

# COMPREHENSIVE SCHOOL SAFETY PLAN VERIFICATION

## 2019 - 2020

Jack Franscioni Elementary

Name of School

Soledad Unified School District

Name of District

27 75440 0111088

CDS #

Date of Safety Plan Adoption: December 10, 2019 \*\*\*\*

Contact Person: Jamie Iverson

Position: Principal

Telephone Number: 831-678-6340

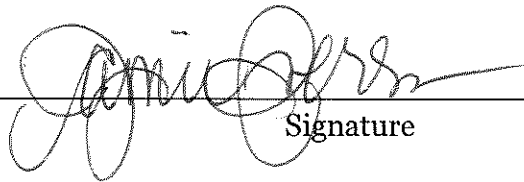
Address: 779 Orchard Lane Soledad, CA 93960

E-mail Address: jiverson@soledad.k12.ca.us

School Site  
Meeting will  
be on 12/10.

**NOTE: By signing below, you are assuring that your school has a Comprehensive School Safety Plan that meets all requirements listed in Ed. Code 32280-32289, and that an annual evaluation of the plan has occurred and that any necessary changes have been made.**

School Principal:



Signature

Date

Please return completed form to the General Services office of the Monterey County Office of Education. Please call (831) 755-0300, ext. 620 with any questions.

Fax: (831) 753-7888

Email: mcoloma@montereycoe.org

Address: Monterey County Office of Education  
General Services Department  
901 Blanco Circle  
Salinas, CA 93901

**COMPLIANCE CHECKLIST FOR COMPREHENSIVE SCHOOL SAFETY PLANS**  
**CA Education Code 32280 – 32289**

Please initial next to each requirement to confirm that your Safety Plan includes the listed required element.

Required Component	Requirement Met (please initial)
<b>Section 32280</b>	
(b) (1) Plan is written and developed by a school site council (SSC) or a safety planning committee. ✓ (2) The school safety planning committee is made up of a principal/designee, ✓ teacher, parent of child who attends the school, classified employee, others.	ji
(b) (3) SSC/planning committee consulted with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.	
<b>Section 32282</b>	
(a) The comprehensive school safety plan includes, but is not limited to all of the following:	ji
(1) An assessment of the current status of school crime at the school and at school-related functions. You may accomplish this by reviewing the following types of information: <input checked="" type="checkbox"/> Reviewed UMIRS data <input checked="" type="checkbox"/> Office Referrals <input checked="" type="checkbox"/> Attendance rates/SARB data <input checked="" type="checkbox"/> Suspension/Expulsion data <input checked="" type="checkbox"/> Local law enforcement juvenile crime data <input checked="" type="checkbox"/> CA Healthy Kids Survey data <input checked="" type="checkbox"/> School Improvement Plan <input checked="" type="checkbox"/> Property Damage data <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	ji
(2) Identify appropriate strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including but not limited to the following:	ji
(A) Child Abuse Reporting procedures ( <i>reference board policy</i> )	ji
(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities and the following: ( <i>i.e. crisis plan</i> )	ji
(i) Earthquake emergency procedures that include: (I) a school building disaster plan ( <i>evacuation map</i> ) (II) a drop procedure (student & staff take cover) <i>dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary</i> (III) protective measures to be taken before, during, and after an earthquake (IV) a program to ensure that pupils and staff are aware of and trained in the earthquake emergency procedure system	ji

Required Component	Requirement Met (please initial)
(ii) Establish procedures to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency ( <i>reference board policy</i> )	<i>J</i>
(C) Suspension/Expulsion procedures ( <i>reference policy and/or student handbook</i> )	<i>J</i>
(D) Teacher notification of dangerous students ( <i>reference board policy</i> )	<i>J</i>
(E) Discrimination and Harassment policy ( <i>reference cyber-bullying policies in this section</i> )	<i>J</i>
(F) Dress code, including prohibition of gang-related apparel ( <i>reference board policy and/or student handbook</i> )	<i>J</i>
(G) Procedures for safe ingress and egress of pupils, parents, and employees to and from school site	<i>J</i>
(H) A safe and orderly environment conducive to learning at the school, including two Safe School Components defined in Safe Schools: A Planning Guide for Action	<i>J</i>
(I) School rules and procedures for discipline ( <i>reference student handbook and/or board policy</i> )	<i>J</i>
(J) Hate crime reporting procedures and policies ( <i>reference board policy</i> )	<i>J</i>
(d) When practical, consult, cooperate and coordinate with other school site councils or school safety planning committees	<i>J</i>
(e) Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented. Also keep an updated file of all safety-related plans and materials readily available for inspection by the public.	<i>J</i>
<b>Section 32288</b>	
(a) Submit the plan to school district office of approval	<i>J</i>
(b) (1) SSC/Planning Committee communicated the school safety plan to the public at a public meeting at the school site	<i>J</i>
	Dec. 10, 2019

# COMPREHENSIVE SCHOOL SAFETY PLAN ADOPTION

Jack Francioni Elementary School

CDS Code # 27 75440 0111088

Date of Adoption: December 10, 2019

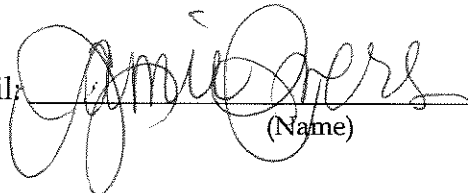
The Comprehensive School Safety Plan has been approved at the regular meeting of Main Street Middle School Site Council.

Contact Person: Jamie Iverson  
Position: Principal  
Telephone Number: (831)-678-6340  
Address: 779 Orchard  
Soledad, CA 93960  
E-mail Address: [jiverson@soledad.k12.ca.us](mailto:jiverson@soledad.k12.ca.us)

**Key Elements:** *(Please check all that apply)*

- ☒ Fire
- ☒ Evacuation
- ☒ Earthquake
- ☒ Code Blue
- ☒ Pandemic Influenza

School Site Council: \_\_\_\_\_

  
(Name)

Date: 12/10/19

Principal: \_\_\_\_\_  
(Name)

Date: \_\_\_\_\_

# Comprehensive School Safety Plan SB 187 Compliance Document

**2019-20  
School Year**

**School:** Jack Franscioni Elementary School  
**CDS Code:** 27 75440 0111088  
**District:** Soledad Unified School District  
**Address:** 779 Orchard Ln.  
Soledad, CA 93960  
**Date of Adoption:** May 2013

**Approved by:**

Name	Title	Signature	Date
Monica Andrade	`		
Sophia Plascencia	Parent		
Tracey Ellison	Teacher		
Elvia Espino	Family Liaison		
Heather Baumgardner	Assistant Principal		
Jamie Iverson	Principal		

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## **Senate Bill 187: Comprehensive School Safety Plan Purpose**

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at [soledadusd.org](http://soledadusd.org).

### **Safety Plan Vision**

Soledad USD Board Policy  
Comprehensive Safety Plan

BP 0450

Philosophy, Goals, Objectives and Comprehensive Plans

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131 - Conduct)



(cf. 5131.2 - Bullying)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5136 - Gangs)  
(cf. 5137 - Positive School Climate)  
(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. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

(cf. 0420 - School Plans/Site Councils)  
(cf. 1220 - Citizen Advisory Committees)

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

(cf. 0500 - Accountability)  
(cf. 9320 - Meetings and Notices)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

#### Tactical Response Plan

Notwithstanding the process described above, any portion of a comprehensive safety plan that includes tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with a representative of an employee bargaining unit, if he/she chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)  
(cf. 9321 - Closed Session Purposes and Agendas)  
(cf. 9321.1 - Closed Session Actions and Reports)

#### Public Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

35294.10-35294.15 School Safety and Violence Prevention Act

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

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

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

WEB SITES

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

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

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

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

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

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

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

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

U.S. Secret Service, National Threat Assessment Center: <http://www.secretservice.gov/protection/ntac>

Policy SOLEDAD UNIFIED SCHOOL DISTRICT

adopted: October 12, 2016 Soledad, California

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Jack Franscioni Elementary School Safety Committee**

#### **Assessment of School Safety**

#### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

Maintain monthly safety drill schedule and practice emergency drills monthly.

#### **(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

SUSD Administrative Regulation defines abuse, identifies mandated reporters, outlines reporting procedures, and describes the reporting of child abuse or neglect in greater detail than is possible in this document

All SUSD employees are mandated to report child abuse. Mandated reporters have absolute immunity and are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse. Conversely, a mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by up to a six-month jail term, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report.

Reports must be both verbal (immediately upon discovering evidence or suspicion of abuse) and in writing (within 36 hours) using a standardized form authorized by the Department of Justice, and must be submitted to the Monterey County Department of Social Services, 1352 Natividad Road, Salinas 758-3464. Detailed instructions for completion of the report are provided on the back sheet of the form. The first step is to make the verbal report – use the written form to help answer the questions. Call 755-4661 to make the initial verbal report.

Reporters may request assistance from the site administrator in completing and mailing the form; however, the mandated reporter is still responsible for ensuring that the written report is correctly filed. A single report may be made whenever two or more people know of a known or suspected case of child abuse, and with mutual consent of those present, one person can write and sign the written report, except that if that person does not do so, one of the other persons shall make the report.

The major responsibilities of mandated reporters are to (1) identify incidents of suspected child abuse, and (2) comply with laws requiring reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency. Likewise, it is up to the Department of Social Services and law enforcement personnel whether and when the child should be placed in protective custody.

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent or guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent or guardian. It is the responsibility of the peace officer to notify the parent or guardian of the situation. Peace officers will be asked to sign an appropriate release or acceptance of responsibility form.

#### **Classroom Teachers / Mandated Reporters**

- NOTIFY ADMINISTRATION promptly, in a manner that protects the child's privacy.
- Make a VERBAL REPORT to the Department of Social Services Call 755-4661 immediately or as soon as practically possible. Be prepared to include the following information:
- The name of the person making the report.
- The name of the child.
- The present location of the child.
- The nature and extent of any injury.
- Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect abuse.

