, the student athlete or cheerleader will be given two options:

1. The student may elect to participate in an evaluation of his/her drug use, including a possible referral to either a substance treatment or prevention/education program along with submission to additional drug testing (a responsibility of the student and parent/guardian) for up to six weeks. **If the student elects this option, he or she will be ineligible for athletics or cheer for six weeks. The student must provide a current clean drug test for reinstatement.**

The site principal will offer to the parent the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent must approve this release of confidential information.

2. The student may elect not to participate in an evaluation of his/her drug use and possible substance treatment or education, as described above. **If the student elects this option, he or she will be ineligible for athletics or cheer for one calendar year and provide a current clean drug test for reinstatement.**

### **Third (or subsequent) Positive Result**

For the third (or subsequent) positive result, the student athlete or cheerleader will be given two options:

1. The student may elect to participate in an evaluation of his/her drug use, including a possible referral to either a substance treatment or prevention/education program along with submission to additional drug testing (a responsibility of the student and parent/guardian) for up to six weeks. If the student elects this option, he or she will be ineligible for athletics or cheer for one calendar year. The student must provide a current clean drug test for reinstatement, and he or she must also submit to additional random drug testing for the remainder of his or her high school athletic career.

**STUDENT ATHLETE DRUG TESTING** (continued)

For the additional random drug testing, the parent/guardian has 24 hours to submit proof of testing from the testing agency to the Director of Health Services, and must submit test results in either a sealed envelope or an electronic mailing system within 5 days. Failure to provide a clean drug test or not meeting the 24 hour deadline will result in ineligibility for the remainder high school career. The Director of Health Services can provide information on acceptable testing agencies.

The site principal will offer to the parent the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent must approve this release of confidential information.

2. The student may elect not to participate in an evaluation of his/her drug use and possible substance treatment or education, as described above. If the student elects this option, he or she will be suspended from participation in athletics or cheer for the remainder of his or her high school career.

**Non-Punitive Nature of Policy**

No student athlete or cheerleader shall be penalized academically for testing positive for illegal drugs or controlled substances. The results of drug tests pursuant to the policy will not be documented in any student's permanent records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district shall not solicit. In the event of the service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian will be notified at least 72 hours before response is made by the district.

Regulation  
approved: July 8, 1997  
revised: February 28, 2002  
revised: November 17, 2008  
revised: July 11, 2011  
revised: March 5, 2012  
revised: July 18, 2013

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

**VISALIA UNIFIED SCHOOL DISTRICT**

**EXHIBIT "A" DRUG TESTING POLICY  
GENERAL AUTHORIZATION FORM**

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by Visalia Unified School District Board and the sponsors for the activity in which I participate.

I also authorize Visalia Unified School District to conduct a test on a urine specimen which I provide to test for drugs and/or alcohol use. I also authorize the exchange of information concerning the results of such a test between the Visalia Unified School District, my parents and/or guardians, and the contracted agency, \_\_\_\_\_.  
(Name of the Contracted Agency)

This shall be deemed a consent pursuant to the Family Education Right of Privacy Act for the release of above information to the parties named above.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

PLEASE INDICATE ANY PRESCRIPTION DRUGS YOUR CHILD IS CURRENTLY TAKING.

\_\_\_\_\_

I have read and agreed to the above terms of participation of my son/daughter.

\_\_\_\_\_  
Parent or Guardian Signature

\_\_\_\_\_  
Date

**STUDENTS****STUDENT ATHLETE DRUG TESTING****Exhibit B****Summary of Student Athlete and Cheerleader Drug Testing Outcomes for Positive Results**

Student Option	First positive test	Second positive test	Third positive test
<i>Student participates in and completes drug counseling</i>	Student remains eligible. Must complete drug counseling program, including additional drug testing and submit a current clean drug test for reinstatement.	Student is ineligible for six weeks. Must complete drug counseling program, including additional drug testing and submit a current clean drug test for reinstatement.	Student is ineligible for one calendar year, must enroll in drug counseling, and must submit a clean drug test to reinstate. *Must submit to additional random drug testing for remainder of the high school athletic career.
<i>Student refuses drug counseling</i>	Student is ineligible for one calendar year and must submit a current clean drug test for reinstatement.	Student is ineligible for one calendar year and must submit a current clean drug test for reinstatement.	Student is suspended from athletics for the remainder of his or her high school career.

