

RESPECT FOR RIGHTS TO PROPERTY AND PRIVACY

The Monterey County Board of Education recognizes that one of the fundamental premises of democracy is respect for the rights of others, including the rights to property and privacy. Students under jurisdiction of the Monterey County Office of Education shall be expected to demonstrate such respect.

It is the policy of the Monterey County Board of Education that any student who violates the privacy of community residents through such actions as loitering, littering, trespassing, or creating nuisance conditions shall be subject to appropriate disciplinary actions.

Further, when a student has been clearly determined to be responsible for willfully stealing or damaging real or personal property belonging to another, that student shall be subject to disciplinary action either under the Monterey County Office of Education regulations, including suspension or expulsion, or through civil or criminal action as may be provided by law. In addition, the student and his/her family may be responsible for restitution.

Therefore, in the event that a student damages or steals school property, damages or steals the property of community residents, or infringes upon the rights of community residents, the student and/or the student's parents may be subject to punitive measures and liabilities.

It is the intent of the Monterey County Board of Education that, when appropriate, the resolution of a problem concerning property or privacy rights be attempted at the school level, including disciplinary action and consultation with the parents regarding restitution. However, it is clearly recognized that certain specific violations may require referral to the legal system.

When the violation is of such a nature that the legal system must be involved, the County Office of Education will refrain from taking disciplinary action relating to the violation. The Monterey County Board of Education recognizes that when a problem is placed under the jurisdiction of the court, the court has the responsibility to determine punishment. However, the Monterey County Office of Education may take action that will remove the student from the school environment, i.e., suspension, if such action is necessary for the protection of property from further abuse.

The Monterey County Board of Education recognizes its dual responsibility of providing protection for the due process rights of students and providing protection for the property entrusted to its care, as well as protection of property and privacy of private citizens.

Adopted: 8/04/99