- Make note of the name of the official contacted, the date and time contacted, and any instructions or advice received.
- Submit a FORMAL WRITTEN REPORT within thirty-six hours using the required standard Department of Justice form (DOJ SS 8572). Forms can be obtained in the school office.

#### Site Administration

- Notify superintendent's office upon submission of child abuse report form.
- In the event that the Department of Social Services staff determines that the child is to be taken into custody, formally release student from the school's care by having the child protective agency representative(s) sign the appropriate release form(s).
- Do NOT notify the child's parents/guardians; instead, provide the custodial officer with their names and contact numbers for notification.

### **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

#### **Disaster Plan (See Appendix C-F)**

#### **Public Agency Use of School Buildings for Emergency Shelters**

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

#### Board Policy

#### Suspension And Expulsion/Due Process

#### BP 5144.1

#### Students

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

#### Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

#### Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

#### Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

#### Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

#### Legal Reference:

## EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated application

## CIVIL CODE

47 Privileged communication

48.8 Defamation liability

## CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

## GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

## HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

## LABOR CODE

230.7 Employee time off to appear in school on behalf of a child

## PENAL CODE

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1415(K) Placement in alternative educational setting

7961 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118 Garcia v.

Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: [http://www.ed.gov/about/offices/list/ocr/docs/crdc\\_2012-data-summary.pdf](http://www.ed.gov/about/offices/list/ocr/docs/crdc_2012-data-summary.pdf)

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

Policy SOLEDAD UNIFIED SCHOOL DISTRICT

adopted: December 12, 2018 Soledad, California

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1

Students

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level

2. Referral to a certificated employee designated by the principal to advise students

3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

#### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)  
(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)  
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

11. Knowingly received stolen school property or private property (Education Code 48900(l))

12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

#### Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

#### Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

#### On-Campus Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

#### Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

#### Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### Stipulated Expulsion

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based



3. A copy of district disciplinary rules which relate to the alleged violation

4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing

7. The opportunity to confront and question all witnesses who testify at the hearing

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

#### Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

#### Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

#### Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

#### Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

#### Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

#### Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

#### Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)  
Regulation SOLEDAD UNIFIED SCHOOL DISTRICT  
approved: May 13, 2015 Soledad, California  
revised: December 12, 2018

Administrative Regulation  
Suspension And Expulsion/Due Process (Students With Disabilities)

AR 5144.2  
Students

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

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

Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
  - a. The series of removals total more than 10 school days in a school year.
  - b. The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
  - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another, indicate a change of placement.

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the

student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to him/her or to his/her parent/guardian when he/she is to be excluded from school bus transportation. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

#### Interim Alternative Educational Placement Due to Dangerous Behavior

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the

goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

#### Manifestation Determination

The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

(cf. 5145.6 - Parental Notifications)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

2. Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability



b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of his/her disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the student's conduct has been determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

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

4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. However, the student's IEP team shall determine services necessary to enable him/her to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

#### Due Process Appeals

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

#### Readmission

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

#### Decision Not to Enforce Expulsion Order

The Board of Trustees's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

#### Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that he/she will not disclose the student's information or records to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5131.7 - Weapons and Dangerous Instruments)

#### Report to County Superintendent of Schools

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

#### Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311.

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student.

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed him/her to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that he/she was not an individual with a disability.

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

#### Legal Reference:

##### EDUCATION CODE

35146 Closed sessions re: suspensions

35291 Rules of Governing Board

48203 Reports of severance of attendance of disabled students

48900-48925 Suspension and expulsion  
49076 Access to student records  
56000 Special education; legislative findings and declarations  
56320 Educational needs; requirements  
56321 Development or revision of individualized education program  
56329 Independent educational assessment  
56340-56347 Individualized education program teams  
56505 State hearing  
PENAL CODE  
245 Assault with deadly weapon  
626.2 Entry upon campus after written notice of suspension or dismissal without permission  
626.9 Gun-Free School Zone Act  
626.10 Dirks, daggers, knives, razors, or stun guns  
UNITED STATES CODE, TITLE 18  
930 Weapons  
1365 Serious bodily injury  
UNITED STATES CODE, TITLE 20  
1412 State eligibility  
1415 Procedural safeguards  
UNITED STATES CODE, TITLE 21  
812 Controlled substances  
UNITED STATES CODE, TITLE 29  
706 Definitions  
794 Rehabilitation Act of 1973, Section 504  
CODE OF FEDERAL REGULATIONS, TITLE 34  
104.35 Evaluation and placement  
104.36 Procedural safeguards  
300.1-300.818 Assistance to states for the education of students with disabilities, especially:  
300.530-300.537 Discipline procedures  
COURT DECISIONS  
Schaffer v. Weast, (2005) 546 U.S. 549  
Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489  
M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044  
Honig v. Doe, (1988) 484 U.S. 305

#### Management Resources:

##### FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

##### WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/about/offices/list/osep>

#### Regulation SOLEDAD UNIFIED SCHOOL DISTRICT

### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

#### Education Code

Providing information to teacher for students engaged in acts described in 48900

EC 49079

(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900. 7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

(b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.

(c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

(d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school year and each school year thereafter, the information provided shall be from the previous three school years.

(e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

(Amended by Stats 2000, Ch. 345, Sec. 2)

Reference:

Education Code 48900

Education Code 48900.2

Education Code 48900.3

Education Code 48900.4

Education Code 48900. 7

#### **(E) Sexual Harassment Policies (EC 212.6 [b])**

Soledad USD Board Policy

Sexual Harassment

BP 5145.7

Students

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

#### Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

## Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. 3580 - District Records)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

#### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

#### GOVERNMENT CODE

12950.1 Sexual harassment training

#### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

#### UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

#### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

#### COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

### Management Resources:

#### CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

#### WEB SITES

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

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

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

#### Policy SOLEDAD UNIFIED SCHOOL DISTRICT

adopted: December 14, 2016 Soledad, California

Soledad USD

Administrative Regulation

Sexual Harassment

AR 5145.7

Students

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Marilyn Cline, Executive Director of H.R.

1261 Metz Rd.

Soledad, CA 93960

(831) 678-3950

[mccline@soledad.k12.ca.us](mailto:mccline@soledad.k12.ca.us)

(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature

5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

#### Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

#### Confidentiality



All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 5125 - Student Records)

#### Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

#### Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

5. Be included in the student handbook

6. Be provided to employees and employee organizations

**(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Soledad USD  
Board Policy

**GANGS      Students BP 5136(a)**

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups who exhibit behavior disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3513.4 - Drug and Alcohol Free Schools)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5137 - Positive School Climate)

The Superintendent or designee shall develop strategies for gang prevention that address the reasons that students may become involved in gangs, including the identity, recognition, or status achieved as being part of a gang, protection from gang violence in the community, the need for companionship and an extended family, intimidation to join a gang, desire to join a gang to be in a position to intimidate others, and/or connection with criminal activity.

Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness education for parents/guardians, including gang identifiers.

(cf. 5020 - Parent Involvement)  
(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

(cf. 5131.2 - Bullying)

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

(cf. 5132 - Dress and Grooming)

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.

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

(cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Preschool/Early Childhood Education)

(cf. 5148.3 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

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

#### Legal Reference:

##### EDUCATION CODE

32282 School safety plans

35183 Gang-related apparel

48907 Student exercise of free expression

48950 Student freedom of speech

51264 Educational inservice training; CDE guidelines

51265 Gang violence and drug and alcohol abuse prevention inservice training

51266-51266.5 Model gang and substance abuse prevention curriculum

##### PENAL CODE

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

##### UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

#### Sources:

##### LOS ANGELES POLICE DEPARTMENT PUBLICATIONS

Why Young People Join Gangs

##### NATIONAL GANG CENTER PUBLICATIONS

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

##### WEB SITES

California Cities Gang Prevention Network: <http://www.ccgpn.org>

California Department of Education: <https://www.cde.ca.gov/ls/ss/sa>

Gang Resistance Education and Training: <https://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs: [http://www.lapdonline.org/get\\_informed/content\\_basic\\_view/1396](http://www.lapdonline.org/get_informed/content_basic_view/1396)

Homeboy Industries: <https://homeboyindustries.org>

National Gang Center: <https://www.nationalgangcenter.gov>

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#### Policy Reference UPDATE Service

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Soledad USD

Administrative Regulation

#### Prevention Intervention and Suppression Measures

The Superintendent or designee shall become informed of the gang history in the district and community, conduct assessments of current gang activity at the school sites, and document and follow up on gang-related incidents.

In order to discourage the influence of gangs, the following measures shall be implemented:

1. Any student suspected of gang affiliation based on the display of behavior, gestures, apparel, or paraphernalia shall be referred to the principal or designee, and the following actions taken, as appropriate:

a. The student's parent/guardian shall be contacted and may be asked to meet with school staff in order to proactively address the concern and be included as part of the solution.

b. The student may be sent home to change clothes if necessary.

(cf. 5132 - Dress and Grooming)

c. The student's behaviors and progress in school shall be documented, including attendance and grades.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

(cf. 6164.2 - Guidance/Counseling Services)

d. Intervention techniques such as mentoring, academic support, and a system of wraparound support service shall be implemented to help the student disengage from gang involvement.

e. Consistent and graduated discipline and accountability shall be implemented when appropriate and combined with positive support using conflict-resolution strategies and other restorative justice practices demonstrated to be effective with gang-involved youth.

f. Students shall be offered help in rejecting gang associations, including possible referral to community-based gang suppression and prevention organizations.

g. Law enforcement shall be notified if the student is suspected of being involved in gangs.

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

2. Any graffiti on school premises shall be removed, washed down, or painted over as soon as discovered. Graffiti shall be documented and photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders. This information can also be used to determine whether a threat or incident is imminent.