The Director of Health Services will maintain a record of all athletes and cheer leaders that are ineligible and will be responsible for notifying the principal when the student is eligible for reinstatement.

\*The principal shall provide the name of the student to the Director of Health Services who will then notify the parent/guardian when to have the student tested. The parent/guardian has 24 hours to submit proof of testing from the testing agency to the Director of Health Services, and must submit test results in either a sealed envelope or an electronic mailing system within 5 days. Failure to provide a clean drug test or not meeting the 24 hour deadline will result in ineligibility for the remainder high school career.

Approved: July 22, 2013



## **Exhibit C**

### **VUSD Athletic Drug Testing Site Procedures**

1. The VUSD Director Health Services will be responsible for the random selection of athlete or cheerleader names for drug testing. Names will be drawn from rosters provided by site Athletic Directors.
2. For each week's testing, seven randomly selected student athlete or cheerleader names will be provided by the Director Health Services to each school nurse. The first five students on the list will be tested, and the remaining two students will serve as alternates in case one of the first five students is absent.
3. The school nurse closes the Nurse's Office to all non-emergencies until the testing has been completed. Non-emergencies will be directed to go to the Attendance Office.
4. The school nurse provides the five names to the campus supervisor who then goes to each student's classroom, picks them up, and escorts the student to the Nurse's office. This step is done five separate times, once with each student to ensure the security of the student.
5. The school nurse will advise students they are to be tested and they are not allowed to leave the office under any circumstances. Leaving the office with or without consent prior to completing the testing will be considered the same as not being able to provide a sample.
6. The school nurse provides each student with a container into which the student places whatever is in their pockets. Purses and backpacks will also be confiscated. The items will be secured by the Nurse until the student has completed the drug testing process. Refusal to comply will be considered the same as not being able to provide a sample.
7. The school nurse is to maintain visual contact with the students at all times during the process.
8. The school nurse will notify the tester that the students are ready to begin the test.
9. The tester will follow the testing protocol.
10. Students completing the test will have their personal belongings returned to them and given a hall pass back to class.

11. Any problem arising during the testing process should be reported to the principal only in order to maintain confidentiality.
12. The principal then contacts the Director of Student Services to explain the circumstances and get direction.

## Exhibit D

### Sample Principal's Letter to Parent Following a Positive Test Result

(Place letter on school letterhead)

Date:

To the Parents of:

This letter confirms our telephone conversation on (date) concerning your child's positive student athlete or cheerleader drug test and the steps you must take for your student to remain active in athletics or cheer.

It is important that you are aware of two things that I mentioned when we spoke:

- You must call Recovery Resources (559-625-8176) within 72 hours of our conversation on (date)
- You must enroll your student in a drug education program within 10 days of your meeting with Recovery Resources

Failure to complete these items in the time described will result in your child becoming ineligible to participate in athletics or cheer.

I have attached a copy of the district's policy regarding student athlete drug and cheerleader testing. Included in this policy are the implications of any additional positive drug tests. Please read this carefully and discuss it with your student.

We discussed also if there were any adults on our campus that I could share this confidential information with who may be willing to mentor your child and thus lessen the possibility of a further positive test for him/her. I have spoken with (name of staff member) and he/she has stated that he/she will work with your student in this regard. We all hope that with all of us working together we can see personal progress in your student and keep him/her engaged in all of the positive aspects of school.

If you have any questions, please call me at (principal's phone number).

Sincerely,

Principal,  
(Insert School Name) High School

Approved: March 5, 2012

**TOBACCO**

The Governing Board recognizes the serious health risks presented by tobacco use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

*(cf. 5141.23 - Asthma Management)*

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

**Prohibition Against Tobacco Use**

Students shall not possess, 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 48900, 48901)

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 5131 - Conduct)*

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*Smoking* means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

*Tobacco products* include: (Business and Professions Code 22950.5; Education Code 48901)

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah
3. Any component, part, or accessory of a tobacco product, whether or not sold separately

## **TOBACCO** (continued)

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

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

### **Prevention Instruction**

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

### **Intervention/Cessation Services**

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. Such intervention services shall be provided as an alternative to suspension for tobacco possession.

