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## CLOVIS UNIFIED SCHOOL DISTRICT

### STUDENTS

#### Rights and Responsibilities

### STUDENT RIGHTS AND RESPONSIBILITIES

**PURPOSE:** To express the Board's support of rights with responsibilities and to comply with state and federal laws regulating student rights and responsibilities.

The Board, in support of the aims of public education, believes that the behavior of students attending public schools shall reflect standards of good citizenship demanded of members in a democratic society.

In conformity with applicable law, the Board makes the following policy statement regarding student behavior:

#### 1. Policy Statement

- a. Students shall be respectful to teachers and others in authority and be kind and courteous to schoolmates. This shall include complying with the District's policies and administrative regulations and applicable laws.
- b. Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and cooperation with all members of the school community.
- c. Students will be encouraged to uphold the six pillars of CHARACTER COUNTS!: Trustworthiness, Respect, Responsibility, Fairness, Caring, and Citizenship.
- d. Every student who gives evidence of a sincere desire to remain in school, to be diligent in studies, and to profit by the educational experiences provided, will be given every opportunity to do so, provided the student meets his or her obligations.

The Board directs the Superintendent or designee to develop a functional and orderly procedure through which consideration of student problems and concerns can be addressed and resolved expeditiously and in the best interests of the involved parties.

#### 2. Areas of Responsibility

- a. The Board, through the Superintendent, holds all school personnel responsible for the proper conduct and control of students while under the supervision of the District, and supports all personnel acting within the framework of the District policy. Full support and mutual cooperation shall be expected of all school personnel and the administration.

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- b. The Superintendent or designee shall take reasonable action to prevent foreseeable misconduct while students are under the supervision of the District, and that he or she, through appropriate personnel, shall respond appropriately to misconduct while students are under the District's supervision.
  - b. Certificated staff, including principals and teachers, shall be accountable for failing to prevent foreseeable misconduct while students are under the District's supervision and for failing to respond appropriately to misconduct while those students are under the District's supervision. Certificated staff shall use professional judgment to determine the appropriate action to meet this responsibility in accordance with board policies, administrative regulations, and consulting with superiors as directed or appropriate.
  - c. Responsibilities of non-certificated personnel relating to student behavior shall be limited to those specifically authorized and assigned by the Superintendent or designee.
  - d. Parents are involved and are expected to cooperate with District staff and participate in conferences regarding the behavior of their children.
3. Duties of Students

The Education Code and the California Administrative Code set forth the duties of students concerning their attendance in the public schools. The failure of a student to comply with the duties specified below constitutes failure to comply with the rules and regulations of the District and with valid authority of the supervisors, teachers, or administrator and such a student may be disciplined pursuant to Education Code section 48900 et seq. and Board Policy No. 5144 – Student Discipline/Corporal Punishment.

In addition to the provisions of the Education Code and board policies and other directives, the student's duties are as follows:

- a. Comply with the policies and administrative regulations of the District.
- b. Pursue the required course of study.
- c. Adhere to the authority of the staff of the District.
- d. Display proper conduct to and from school and on school grounds and school buses.
- e. Abstain from gambling, immorality, profanity, possession, use or sale of tobacco, controlled substance or intoxicant of any kind in any way related to school activity or attendance that occur at any time.
- f. Refrain from defacing, damaging, or destroying District property.

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- g. Be diligent in study. To be diligent in study, a student shall:
    - i. Complete all assigned work on time.
    - ii. Pay strict attention to the teacher.
    - iii. Exhibit good citizenship.
    - iv. Do that caliber of work consistent with his or her individual ability and grade level.
    - v. Cooperate with teachers and other students.
  - h. Progress to Achievement. Failure to work to capacity may mean academic probation. If a student's academic standing does not improve within the next grading period, the student may be retained in the present grade or be provided an alternate program and/or school.
4. Students' Rights of Self-Expression

The process of educating students for responsible citizenship in a democratic society requires reasonable opportunity for them to exercise the rights of freedom of speech and expression in the context of the public school environment consistent with the principles of the federal Constitution, the State Constitution, Education Code section 48907, and other applicable laws.

Students of the District have the right to exercise freedom of speech and of the press, including the use of bulletin boards, the distribution of printed materials and petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, subject to time, place, and manner restrictions. Prohibited expression shall be material which is obscene, libelous, or slanderous. Also prohibited shall be material which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises of the violation of lawful school regulations, or the substantial disruption of the orderly operation of school.

A student's right of self-expression does not include advertisements in school publications purchased by outside agencies. Said paid advertisements shall be reviewed and approved by the Superintendent or designee prior to publication to ensure compliance with board policies and administrative regulation. Such publications shall not include content inconsistent with the goals and purpose of a public school district and shall fall under the guidelines of Board Policy and Administrative Regulation No. 1321 - Solicitation of Funds From and By Students.

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Student expression on District or school Internet websites and online media shall generally be afforded the same protections and limitations as in print media.

A student shall be subject to discipline for off-campus expression, including expression on off-campus Internet websites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

The Superintendent or designee shall adopt regulations consistent with this policy designating appropriate time, place, and manner restrictions on school speech, and providing other such direction or restrictions consistent with law and this policy.

Adopted: 07/23/1975

Reviewed: 12/06/2005

Amended: 09/08/1976, 01/04/1978, 12/09/1991, 12/14/2004, 08/08/2007, 03/11/2009,  
11/18/2020 (BP 2101 renumbered as BP 5020.10)

**EDUCATION CODE**

48200 Compulsory education – children between ages of 6 and 18 years of age

48204 Interdistrict attendance

48213 Pupil excluded from attendance; notice to parent or guardian; exceptions

48900 Grounds for suspension or expulsion

48907 Student exercise of freedom of speech and press

48908 Duties of pupils

48911 Maximum time period for suspension; informal conference; “emergency situation”;  
“Principal’s designee”

48918 Establishment of rules and regulations governing expulsion procedures; hearing; notice;  
findings; records

48950 Disciplinary sanctions for constitutionally protected speech or other communication

**CALIFORNIA CODE OF REGULATIONS, TITLE 5**

300 Duties of pupils generally

302 Pupils to be neat and clean on entering school

303 Duty to remain at school

304 Leaving room at recess

305 Pupil responsible for care of property

306 Explanation of absence

307 Participation in school activities until departure of bus

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FEDERAL CODE OF REGULATIONS, TITLE 34

99.21 Under what conditions does a parent or eligible student have the right to a hearing

99.4 What are the rights of parents

Doc# 43392-8 (10/2020, None)