(cf. 3515 - Campus Security)

(cf. 5131.5 - Vandalism and Graffiti)

3. Classroom and after-school programs may include gang prevention lessons that are taught jointly by teachers, counselors, law enforcement, and/or other organizations that are knowledgeable about gang prevention and

a. Provide social and emotional learning designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities

b. Explain the dangers of gang membership

c. Provide counseling for targeted at-risk students

d. Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, anti-bullying, anger management, acceptance and mediation skills

(cf. 5131.2 - Bullying)

e. Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang

f. Provide school-to-career instruction

g. Provide positive interaction with local law enforcement

(cf. 5137 - Positive School Climate)

4. Staff shall actively promote membership in authorized school clubs and student organizations, sports and cultural activities and affiliations with the local community, and community service projects which can provide students companionship, safety, and a sense of purpose and belonging.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6145.2 - Athletic Competition)

#### Parent/Guardian and Community Outreach

The Superintendent or designee may offer gang prevention classes or counseling for parents/guardians which may address the following topics:

1. The reasons students join gangs

2. The dangers and consequences of gang membership

3. Warning signs which may indicate that students are at risk of becoming involved with gangs, including the use of social media for gang communication and promotion

4. The nature of local gang apparel and graffiti

5. Effective parenting techniques and planning family time

6. Conflict resolution techniques

In addition, the Superintendent or designee may offer community programs that address: the scope and nature of local gang problems and strategies by which each segment of the community may alleviate gang problems.

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**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Pupils, Parents, and Staff will enter the parking lot via the driveway on Orchard Lane and exit the parking lot via the driveway on San Antonio Street. Access to the campus can be through the main office and gate. In the event of a disaster, and students need to be relocated, students and staff will exit the school grounds and walk to Soledad High School via Orchard Lane to Gabilan Drive. A command post will be used to release students to parents.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)****Component:**

Promote a positive and safe school environment.

**Element:**

Implement PBIS at Jack Francioni.

**Opportunity for Improvement:**

Objectives	Action Steps	Resources	Lead Person	Evaluation
Implement Tier 1 in all classrooms	Teachers will implement Tier 1 to provide positive supports.	Lion Bucks;	Classroom Teachers Assistant Principal	Data reflecting infractions and office referrals.
Implement CICO (Check in Check Out) process	Students recommended for CICO	CICO forms	Tier 2 and 3 Teams	SWIS Data will analyzed to determine if CICO is effective

**Component:**

Attendance

**Element:**

Chronic attendance is an issue at Jack Francioni. Attendance rates need to improve.

**Opportunity for Improvement:**

Chronic Attendance is 12.7% on the California Dashboard.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Improve attendance by 7%.	Offer incentives for perfect attendance.	Certificates for perfect attendance by the month.	Attendance Clerk Administration	Attendance will be evaluated on a monthly basis.

**Component:**

Counseling Services for Students

**Element:**

Students needing social emotional supports will be referred to counseling.

**Opportunity for Improvement:**

Services will be provided by school counselor, Sticks and Stones, and Monterey County Behavioral Health. The referral process needs to be refined to determine which level of support students need.

Objectives	Action Steps	Resources	Lead Person	Evaluation
School Counselor will provide Tier 1 supports.	Teachers will refer students to school counselor.	SST notes Counseling materials as requested by school counselor.	School counselor Teachers Administration	School counselor will use Aeries to document students receiving services.
Tier 2 (Sticks and Stones ) will be used for students needing further support.	School counselor will determine if students qualify for additional support.	Sticks and Stones referral form.	School Counselor Sticks and Stones Counselor	Pre-referral / post evaluation will be used to determine if students need to remain in Sticks and Stones program.
Tier 3 (Monterey County Behavioral Health) non IEP students will be used for students needing intensive support.	School counselor and / or SST/administrator will refer up to 5 students to MCBH.	MCBH referral form	School Counselor Administration	Students will be monitored via the MCBH process.

#### **(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

##### **Jack Franscioni Elementary School Student Conduct Code**

Students will follow the school conduct codes of being respectful, responsible, and safe.

##### **Conduct Code Procedures**

Students will follow the PBIS Matrix to be respectful, responsible, and safe in all areas of the school. School wide PBIS tours will happen at the beginning of the school year, after Winter Break, and after Spring Break.

#### **(J) Hate Crime Reporting Procedures and Policies**

## **Safety Plan Review, Evaluation and Amendment Procedures**

The School Site Council will review the Safety Plan on December 9, 2019. The Staff will review the plan on December 10, 2019. An amendments will be reviewed and approved by SSC.



**Safety Plan Appendices**

## Emergency Contact Numbers

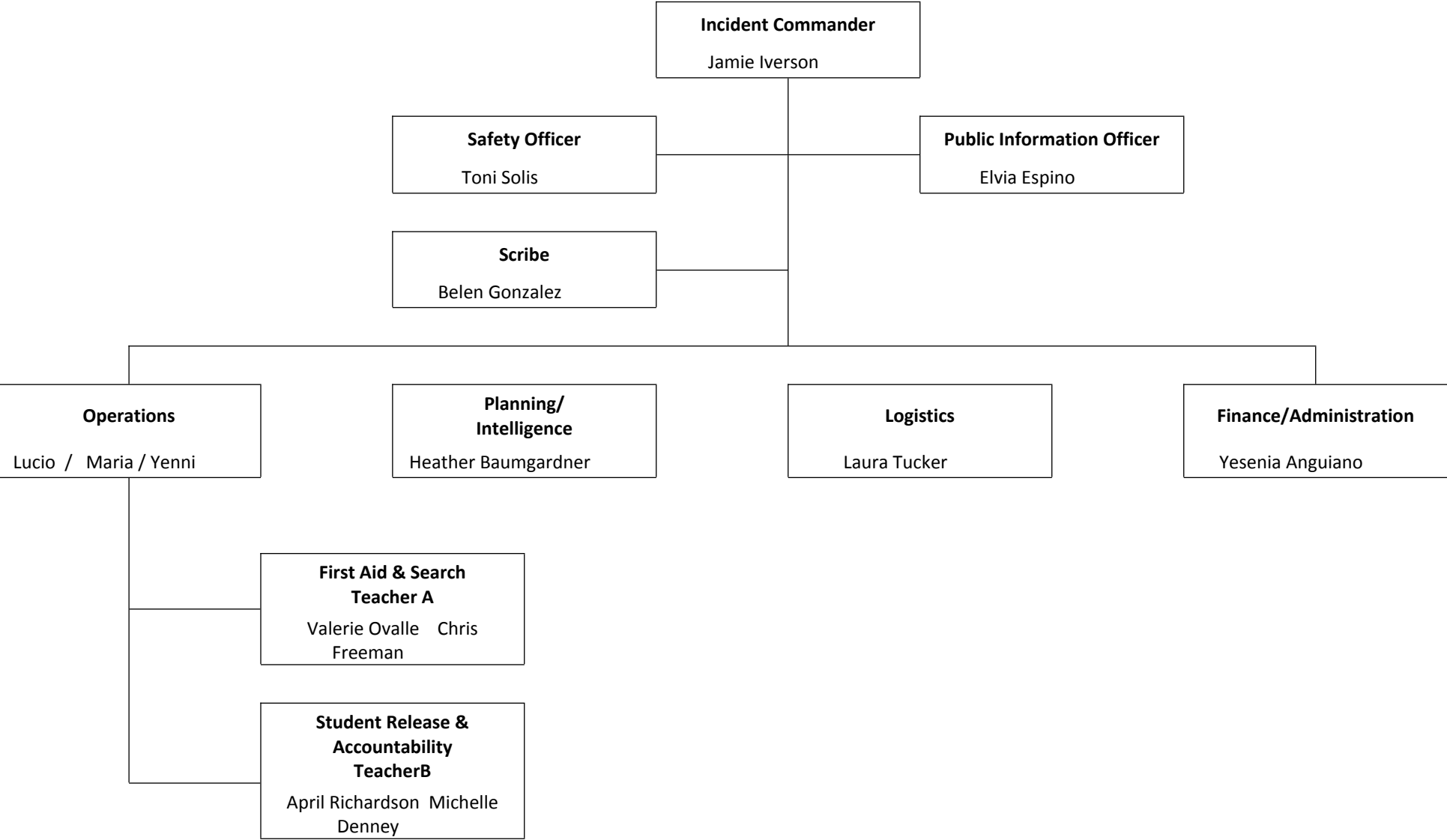
### Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
Law Enforcement/Fire/Paramedic	Fire, Ambulance/Paramedics, Police	911	
School District	SUSD Maintenance, Operations, & Transportation	678-2180	
School District	SUSD District Office	678-3987	
School District	SUSD Food Services	678-6446	
Local Hospitals	Mee Memorial Outpatient Clinic	(831) 674-0112	
Local Hospitals	Salinas Valley Memorial Hospital	(831) 757-4333	
Local Hospitals	Mission Center Health Care	678-8899	
Local Hospitals	Soledad Clinic	678-2665	
Local Hospitals	Clinica De Salud	674-5344	
Local Hospitals	Women's Crisis Center	753-6001	

### Safety Plan Review, Evaluation and Amendment Procedures

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
Amendment to Safety Plan	November 27, 2019	Jack Franscioni Elementary School
Amendment to Safety Plan	December 2, 2019	Monterey County Office of Education
Presented to School Site Council	December 9, 2019	Jack Franscioni Elementary School
Approved by School Site Council	December 9, 2019	Jack Franscioni Elementary School
Reviewed with Staff	December 10, 2019	Jack Franscioni Elementary School

Jack Franscioni Elementary School Incident Command System



## **Incident Command Team Responsibilities**

### **Standardized Emergency Response Management System Overview**

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

#### **Management**

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

#### **Planning & Intelligence**

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

#### **Operations**

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

#### **Logistics**

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

#### **Finance & Administration**

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

Immediate or imminent threats or emergencies will be directed to follow the emergency disasters in this plan.

### **Step Two: Identify the Level of Emergency**

Communicate the level of emergency to the district office.

### **Step Three: Determine the Immediate Response Action**

### **Step Four: Communicate the Appropriate Response Action**

The magnitude of any emergency will determine the degree to which communication systems are utilized. Any break in communication system (power outage, telephone lines down, etc) will cripple a large portion of that particular system and require the utilization of another system (cell phones, two way radios) .