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6164.2 - Guidance/Counseling Services)*

### **Program Planning**

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

*(cf. 1220 - Citizen Advisory Councils)*

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

## **TOBACCO** (continued)

The Superintendent or designee also shall coordinate the district's tobacco-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

*(cf. 5030 - Student Wellness)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.63 - Steroids)*

The Superintendent or designee shall select tobacco-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may adapt the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which is known to have received funding from the tobacco industry.

*(cf. 1325 - Advertising and Promotion)*  
*(cf. 3290 - Gifts, Grants and Bequests)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

## **Program Evaluation**

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

*(cf. 0500 - Accountability)*  
*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 6162.8 - Research)*

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

*Legal Reference: (see next page)*

**TOBACCO (continued)**

*Legal Reference:*

EDUCATION CODE

8900 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

60041 Instructional materials, portrayal of effects of tobacco use

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment

6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

ATTORNEY GENERAL OPINIONS

88 *Ops.Cal.Atty.Gen.* 8 (2005)

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

TUPE Acceptance of Funds Guidance

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003

Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

WEB SITES

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

California Department of Education, Tobacco-Use Prevention Education:

<http://www.cde.ca.gov/ls/he/at/tupe.asp>

California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Healthy Kids Survey: <http://www.wested.org/hks>

Centers for Disease Control and Prevention, Smoking and Tobacco Use: <http://www.cdc.gov/tobacco>

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

Policy

adopted: February 23, 1999

revised: December 16, 2003

revised: August 9, 2011

revised: June 13, 2017

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

**Students**

**TOBACCO**

**Discipline**

Students who possess or use tobacco on school premises or at school-sponsored events shall be subject to disciplinary procedures.

A behavioral contract is a written agreement between a student, parent/guardian and administrator, setting forth conditions that the student must meet during the probation period. Students under disciplinary probation shall either fulfill these conditions or be denied specified privileges until their behavior improves. Failure to comply with the agreement also may result in further disciplinary action.

**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

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*



## **Students**

### **STEROIDS**

The Governing Board 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.

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 6142.8 - Comprehensive Health Education)*

\*\*\*Note: SB 37 (Ch. 673, Statutes of 2005) added Education Code 49030 which prohibits students participating in interscholastic high school athletics from using (1) steroids and dietary supplements banned by the U.S. Anti-Doping Agency and (2) synephrine. By March 30, 2006, the California Department of Health Services must provide a copy of the U.S. Anti-Doping Agency Guide to the California Department of Education (CDE) which will then notify districts when the guide has been posted on CDE's web site. The prohibition against use of products listed in the guide becomes effective 60 days after the CDE has posted the guide. In subsequent years, the Department of Health Services will annually notify the CDE by March 30 of any amendments to the guide. Amendments will become effective 60 days after the CDE has posted the revised guide on its web site and has notified districts of the revision. \*\*\*

\*\*\*Note: California Interscholastic Federation (CIF) Bylaw 524 mandates, as a condition of membership, that all participating districts adopt policies prohibiting the use of steroids consistent with the requirements of Education Code 49030. \*\*\*

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)

*(cf. 5131.61 - Drug Testing)*

*(cf. 6145.2 - Athletic Competition)*

\*\*\*Note: As added by SB 37 (Ch. 673, Statutes of 2005), Education Code 49033 requires the CIF to adopt a bylaw, effective July 1, 2006, requiring any student participating in athletics and his/her parent/guardian to sign a statement that the student will not use steroids and dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition. In 2005, the CIF adopted a bylaw requiring a similar pledge. However, SB 37 requires specific language in the pledge and CIF Bylaw 524 was modified accordingly. See the accompanying Exhibit for a sample pledge.\*\*\*

## Students

### STEROIDS (continued)

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.