## **Types of Emergencies & Specific Procedures**

### **Aircraft Crash**

Soledad Unified School District lies within the flight path of the Salinas Municipal Airport and the Monterey Municipal Airport which handle thousands of aircraft flights every year. The Salinas Airport also hosts the California International Air Show each fall. Aerobatic flight performances and rehearsals for this show typically occur during school hours, posing a potential hazard to SUSD students, staff and property.

Specific Hazards: Aircraft incidents could include items falling from passing aircraft or entire aircraft crashing onto or near school property. Falling debris or aircraft may cause injuries to students/staff, or damage to buildings/grounds. There is a risk of explosion and/or fire resulting from spilled fuel or cargo. Fumes from such combustion may be harmful, particularly to those with respiratory ailments.

Note: Accidents or incidents involving planes approaching or leaving the Salinas Municipal Airport fall under the jurisdiction of the first responders (police, fire, ambulance) who serve the city as a whole, not Airport security, which handles only those incidents that occur on Airport property.

IN THE EVENT OF AN AIRCRAFT EMERGENCY, ADMINISTRATION WILL CALL 911.

Be prepared for potential for explosions, hazardous fumes

or fire hazards related to aircraft incidents.

#### **Classroom Teachers**

- Immediately remove all people who may be in immediate danger away from the area of impact, and away from debris or damaged buildings.
- NOTIFY ADMINISTRATION, who will determine to what extent evacuation is indicated and/or summon emergency personnel.
- If evacuation is necessary, CHECK CLASSROOM DOOR for signs of fire (hot to touch, visible smoke or flames) to determine whether planned evacuation route is passable. If the primary evacuation route is unsafe or impassable, proceed to the nearest available alternate exit to EVACUATE. Note that off-site evacuation may be necessary. Do not run. Take Emergency Backpack.
- ADMINISTER FIRST AID as necessary.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so
- Inform students that they are to remain with you. If a student leaves, record the student's name, destination and the time he/she leaves.
- Remain with students until you are instructed by authorities to release them.
- Be alert to the possibility of explosion or fire resulting from the aircraft disaster.
- Be aware that emergency response personnel and equipment (firefighters, paramedics, and ambulance) may need to use various routes to gain access to threatened buildings and/or injured individuals. Keep students at a safe distance from debris or fires, and away from emergency equipment and fire lanes.
- When ALL CLEAR has been signaled, lead students back to the classroom.

#### **Site Administration**

##### **INCIDENT COMMANDER (OR DESIGNEE):**

- Call 911 to report emergency.
- Activate Incident Command Center. Deploy Emergency Response Teams as indicated.
- Contact the Superintendent to make the final decision to dismiss classes. Contact the MOT immediately in the event that school is dismissed or closed, to ensure coordination of student transportation.
- Work with School Psychologist or Director of Special Projects to determine need for, and if necessary, activate Crisis Counseling Team to provide psycho-logical support to students, staff, and/or families.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.

- When incident has subsided, complete & submit incident report form.

#### STUDENT/STAFF SAFETY TEAM:

- Coordinate Search & Rescue operations as needed.

#### FIRST AID / BASIC NEEDS TEAM:

- Establish First Aid station and administer aid as needed.

#### FACILITIES TEAM:

- Assess damage to facilities. Report to Site Incident Commander & District Command Center.
- Post guards a safe distance away from building entrances to prevent access to damaged buildings.

#### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

### **Animal Disturbance**

Students will remain indoors. Custodial staff will be notified to remove animal. If needed, animal control officer will be notified to remove animal.

### **Armed Assault on Campus**

#### DRIVE BY SHOOTING

#### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

Note: Drive-by shootings usually happen very quickly. Unlike hostage situations, the perpetrators of drive-by shootings usually leave the scene immediately. Staff members, who witness such incidents, without putting themselves into danger, should attempt to get the license plate number and an accurate description of the vehicle, and an accurate description of the shooter(s).

In addition to being shot, students and staff are at risk of being struck by shattered glass

or a stray or ricocheted bullet. Though unlikely, a drive-by shooting could also ignite a fire,

or rupture gas, electrical or plumbing lines. Witnesses or victims of drive-by shootings will often suffer from shock. Symptoms of shock include:

- dull, lack-luster or sunken eyes
- dilated pupils
- anxiety
- shallow, irregular or labored breathing
- rapid or weak pulse
- thirst
- pale or bluish face
- vacant expression
- agitation
- clammy cold skin



- nausea or vomiting
- collapse

In case of shock,

- Ensure that the victim's airway is clear.
- Have the victim lie down and stay down.
- Raise his/her legs if it will not aggravate other injuries. When in doubt, keep the victims lying flat.
- Keep the victim warm, quiet and comfortable
- Give the victim nothing to eat or drink.
- Reassure the victim.

Call 911

Classroom Teachers

IF YOU ARE INSIDE SCHOOL BUILDING:

- Secure classrooms and have students DROP until ALL CLEAR signal sounds.
- CLOSE AND LOCK ALL WINDOWS AND DOORS. Draw blinds. Turn off lights. Stay away from windows and doorways.
- Remain indoors, and keep all students in class unless otherwise directed by emergency personnel. Doors must remain closed and locked. NO students are to be released from or admitted to class for any reason.
- If gunshot or an explosion is heard, take cover. If no cover is available, have everyone lie down on the floor.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system.

Do NOT send communications by runner during a Lockdown.

- Wait for ALL CLEAR signal before exiting building.

IF YOU ARE OUTSIDE:

- As quickly as possible, guide all students to nearest classroom, office or other type of shelter. Initiate DROP and COVER if it is not possible to safely reach enclosed areas.

IN ANY LOCATION:

- ADMINISTER FIRST AID as necessary. (See FIRST AID GUIDELINES in appendix, below.)
- Calmly reassure students that everything is being done to return the situation to normal.
- Watch for signs of shock among witnesses and victims, and provide supportive treatment as appropriate (see previous page for symptoms and recommendations).

Site Administration

INCIDENT COMMANDER (OR DESIGNEE):

- Initiate LOCKDOWN of facility until it can be determined that risk of injury has passed.
- CALL 911 to report incident and request assistance as needed.
- Gather facts from appropriate reliable sources, particularly any victims or witnesses, while maintaining confidentiality.
- Work with School Psychologist or Director of Special Education to determine need for, and if necessary, activate Crisis Counseling Team to provide psycho-logical support to students, staff, and/or families.
- When incident has subsided, complete & submit incident report form.

FIRST AID / BASIC NEEDS TEAM:

- Establish first aid station and administer aid as needed.

FACILITIES TEAM:

- When it is safe to do so, assess damage to facilities. Report to Incident Commander & District Command Center.

#### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Provide support necessary to the site's incident commander.
- Handle all media inquiries/communication.
- Maintain integrity of the crime scene.

#### HOSTILE INTRUDER ON CAMPUS / UNAUTHORIZED VISITOR

#### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

Hostile Intruder: A hostile intruder is someone who enters the school campus and demonstrates suspicious behavior, including carrying or displaying a weapon.

Unauthorized Visitor: An unauthorized visitor is someone who is not a student or staff member and does not have a visitor badge identifying him/herself visibly worn on his/her clothing. A dangerous person might appear to be someone with a legitimate purpose on campus. If any stranger on campus is not readily identifiable, or begins to exhibit erratic or dangerous behavior, immediately contact the administration without alerting or alarming students or the suspect and move students to a safe location.

Always err on the side of caution. To reduce the possibility of dangerous persons on campus, all visitors not wearing a visitor's badge (whether parents, volunteers, or strangers) should be directed to the school office for registration.

#### UNAUTHORIZED VISITORS

##### Classroom Teachers

- NOTIFY ADMINISTRATION and give description and location of the subject.
- Keep the subject in view until emergency personnel arrive.
- If possible direct the subject away from students and buildings.
- Initiate SHELTER IN PLACE procedures: Direct students to nearest safe classroom. Keep all students in class unless otherwise directed by emergency personnel. Close all doors and windows. If possible, remain near door to monitor situation and/or initiate lockdown if required.
- Remain calm, stay in classroom until ALL CLEAR signal is given, regardless of how long it takes.
- Turn down all radios/cell phones and be alert for new developments and/or instructions from the Incident Commander.

#### INCIDENT COMMANDER (OR DESIGNEE):

- Advise subjects who resist registering and declaring their business on campus that they are trespassing and need to leave the school property directly.

#### HOSTILE INTRUDERS

##### Classroom Teachers

- NOTIFY ADMINISTRATION immediately, and have them call 911 for assistance. Give description and location of the subject.
- Immediately direct students to nearest safe classroom. When so directed, follow LOCKDOWN procedures: Close and lock all windows and doors. Draw blinds. Turn off lights. Stay away from windows and doorways.
- Remain indoors, and keep all students in class unless otherwise directed by emergency personnel. Doors must remain closed and locked. No students are to be released from or admitted to locked down rooms for any reason.

- If gunshots are heard, direct students to DROP and take cover until the situation has been resolved, or until otherwise directed by Incident Commander or emergency personnel.
- Await further instructions from the Incident Commander or emergency personnel.
- Remain calm, stay in classroom until ALL CLEAR signal is given, regardless of how long it takes.
- Turn down all radios/cell phones and be alert for new developments and/or instructions from the Incident Commander.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- Advise subject that they are trespassing and need to leave the school property.

CALL 911. Be prepared to describe the subject's location and appearance (and identity, if known), and any weapons seen or suspected. Tell dispatcher whether the subject has been isolated, or if students or staff are in proximity to the subject.

- Assess the situation and initiate LOCKDOWN procedures as indicated
- Keep the subject in view until police or law enforcement personnel arrive.
- Take measures to keep subject away from students and buildings.
- Activate Incident Command Center. Deploy Crisis Teams as indicated.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- Work with School Psychologist or Director of Special Projects to determine need for, and if necessary, activate Crisis Counseling Team to provide psycho-logical support to students, staff, and/or families.
- When incident has subsided, complete & submit Dangerous Stranger and/or Incident Report Form.

#### District Administration

- Notify administrators at other school sites of the intruder description, and direct them to be alert for a similar incident.
- Coordinate evacuations/sheltering
- Coordinate priority release of staffing

### **Biological or Chemical Release**

#### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

In the event of a chemical or biological attack, instructions will be provided by local public health and safety officials on personal protection, decontamination and health warnings via the Emergency Broadcast System, transmitted over radio and television as well as through print media.

**Biological Threats** A biological attack is the deliberate release of germs or other biological substances that can make you sick. Most of these must be inhaled, enter through a cut in the skin or be eaten to make you sick. Some biological agents, such as anthrax, do not cause contagious diseases. Others, like the smallpox virus, can result in diseases you can catch from other people.

Unlike an explosion, a biological attack may or may not be immediately obvious. While it is possible that you will see signs of a biological attack, as was sometimes the case with the anthrax mailings, it is perhaps more likely that local healthcare workers will report a pattern of unusual illness or there will be a wave of sick people seeking emergency medical attention. You will probably learn of the danger through an emergency radio or TV broadcast, or some other signal used in your community. You might get a telephone call or emergency response workers may come to the school site.

**Chemical Threat/Attack:** A chemical attack is the deliberate release of a toxic gas, liquid or solid that can poison people and the environment. Signs of a chemical threat include: many people suffering from watery eyes, twitching, choking, having trouble breathing or losing coordination. Other signs include many sick or dead birds. Fish or small animals are also cause for suspicion.

See also "HAZARDOUS MATERIALS / TOXIC SPILL", "WAR-RELATED EMERGENCY"

#### Classroom Teachers

## IN CASE OF A BIOLOGICAL THREAT

(or if you detect a strange and suspicious substance)

- Quickly get students away from the substance and away from air currents that may spread particles.
- Protect yourself and students. Cover your mouth and nose with a filtration mask, or with layers of fabric that can filter the air but still allow breathing (e.g., 2 -3 layers of cotton such as a t-shirt, handkerchief, towel, several layers of tissue or paper towels ).
- Wash exposed skin with soap and water. Use common sense: practice good hygiene and cleanliness to avoid spreading germs.
- NOTIFY ADMINISTRATION and seek emergency medical attention.

## IN CASE OF A CHEMICAL ATTACK:

- Find clean air quickly.
- Determine what area is affected, and identify the source of the chemicals, if possible.
- NOTIFY ADMINISTRATION and seek emergency medical attention / ADMINISTER FIRST AID as necessary. (See FIRST AID GUIDELINES in appendix, below.)
- Take immediate action to get away from toxic chemicals.
- If the chemical is inside a building where you are, EVACUATE the building without passing through the contaminated area, if possible. If you can't evacuate the building or find clean air without passing through the area where you see signs of a chemical attack, it may be better to move as far away as possible and SHELTER IN PLACE.
- If you are outside, quickly decide what the fastest way to find clean air is: getting out of the affected area or going inside the closest building to SHELTER IN PLACE.

## IF YOU THINK YOU OR YOUR STUDENTS HAVE BEEN EXPOSED TO A CHEMICAL:

Note: If your eyes are watering, your skin is stinging, and you are having trouble breathing, you may have been exposed to a chemical. People exposed should immediately strip off their clothes and wash. Look for a hose, fountain, or any source of water, and wash with soap if possible; be sure you do NOT scrub the chemical into your skin.

## Site Administration

### INCIDENT COMMANDER (OR DESIGNEE):

- Follow instructions of doctors and other public health officials and ensure that they are communicated appropriately to staff (particularly First Aid / Basic Needs Team), students and parents.
- Make arrangements to refer families to specific sites for medical evaluation and treatment.
- Contact the Superintendent to make the final decision whether to dismiss classes / close the school. Contact MOT immediately in the event that school is dismissed or closed, to ensure coordination of student transportation.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

### COMMUNICATIONS TEAM:

- Monitor Emergency Broadcast System for official updates from public health officials to determine the following,:
- Are you in the group or area that authorities consider in danger?
- What are the signs and symptoms of the disease?
- Are medications or vaccines being distributed?
- Where? Who should get them?
- Communicate findings to Incident Commander.

### FIRST AID / BASIC NEEDS TEAM:

- Establish first aid station and administer aid as needed.

### FACILITIES TEAM:

- Assess damage to facilities. Report to Incident Commander & District Command Center.

- Work with emergency response personnel to erect barricades and/or post guards a safe distance away from contaminated areas to prevent unauthorized access.

#### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Decide whether to close school or only some areas. Handle all media inquiries/communication. Coordinate financing of recovery operations.
- Give instructions to staff on how to Shelter In Place.
- Plan for necessary evacuations.

#### HAZARDOUS MATERIAL / TOXIC SPILL

##### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

Industrial and residential chemical spills can pose a serious threat to individual and community health. Traffic accidents involving vehicles transporting gasoline, fertilizers, or pesticides may cause contamination from spilled chemicals. Inattentive use of cleaning supplies or construction materials may result in the release of toxic gasses. Natural disasters, industrial accidents or hostile acts, whether on campus or in the surrounding community, may precipitate the release of hazardous airborne materials that threaten SUSU students and staff. In case of hazardous material spills, time is of the essence.

**MOVE FAST!** It's very important that spills or leaks be cleaned up quickly--and correctly.

The various toxic materials can pose different threats, and require different measures for control and clean-up. Make sure you know the name, properties and precautions that pertain to any chemicals with which you work (including but not limited to: cleaning supplies, solvents, adhesives, lubricants, paints and fertilizers).

When hazardous materials contaminate the environment, students and staff have the option of **SHELTERING IN PLACE** or **EVACUATING**. The specific circumstances of the hazardous material incident, and the good judgment of civil authorities and school personnel, will determine the appropriate response for each unique situation. Note that Shelter-In-Place operations may require an extended period of confinement, and that provisions may need to be made for alternative sanitation facilities, food/snacks and/or drinking water for those being sheltered.

First priority should be given to student and staff safety, then to protecting the environment, then to protecting property.

#### General Guidelines for Avoiding or Minimizing Contamination

- Flush a chemical burn to the skin or eyes with large amounts of clear, cool water.
- Close all doors and windows, and shut off ventilation (fans, air conditioning system, vents) to stop fumes from spreading.
- Cover and seal all openings to outdoors (vents, air ducts, etc.) with plastic and tape.
- Seal gaps around windows & doors (use wet towels to seal bottom of doors).
- In the event of a chemical or biological attack, instructions will be provided by local public health and safety officials on personal protection, decontamination and health warnings.
- Monitor the Emergency Broadcast System on radio and/or television, and/or monitor print media for updated information and directions.

If toxic material may have been ingested, contact **POISON CONTROL 1-800-222-1222**.

#### Classroom Teachers

##### IF THE SPILL IS INSIDE SCHOOL BUILDING:

- EVACUATE the affected class room(s) immediately; avoid the area where the chemical accident occurred and any fumes which are present. Modify assembly area if needed so that students and staff are up-wind, up-hill, and up-stream from the location of the spill. Do not run. Take Emergency Backpack
- .Contain toxic material if possible, by shutting doors and windows when leaving the room.
- Keep exposed students separate from others, to minimize cross-contamination and to facilitate administration of first aid.
- When ALL CLEAR has been signaled, lead students to a predestinated safe area.

#### IF THE SPILL IS OUTSIDE SCHOOL BUILDINGS:

- Instruct students to immediately take shelter indoors.
- Secure windows, vents and doors to prevent harmful vapors from entering the classrooms.
- Shut down recirculating air conditioning systems.

#### IN ALL INCIDENTS INVOLVING TOXIC CHEMICALS:

- NOTIFY ADMINISTRATION immediately.
- Check students & staff for medical symptoms (loss of breath, fainting, burns, etc.) ADMINISTER FIRST AID as indicated.

(See FIRST AID GUIDELINES in appendix, below.) Remove clothes contaminated with chemicals and place them in a plastic bag or other container, wash exposed skin with cool clear water (avoid scrubbing chemicals into the skin).

- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so.
- Remain with students and wait to be instructed by authorities. Follow all directions given by emergency personnel.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- Check the Material Safety Data Sheet (MSDS) to identify properties of spilled chemicals, to determine the urgency of situation.
- Call 911 to request emergency assistance (ambulance and/or Haz-Mat teams). Report the name / type of chemical spilled, if known.
- Activate Incident Command Center. Deploy Crisis Teams as indicated.
- Notify all staff and instruct them to EVACUATE or SHELTER IN PLACE, as appropriate.
- Notify Superintendent
- Initiate any other action(s) deemed necessary, or ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

##### FACILITIES TEAM:

- Post guards a safe distance away from building entrances to prevent access to evacuated buildings.

##### STUDENT/STAFF SAFETY TEAM

- Ensure evacuation of designated areas
- Coordinate Search & Rescue operations as needed.

##### FIRST AID / BASIC NEEDS TEAM:

- Establish First Aid station, and administer aid as needed.

##### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Coordinate evacuations/sheltering
- Coordinate priority release of staffing
- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

### **Bomb Threat/ Threat Of violence**

(EXPLOSION, BOMB THREAT)

REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

A BOMB THREAT exists when a suspected bomb or explosive device has been reported, but not located. A BOMB EMERGENCY exists if a bomb has been located, or an explosion has occurred. Both situations require prompt action in order to avoid or minimize injuries and property damage.

During any situation involving bombs, DO NOT USE RADIOS OR CELL PHONES. These may detonate the bomb. Use only land-line phones or runners to communicate.

If a bomb threat is made in writing, the note should be turned over as soon as possible to investigators.

If deemed credible, the threat should be reported immediately by calling 911.

If a bomb threat is made by phone, the caller should be kept on the line as long as possible.

Be respectful and attentive, and try to get the following information from the caller:

- detonation time
- location of bomb(s)
- number & type of bomb(s)
- reason(s) for the bomb threat.

Have another person call 911, telling the dispatcher: "This is (name of caller) from (name of school). We are receiving a bomb threat on another line.