*(cf. 5144 - Discipline)*

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

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

\*\*\*Note: Education Code 49032, as added by SB 37 (Ch. 673, Statutes of 2005), specifies that each high school coach must complete, by December 31, 2008, a coaching education program which includes training on the harmful effects of steroids. Paid and volunteer coaches who are authorized by a high school to be responsible for leading a school sports team are required to complete the education program. See BP/AR 4127/4227/4327 -Temporary Athletic Team Coaches.\*\*\*

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

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

\*\*\*Note: Pursuant to Education Code 49031, as added by SB 37 (Ch. 673, Statutes of 2005), districts are prohibited from accepting a sponsorship from any manufacturer or distributor whose name appears on the label of a dietary supplement banned by the U.S. Anti-Doping Agency. This prohibition is consistent with CIF Bylaw 22.B.12 which allows coaches and other school employees to provide only non-muscle-building nutritional supplements to students. See the accompanying administrative regulation.\*\*\*

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.

*(cf. 1325 - Advertising and Promotion)*

*Legal Reference: (see next page)*

**Students**

**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>

## **Students**

### **STEROIDS**

\*\*\*Note: Pursuant to Education Code 49031, as added by SB 37 (Ch. 673, Statutes of 2005), districts are prohibited from accepting a sponsorship from a manufacturer or distributor, if the distributor's name appears on the label of a dietary supplement banned by the U.S. Anti-Doping Agency, as detailed below. \*\*\*

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)

\*\*\*Note: California Interscholastic Federation (CIF) Bylaw 22.B.12 prohibits athletic directors, coaches, and other employees from providing prohibited substances to students, as specified below. \*\*\*

School personnel and coaches may not provide for students any dietary supplement that contains substances banned by the U.S. Anti-Doping Agency including the substance synephrine.

### **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.

Regulation

adopted: February 23, 1999

Revised: September 19, 2005 – Board Policy Committee

Revised: April 16, 2007 – Board Policy Committee

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

**E 5131.63 – STEROIDS**

**DELETED ON MAY 10, 2018**

## **WEAPONS AND DANGEROUS INSTRUMENTS**

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515.3 - District Police/Security Department)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5131 - Conduct)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

### **Possession of Weapons**

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, 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.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

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

Unless he/she has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

*(cf. 5144 - Discipline)*

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

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

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, 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)

*(cf. 3515.2 - Disruptions)*

**WEAPONS AND DANGEROUS INSTRUMENTS** (continued)**Advance Permission for Possession of a Weapon for Educational Purposes**

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall, at least five school days in advance of the planned possession, submit a written request to the principal which explains the planned use of the weapon and the duration. The student shall also submit a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when he/she determines that it is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, he/she shall provide the student and staff person with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, he/she shall take all necessary precautions to ensure the safety of all persons on school grounds, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any weapon allowed shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

A student granted permission to possess a weapon may be suspended and/or expelled if he/she possesses or uses the weapon inappropriately.

**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.

*(cf. 5125 - Student Records)*

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



## **WEAPONS AND DANGEROUS INSTRUMENTS (continued)**

Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

### *Legal Reference:*

#### EDUCATION CODE

35291 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 CODE

245 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 Switchblade knife

16100-17350 Definitions

22810-23025 Tear gas weapon (pepper spray)

25200-25225 Firearms, access to children

30310 Prohibition against ammunition on school grounds

#### UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act, especially:

7151 Gun-Free Schools Act

### *Management Resources:*

#### CSBA PUBLICATIONS

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011*

#### CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004*

#### WEB SITES

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

Policy  
adopted: February 23, 1999  
revised: March 26, 2002  
revised: July 13, 2010

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

revised: March 27, 2012

**WEAPONS AND DANGEROUS INSTRUMENTS**

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-17350, 30310)

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. Ammunition or reloaded ammunition
3. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade
4. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
5. 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
6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
7. 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

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

*(cf. 5145.12 - Search and Seizure)*

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

1. Confiscate the object and deliver it to the principal immediately

- 
2. Immediately notify the principal, who shall take appropriate action

**WEAPONS AND DANGEROUS INSTRUMENTS** (continued)

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

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515.3 - District/Police Security Department)*

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

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

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

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

Policy  
approved: February 23, 1999  
revised: March 26, 2002  
revised: July 13, 2010  
revised: March 5, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

**ACADEMIC HONESTY**

The Governing Board believes that personal integrity is basic to all solid achievement. Students will reach their full potential only by being honest with themselves and with others.