Please trace the call." (This must happen quickly, as a call cannot be traced once the caller has hung up.)

Take note of the caller's voice/speech characteristics (e.g., accent, tone of voice, choice of words) and any background noises that may help investigators identify the caller or his/her location. The person receiving the call (or receiving the note) should complete a Bomb Threat Report form as soon as possible, detailing as much information as possible about the bomb(s) and the person making the threat.

Classroom Teachers

IN THE EVENT OF A BOMB EXPLOSION:

- Direct students to DROP and take cover during explosion(s).
- EVACUATE the area surrounding the explosion and all damaged buildings, as directed by authorities (or if immediate danger...)

Do not run. Take Emergency Backpack.

- ADMINISTER FIRST AID as necessary. (See FIRST AID GUIDELINES)
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to the Office when it is safe to do so.
- Be alert to possibility of subsequent explosions, fire, or potential additional explosive devices. Stay away from explosion area and buildings or vehicles. Open areas are best location for gathering/accounting procedures.
- Consider alternate evacuation routes and/or off-site evacuation.

- Be aware that emergency response personnel and equipment (firefighters, paramedics, & ambulance) may need to use various routes to gain access to threatened buildings and/or injured individuals. Keep students at a safe distance from the explosion site, and away from emergency equipment and fire lanes.
- Return to the buildings only when the ALL CLEAR signal is given.

#### IN THE EVENT OF A BOMB THREAT:

- If no apparent danger exists, teachers are to remain with the students in the classroom (or present location) until directed otherwise by the Incident Commander or emergency service providers. Be prepared to evacuate if necessary.
- If directed to EVACUATE, quickly move students to designated assembly area, maintaining a maximum safe distance from the buildings and/or location of suspected bomb. Do not run. Take Emergency Backpack.
- Do NOT use 2-way radios or cell phones, which may ignite an explosive device. Only use land-line phones or runners for communication.
- Do NOT touch, move, or in any way handle a suspected explosive device.
- Stay clear of buildings, trash cans, vehicles and lockers; warn others to do the same.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- Issue order to EVACUATE.
- Call 911. Dispatcher will ask for information about your location, the type of device in question, etc. Police will dispatch officers and emergency services to the scene.
- Activate Incident Command Center. Deploy Emergency Response Teams as indicated.
- Contact the Superintendent to make the final decision whether to dismiss classes / close the school. Contact MOT immediately in the event that school is dismissed or closed, to ensure coordination of student transportation.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

##### STUDENT/STAFF SAFETY TEAM:

- Coordinate Search & Rescue operations as needed.

##### FACILITIES TEAM:

- When it is safe to do so, assess damage to facilities. Report to Incident Commander & District Command Center.

##### FIRST AID / BASIC NEEDS TEAM:

- Establish first aid station and administer aid as needed.

##### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Declare school closure(s) as warranted and communicate with parents and community.
- Provide support necessary to the site's incident commander.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

#### Bus Disaster



## **Disorderly Conduct**

### **Earthquake**

#### **REMAIN CALM– EVALUATE THE SITUATION – TAKE ACTION**

Earthquakes usually strike without warning. Therefore, earthquake drills should be conducted at least on a quarterly schedule.

During a major or moderate earthquake, the greatest immediate hazard to people in or near school buildings will be the danger of being hit by falling objects. Though less likely, injury or property damage can also occur from fires, floods, explosions or toxic materials spilled during an earthquake or an aftershock.

If an earthquake occurs during school hours, follow the procedures described on the next page.

If an earthquake occurs outside of school hours, school buildings and grounds should be inspected by Custodial / Maintenance staff before resuming normal operations. When damage is apparent, the principal is to contact the superintendent to determine the advisability of closing the school.

#### **Classroom Teachers**

##### **IF YOU ARE INSIDE SCHOOL BUILDING:**

- Implement DROP AND COVER until shaking stops. Instruct students to take shelter under desks, tables, door frames, etc.
- Stay away from windows, bricks, shelves, hanging light fixtures and other items that may fall during a quake or aftershock.
- EVACUATE as necessary, but only after determining that designated evacuation route is safe. Do not run. Take Emergency Backpack.

##### **IF YOU ARE OUTSIDE OF SCHOOL BUILDING:**

- Do not enter buildings.
- Implement DROP AND COVER until shaking stops.
- Be alert to dangers that may demand a move to a safer location.
- Remain with students in the open, at least 50 feet away from potential falling objects (e.g.; trees, portable backstops, power lines, buildings, etc.) until the earthquake is over and you are instructed by authorities to return to buildings.

##### **IN ANY LOCATION:**

- Advise students not to touch exposed electrical wires.
- Avoid using matches and lighters until the area has been declared safe.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so.
- ADMINISTER FIRST AID as necessary.
- Inform students that they are to remain with you. If a student leaves, record the student's name, destination and the time he/she leaves.
- Be alert for aftershocks, gas leaks or power failures, fires or explosions. The risk of flooding is small, but could result from the failure of upstream dams,
- Be prepared for transportation disruptions, and/or the possibility of authorities establishing extended shelter operations
- Resume normal operations after the ALL CLEAR signal has been given.

#### **Site Administration**

##### **INCIDENT COMMANDER (OR DESIGNEE):**

- Activate Incident Command Center. Deploy Emergency Response Teams as indicated.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.

#### STUDENT/STAFF SAFETY TEAM

- Coordinate Search & Rescue operations as needed.

#### FIRST AID / BASIC NEEDS TEAM:

- Establish First Aid station and administer aid as needed.

#### FACILITIES TEAM:

- Check all utilities and shut off electric, water or gas systems as needed.
- Assess damage to facilities. Report to Incident Commander & District Command Center.
- Post guards a safe distance away from building entrances to prevent access to damaged buildings.

#### COMMUNICATIONS TEAM:

- Begin monitoring the Emergency Broadcast System for information about post-earthquake hazards and community emergency response.
- Notify appropriate utility company and/or emergency response agencies of breaks or suspected breaks in utility lines or pipes.
- Refer media inquiries to District Info Officer.

#### STUDENT RELEASE/CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Coordinate evacuations/sheltering
- Coordinate priority release of staffing
- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

### **Explosion or Risk Of Explosion**

#### **Fire in Surrounding Area**

#### **Fire on School Grounds**

##### **REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION**

Fires usually strike without warning. During a fire, the greatest immediate hazards

to people in or near school buildings are the danger of smoke inhalation, and of becoming trapped in a burning building. Immediate and efficient evacuation is of the utmost importance.

Therefore, fire drills should be conducted at least once a month.

Fire drills should always be regarded as actual alarms and treated seriously by all staff and students. The main objective in a drill is to enable all students and staff to evacuate the building in an orderly manner so that this level of discipline can be relied upon in the event of an actual emergency.

Before a fire strikes, all SUSD staff should know where fire extinguishers are located, as well as when and how to use them. Everyone in the school should know where fire alarms are located, and how to activate them. Some small fires may be extinguishable through prompt action before fire fighters arrive. If it is safe to do, fight small fires as appropriate with fire extinguishers. Under no circumstances, however, should this be done at the expense of the safety of SUSD students

**STOP! DROP! ROLL!** If your clothes catch fire, **DO NOT RUN!** Drop to the ground and roll until the fire is out.

Before a fire strikes, know both primary and alternate evacuation routes and designated assembly areas. Smoke and fumes from combustion may be harmful, particularly to those with respiratory ailments. When evacuating, choose an assembly area up-wind from the fire if at all possible. Do not use elevators for evacuation.

#### Classroom Teachers

##### IF YOU SEE FIRE, OR SEE OR SMELL SMOKE:

- Remove any persons from the area who may be in immediate danger.
- Sound the alarm by voice and/or activating electronic fire alarm. Notify Administration (or have an assistant do this while you handle the fire). Administration will determine to what extent evacuation is indicated.
- If it can be done without endangering life, fight the fire as appropriate with fire extinguishers.

##### IF THE FIRE ALARM SOUNDS:

- CHECK CLASSROOM DOOR for signs of fire (hot to touch, visible smoke or flames) to determine whether planned evacuation route is passable.
- If possible, EVACUATE the building according to plan. If the primary evacuation route is unsafe or impassable, proceed to the nearest available alternate exit. Do not run. Take Emergency Backpack.
- Rooms should be left with the lights out and the door closed but not locked to confine the fire and smoke.
- Once outside students and staff should remain at least 50 feet away from the building until given further instructions.
- ADMINISTER FIRST AID as necessary.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so.
- Inform students that they are to remain with you. If a student leaves, record the student's name, destination and the time he/she leaves.
- Remain with students until you are instructed by authorities to release them.
- Be aware that emergency response personnel and equipment (firefighters, paramedics, and ambulance) may need to use various routes to gain access to threatened buildings and/or injured individuals. Keep students at a safe distance from the fire, and away from emergency equipment and fire lanes.
- When ALL CLEAR has been signaled, lead students back to the classroom.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- Call 911 to report emergency.
- Activate Incident Command Center. Deploy Crisis Teams as indicated.
- Determine the need for evacuation and sound alarm.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

##### STUDENT/STAFF SAFETY TEAM

- Coordinate Search & Rescue operations as needed.

##### FIRST AID / BASIC NEEDS TEAM:

- Establish First Aid station and administer aid as needed.

#### **FACILITIES TEAM:**

- Check all utilities and shut off systems as needed.
- Assess damage to facilities. Report to Incident Commander & District Command Center.
- Post guards a safe distance away from building entrances to prevent access to damaged buildings.

#### **COMMUNICATIONS TEAM:**

- Call 911- to report ALL fires to the Fire Department.
- Notify appropriate utility company and/or emergency response agencies of breaks or suspected breaks in utility lines or pipes.

#### **STUDENT RELEASE / CROWD CONTROL TEAM:**

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### **District Administration**

- Coordinate evacuations/sheltering
- Coordinate priority release of staffing
- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

#### **Flooding**

During heavy rainstorms (including those in the areas downstream from the canyons), the Communications Team should monitor public media, weather reports and/or the Emergency Broadcast System for notice of flood warnings or flood watches. Staff should be promptly notified through district communications channels of potential flood hazards.

If warning of an impending flood has been given, and time allows, the following steps should be taken to mitigate damage to property and prevent injury to students and staff:

- Maintenance staff should be authorized to procure sandbags, sand, construction materials and equipment that may be needed to divert and/or repair damage caused by flood waters, and

to ensure their proper placement and/or storage.

- Obtain/replenish drinking water and first aid supplies.
- Move or remove material subject to water damage (e.g., computer equipment, school records/vital documents, inventory of foodstuff, office supplies, etc.) to higher, dryer ground.
- Be alert for potential contamination of water supply lines.
- No one should be allowed to drink from faucets on ruptured lines.

#### **Classroom Teachers**

In the event of sudden flooding:

Immediately NOTIFY ADMINISTRATION of ruptured pipes, other sources of sudden flooding.

- EVACUATE impacted facilities as directed by school authorities or emergency response personnel. Do not run. Take Emergency Backpack.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so.
- ADMINISTER FIRST AID as necessary.
- Instruct students not to play or come into contact with standing water (which may have been contaminated by sewage) or flowing water (which may have been contaminated, or may indicate flash flooding).
- Remain with students until you are instructed by authorities to release them or return to buildings.

- Be prepared for the possibility of flash flooding, school closure, transportation disruptions, and/or the possibility of authorities establishing extended shelter operations on site in the event of severe flooding.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- Activate Incident Command Center. Deploy Crisis Teams as indicated.
- Notify all staff immediately of the need to discontinue use of ruptured or contaminated plumbing lines.
- Initiate other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

##### STUDENT/STAFF SAFETY TEAM:

- Coordinate Search & Rescue operations as needed.

##### FIRST AID / BASIC NEEDS TEAM:

- Establish First Aid station and administer aid as needed.

##### FACILITIES TEAM:

- Shut off electricity to flooded areas.
- Place sandbags at threatened facilities. Monitor and reinforce as needed.
- Assess damage to facilities. Report to Incident Commander & District Command Center.
- Post guards a safe distance away from building entrances to prevent access to damaged buildings.

##### COMMUNICATIONS TEAM:

- Monitor Emergency Broadcast System for flood-related warnings and information.
- Notify appropriate utility company and/or emergency response agencies of breaks or suspected breaks in utility lines or pipes.
- Refer media inquiries to District Info Officer.

##### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Coordinate evacuations/sheltering
- Coordinate priority release of staffing
- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Coordinate financing of recovery operations.

#### **Loss or Failure Of Utilities**

MAJOR SYSTEMS FAILURE: GAS, HEAT, POWER, WATER

REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

In the event of a utility system failure, the incident must be REPORTED, INVESTIGATED and RECTIFIED. Failures may be localized in a school building or classroom, or they may affect the whole school and/or the surrounding community. Different types of failures call for different responses. For example, outage as a result of severe weather conditions may require remaining in the building whereas outage resulting from electrical problems may require evacuation. Determine why the power is out, and respond accordingly. If conditions are unsafe (for example, if a natural gas odor is detected, or a circuit/fuse box is sparking or smoldering), EVACUATE students to a safer location. In case of a GAS LEAK, DO NOT USE CELLULAR PHONES. Cell phone use is acceptable during other types of outages.

PLANNED OUTAGES: Advanced notice regarding loss of service may be provided by utility companies.

Often these outages will be of short duration and require no special action other than notifying staff of the pending interruption of service. If disruption in service will severely hamper school operation, students and staff should be notified by appropriate means. If a school or department is notified directly by the utility company of a planned loss of service, the Principal or designee should inform the District Office (in advance if possible) of the date, time and expected duration of the outage, and alternative means of communication should be agreed upon to ensure contact between the District and the school site. For information on sustained outages, the Communications Team can get general information from: AT&T (telephone) 1-800-288-2020 PG&E 1-800-743-5000

#### Classroom Teachers

- During normal business hours, NOTIFY ADMINISTRATION of systems failures.
- If school is to be closed, teachers will be notified by administration.

#### POWER FAILURE

- NOTIFY ADMINISTRATION office using radio, cell phone or messenger.
- Keep students together, remain in classrooms; follow normal schedule.

#### EXPOSED ELECTRICAL HAZARDS

- Remove students and staff to a safe distance away from downed power lines. Assume all power lines are carrying a live current. Refrain, and instruct students to refrain, from touching / approaching exposed wires.
- NOTIFY ADMINISTRATION using radio, phone or messenger.

#### BURST WATER PIPES

- Remove students and staff to a safe distance from the source, and keep them away from spilled water or sewage.
- NOTIFY ADMINISTRATION using radio, phone or messenger.
- Direct students to alternate sanitation facilities if required.

#### NATURAL GAS LEAK

- Immediately EVACUATE the area. Do not run. Take Emergency Backpack.
- USE LAND LINE PHONE to NOTIFY ADMINISTRATION.

DO NOT USE CELLULAR PHONES, which may ignite leaking gas.

#### Any type of incident

- ADMINISTER FIRST AID as necessary.
- TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to the Office when it is safe to do so.
- When ALL CLEAR has been signaled, lead students back to the classroom.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- At onset of power outage, contact MOT
- Consult with the Superintendent's and MOT to determine the extent of the outage.
- Activate Incident Command Center. Deploy Crisis Teams
- Contact the Superintendent to make the final decision about whether to dismiss classes/close the school.

- Contact the MOT immediately if school is dismissed or closed, to ensure coordination of student transportation.
- When incident has subsided, complete & submit incident report form.

#### FACILITIES TEAM:

- Get keys from office to gain access and turn off the main power, water or gas line(s) as needed.
- Assess damage to facilities. Report to Site Incident Commander & District Command Center.
- Post guards a safe distance away from building entrances to prevent access to damaged buildings.
- For prolonged water/sewage interruptions, establish and maintain alternate sanitation facilities as directed.

#### COMMUNICATIONS TEAM:

- Notify appropriate utility company and/or emergency response agencies of breaks or suspected breaks in utility lines or pipes

#### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Coordinate evacuations/sheltering
- Coordinate priority release of staffing
- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquires/communication.
- Coordinate financing of recovery operations.

### **Motor Vehicle Crash**

#### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

Transportation accidents may involve one or more motor vehicles, pedestrians, bicyclists and/or public or private property. Risks from this type of incident include personal injury due to collision/impact, flying debris, and evasive maneuvers. In addition, there is a risk of hazardous material spills, leaks or explosions of automotive fluids and/or cargo. Separate procedures apply to transportation accidents involving SUSD school busses; refer to state-mandated procedures (carried on all school busses). Report all accidents to the SUSD Superintendent.

#### Classroom Teachers

- Immediately remove all people who may be in immediate danger away from the area of impact, and away from debris or damaged buildings.
- Assess injuries to people, and damage to vehicles and/or property.
- Do not move any victim unless he/she is in imminent danger (e.g., burning car) as this could cause additional injuries.
- ADMINISTER FIRST AID as necessary.
- NOTIFY ADMINISTRATION using radio, phone or messenger, and request emergency personnel and/or equipment as needed.
- Be alert to the possibility of explosion or fire resulting from the accident
- Be aware that emergency response personnel and equipment (firefighters, paramedics, and ambulance) may need to gain access to damaged buildings and/or injured individuals. Keep students at a safe distance from debris or fires, and away from emergency equipment.
- If possible, TAKE ROLL to account for all students and staff. Report missing or injured individuals by using RED / GREEN signal system or by sending runners to command center when it is safe to do so.
- When ALL CLEAR has been signaled, lead students back to the classroom

#### Site Administration

#### INCIDENT COMMANDER (OR DESIGNEE):

- Call 911 to request police and/or emergency medical aid and/or to report accident to police.
- Activate Incident Command Center. Deploy Crisis Teams as indicated.
- Initiate any other action(s) deemed necessary, or announce ALL CLEAR to direct staff to return to normal routine.
- When incident has subsided, complete & submit incident report form.

#### STUDENT/STAFF SAFETY TEAM:

- Initiate search and rescue operations as needed.

#### FACILITIES TEAM

- Assess damage to facilities. Report to Site Incident Commander & District Command Center.
- Post guards a safe distance away from the accident to prevent access to damaged buildings and/or vehicle wreckage.

#### FIRST AID / BASIC NEEDS TEAM:

- Establish first aid station and administer aid as needed.

#### STUDENT RELEASE / CROWD CONTROL TEAM:

- Implement student release procedures upon direction by Incident Commander. (Limit release to authorized adults; keep record of students released.)

#### District Administration

- Declare school closure(s) as warranted and communicate with parents and community.
- Handle all media inquiries/communication.
- Collect all appropriate reports
- Conduct appropriate follow up with staff and families
- Coordinate financing of recovery operations.

#### Psychological Trauma

TRAUMATIC EVENT (e.g., Mass Casualties, Death of Family Member or Fellow Student)

#### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

A traumatic event is an extraordinary situation that is potentially damaging to individuals and/or the educational environment. A stress reaction can develop in response to a traumatic event or unexpected death or injury to students, staff, family members, community persons or well known national figures. Examples include, but are not limited to: death of a classmate or teacher, witnessing violence on or near the school grounds suicide attempts or completions, hostage situations, drive-by shootings, sexual assaults, or natural disasters. The following principles are intended to assist school personnel in responding to a tragic event. The overall direction for these guidelines is the maintenance of a calm, orderly school atmosphere that reflects professional sensitivity in coping with the trauma of a tragic event. This plan can be used to address traumatic events affecting a single classroom, a group of students or an entire school population. Remember that people may respond in various ways during and after an emergency. If you become aware of any development that may potentially affect your campus population, notify your administrator(s).