The Board expects students to respect the educational purpose underlying all school activities. All students need to prove to themselves that they can do successful work as a result of their own efforts. The Board expects that students will not cheat, lie, or plagiarize.

The Board recognizes that students are more inclined to cheat when there is little likelihood of getting caught. Each school shall provide an environment that encourages honesty. Students must know that their teachers will not ignore or condone cheating and that anyone discovered cheating will be penalized.

*(cf. 5144 - Discipline)*

Teachers shall instruct students in research and study skills appropriate to each subject, so that all students may feel confident that if they prepare, they can succeed without cheating. Students shall be encouraged to see tests as a means for finding out what they have learned. They shall be reminded that students who cheat on tests are cheating themselves.

*(cf. 5144 - Discipline)*

*Legal Reference*

Education Code

35291.5 Rules and procedure on school discipline; adoption; enforcement; notice; filing; review

## **ACADEMIC HONESTY POLICY**

### **Statement of Philosophy**

The primary goals of any educational institution should be to enhance the learning environment and to promote the pursuit of intellectual excellence. The District believes that our public schools should reinforce the values of our democratic society, teach citizenship, and provide an environment conducive to ethical behavior. The entire Visalia Unified School District community believes that the school should maintain a climate in which honesty, courtesy, consideration, integrity and a concern for others are highly valued.

Cheating is an obstacle to achieving these goals. Many factors lead to cheating, however, no reason makes cheating acceptable. In any of its forms, and for whatever reason cheating denies the value of education. Our teaching staff strives to place the importance of learning above that of grades and to impress upon students that their best efforts are always expected.

### **Definition of Honesty and Cheating**

Deriving its root from the word honor, honesty is refraining from lying, cheating; being truthful, trustworthy or upright, sincere, straightforward and fair. The honest person is respected as one who is truthful and trustworthy. They are viewed being of high moral character or integrity, and honor.

Cheating is defined as obtaining or providing any help on an assignment or test where the intent was that the student complete the assignment or test by himself/herself.

The teacher's professional judgment will determine whether cheating has occurred. Students shall not give the instructor cause to consider their actions dishonest.

The following should be considered a sample list of types of cheating that may occur. It is not intended to be all inclusive or comprehensive.

1. Looking at someone else's paper during a test or quiz.
2. Unauthorized talking with another student during a test or quiz.

**ACADEMIC HONESTY POLICY** (continued)

3. Using any unauthorized "cheat notes."
4. Allowing someone to see or use one's own or another's paper during a test or on any individual assignment.
5. Copying work assigned to be done independently or allowing someone else to copy one's own or another's work.

\*\* Since individual teachers hold different expectations with regard to homework, it is up to the teacher to clarify their expectations to the students regarding individual assignments.

6. Copying sentences phrases, or passages from an uncited source while writing a paper or doing research.
7. Giving or receiving any test information.
8. Submitting individual projects or assignments not wholly one's own, with or without the permission of the author. This may also include computer generated information and programs (i.e. copying from a diskette or downloading from the Internet).
9. Fabrication or altering any information or lab data.

**Consequences:**

First Instance:

- A. The student will receive zero/non credit for the assignment/exam.
- B. The teacher will confer with the student and review cheating policy.
- C. The teacher will notify the administrator with a referral.



**ACADEMIC HONESTY POLICY** (continued)

- D. The teacher will notify the parents/guardian and inform them of the incident.

Second Instance:

- A. The student will receive a zero/no credit for the assignment/exam.
- B. The teacher will notify the Dean.
- C. The Dean will arrange and be a part of a student/parent/teacher/counselor conference.
- D. School suspension 1-3 days

Third Instance

- A. Student receives zero/no credit for assignment/exam.
- B. The teacher will refer the student to the Dean.
- C. The student will be dropped from the course with an "F" grade for the semester.
- D. The Dean will notify the parents of the occurrence.
- E. School suspension 3-5 days