#### GUIDELINES FOR TEACHERS TO HELP STUDENTS COPE WITH TRAUMA

- Develop an environment in which students feel safe to ask questions, and confident of receiving an honest answer.
- Use correct terminology related to death. (i.e. avoid euphemisms such as “passed away”)
- Listen and empathize. Make sure you hear what is said and not what you think the student ought to say.
- Allow the students to express as much grief as they are able or willing to share with you.
- Share your own feelings and memories of the student but don’t idealize the dead student.
- Say “I don’t know” when you don’t know.
- Recognize that classroom routines and management may be disrupted. This is natural – be flexible.



- Maintain a sympathetic attitude toward the student's age-appropriate responses. (Be prepared for a strong reaction.)
- Organize activities to allow students to tangibly express their grief (e.g., memorials, letters, etc.)
- Don't force a child to participate in a discussion about death.
- Never link suffering and death with guilt, punishment and sin.
- Don't be judgmental; don't lecture. It's all too tempting to make a point or moralize.
- Don't say "I know how you feel" unless you truly do.
- Don't force others to look for something positive in the situation.
- Don't expect "adult responses" from children or youth. Their grief responses may seem inappropriate to you. (i.e. giggling).
- Don't force a "regular day" upon grieving students, but at the same time don't allow the class to be totally unstructured. Offer choices of activities, e.g., letters, journals, and discussions. Return to as normal a schedule as possible, while being empathetic to the emotional needs of students and staff.

#### GUIDELINES FOR ADMINISTRATORS

- Keep things calm and orderly. The principal, with the support of emergency response personnel, should provide leadership to minimize anxiety and create an atmosphere of sympathetic calm.
- Focus on accurate data. All pertinent facts must be verified with parents/guardians, police and other reliable sources. Rumor is not an acceptable source of information.
- Keep staff informed. Staff will need an overall understanding of the grieving process and their role in the tragic events plan. Parents must be kept informed about the situation and the information being provided to their children. Stress is increased if individuals are not informed of the pertinent details.
- Get approved communications (letter templates) from the District Office.

#### Classroom Teachers

- If your class is not a part of the incident, remain calm, and wait for instructions from the Incident Commander or emergency personnel.
- If your class is witness to or victim of a traumatic event, first refer to the emergency protocol for that specific emergency (weapons, drive by shooting, hostage, etc.). Remember: Implementing the DROP protocol may be called for to ensure student safety until help arrives.
- Cooperate with emergency response personnel.

#### FOLLOWING A TRAUMATIC EVENT:

- Don't hesitate to ask for help. It's not necessary to handle this alone.
- Consult the district-approved resources and the list on the previous page for specific tips on helping students cope with traumatic events.
- Identify and monitor at-risk students and staff (siblings, boy/girl friends, close friends, and students/staff who have experienced other recent trauma) and who may be in particular need of support. Consider assigning aides or other students to attend these students for a period of time.

#### Site Administration

##### INCIDENT COMMANDER (OR DESIGNEE):

- CALL 911
- Assess the situation and implement emergency response procedures (e.g., lockdown, evacuation, shelter in place, etc.) as needed.
- Notify Superintendent's office
- Work with School Psychologist or Director of Special Education to determine need for support to students, staff, and/or families.
- If needed, identify / arrange for location where support services will be available for students and staff.
- Determine the need for any substitute or supplemental staff. (In the event of the death of a teacher, another teacher known to students should take the deceased teacher's classes, not a substitute.)
- If any other school may be impacted by the death/trauma (e.g., siblings, boy/girl friends, etc) establish contact with that school to coordinate efforts.

- At the soonest opportunity, hold a staff meeting (or communicate by telephone/email) to convey the following information to staff:
- Facts related to the death/traumatic situation.
- School's planned response.
- Location of the emergency center, when and how to refer students/staff for support.
- How the death/traumatic situation will be announced to students. Encourage staff to have a discussion with students following the announcement.
- Time(s) of future staff meetings.
- How staff will be kept informed.
- Support services available to staff.
- Allow staff to grieve, offer support to one another.
- Inform students and staff of any memorial services or community assemblies to commemorate the incident.
- When incident has subsided, complete & submit incident report form.

#### District Administration

- Provide support necessary to the site's incident commander.
- Coordinate evacuations/sheltering
- Coordinate priority release of staffing after police have all the information they need.
- Collect all necessary reports
- Provide resources to affected students, staff, families, etc.
- Handle all media inquiries/communication.

#### **Suspected Contamination of Food or Water**

#### **Unlawful Demonstration or Walkout**

##### REMAIN CALM – EVALUATE THE SITUATION – TAKE ACTION

Campus unrest may result when students move about in large groups, challenging authority, committing acts of vandalism, gang activity, etc., to the point where the principal determines that the safety of students and staff is jeopardized. The goal is to protect students and all school personnel from injury or harassment until proper help can be summoned, and to keep property losses and damages to a minimum.

Three general categories of events can be considered civil disturbances: peaceful demonstrations and disputes between individuals or small groups (which have the potential to turn violent),

and large scale riots or acts of civil disobedience. Instances of civil disturbance pose a risk for both property damage (broken windows, fences or play structures knocked over or torn down, vandalized cars, trash bins set afire, etc.), and personal injuries (either accidental or intentional). In any situation, staff should be watchful for potential violence, and be prepared to usher uninvolved bystanders to safety. If a LOCKDOWN is required, all staff will be notified by the Incident Commander (Principal or designee).

#### Classroom Teachers

- Isolate the people involved in the dispute, apart from other students if possible. Attempt to defuse tensions by:
- Identifying key players and their concerns,
- Isolating key players in a neutral area,
- Conferencing with players, and
- Listening to student concerns.

#### IF THE DISPUTE BECOMES VIOLENT:

- NOTIFY ADMINISTRATION immediately.
- Keep the people involved in the dispute separate from one another and under adult supervision
- ADMINISTER FIRST AID as necessary.

## Site Administration

### INCIDENT COMMANDER (OR DESIGNEE):

- If necessary, CALL 911 to notify law enforcement and request assistance.
- Notify parents of students involved in any violent conflict; solicit their support in disciplining students, and resolving disputes.
- When incident has subsided, complete & submit incident report form.

### District Administration

- Handle all media inquiries/communication.
- Make decisions about evacuations/shelters.
- Make decisions about discipline and follow up
- Release staff by priority of release

**Emergency Evacuation Map**

# COMPREHENSIVE SCHOOL SAFETY PLAN VERIFICATION

## 2019 - 2020

\_\_\_\_\_  
Name of School

\_\_\_\_\_  
Name of District

\_\_\_\_\_  
CDS #

Date of Safety Plan Adoption: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

***NOTE: By signing below, you are assuring that your school has a Comprehensive School Safety Plan that meets all requirements listed in Ed. Code 32280-32289, and that an annual evaluation of the plan has occurred and that any necessary changes have been made.***

School Principal: \_\_\_\_\_  
Signature Date

*Please return completed form to the General Services office of the Monterey County Office of Education. Please call (831) 755-0300, ext. 620 with any questions.*

Fax: (831) 753-7888

Email: [mcoloma@montereycoe.org](mailto:mcoloma@montereycoe.org)

Address: Monterey County Office of Education  
General Services Department  
901 Blanco Circle  
Salinas, CA 93901

**COMPLIANCE CHECKLIST FOR COMPREHENSIVE SCHOOL SAFETY PLANS**  
**CA Education Code 32280 – 32289**

Please initial next to each requirement to confirm that your Safety Plan includes the listed required element.

<b>Required Component</b>	<b>Requirement Met (please initial)</b>
<b>Section 32280</b>	
(b) (1) Plan is written and developed by a school site council (SSC) or a safety planning committee. (2) The school safety planning committee is made up of a principal/designee, teacher, parent of child who attends the school, classified employee, others.	
(b) (3) SSC/planning committee consulted with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.	
<b>Section 32282</b>	
(a) The comprehensive school safety plan includes, but is not limited to all of the following:	
(1) An assessment of the current status of school crime at the school and at school-related functions. You may accomplish this by reviewing the following types of information:  <input type="checkbox"/> Reviewed UMIRS data <input type="checkbox"/> Office Referrals <input type="checkbox"/> Attendance rates/SARB data <input type="checkbox"/> Suspension/Expulsion data <input type="checkbox"/> Local law enforcement juvenile crime data <input type="checkbox"/> CA Healthy Kids Survey data <input type="checkbox"/> School Improvement Plan <input type="checkbox"/> Property Damage data <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	
(2) Identify appropriate strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including but not limited to the following:	
(A) Child Abuse Reporting procedures ( <i>reference board policy</i> )	
(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities and the following: ( <i>i.e. crisis plan</i> )	
(i) Earthquake emergency procedures that include:  (I) a school building disaster plan ( <i>evacuation map</i> ) (II) a drop procedure (student & staff take cover) <i>dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary</i> (III) protective measures to be taken before, during, and after an earthquake (IV) a program to ensure that pupils and staff are aware of and trained in the earthquake emergency procedure system	

Required Component	Requirement Met (please initial)
(ii) Establish procedures to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency ( <i>reference board policy</i> )	
(C) Suspension/Expulsion procedures ( <i>reference policy and/or student handbook</i> )	
(D) Teacher notification of dangerous students ( <i>reference board policy</i> )	
(E) Discrimination and Harassment policy ( <i>reference cyber-bullying policies in this section</i> )	
(F) Dress code, including prohibition of gang-related apparel ( <i>reference board policy and/or student handbook</i> )	
(G) Procedures for safe ingress and egress of pupils, parents, and employees to and from school site	
(H) A safe and orderly environment conducive to learning at the school, including two Safe School Components defined in Safe Schools: A Planning Guide for Action	
(I) School rules and procedures for discipline ( <i>reference student handbook and/or board policy</i> )	
(J) Hate crime reporting procedures and policies ( <i>reference board policy</i> )	
(d) When practical, consult, cooperate and coordinate with other school site councils or school safety planning committees	
(e) Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented. Also keep an updated file of all safety-related plans and materials readily available for inspection by the public.	
<b>Section 32288</b>	
(a) Submit the plan to school district office of approval	
(b) (1) SSC/Planning Committee communicated the school safety plan to the public at a public meeting at the school site	