

Martinez Unified School District
Comprehensive School Safety Plan

Martinez Adult Education

Suzanne Murphy, Director
C.J Cammack, Superintendent

Safety Committee:

Robert Clark
Robin Gonzales
Leif Williams

February 21, 2018

Plan adopted by:
MUSD School Board

Board Approval Date

Table of Contents

What is a Safe School?	3
Martinez Adult Education Vision and Mission and Expected Schoolwide Learning Results	4
Assessment of the Current Status of School Climate	5
Strategies and programs:	6
1. Adult and child Abuse reporting procedures	6
2. Disaster procedures, emergency response, fire drills, shelter in place, earthquakes, bomb Threats, lockdown	9
3. Policies regarding actions which would lead to suspension and/or expulsion	15
4. Procedures to notify teachers of dangerous pupils	16
5. Sexual harassment policy	19
6. School-wide dress code	22
7. Procedures for safe ingress and egress of pupils	23
8. Safe and Orderly school environment conducive to learning	25
9. Procedures for school discipline	25
10. Hate Crime Reporting	25
11. Procedures for receiving information from law enforcement	27
12. Assessment of a school's physical environment	30
13. Crisis Intervention	30
14. Staff development in implementing the safety plan	34
15. Technology and Digital Citizenship	34
16. Uniform Complaint Procedures	37
Support Materials	41

What is a safe school?

"All students and staff of primary, elementary, junior high, and high schools have the inalienable right to attend campuses which are safe, secure, and peaceful."

California Constitution, Article I, Section 28(c): Right to Safe Schools

"Safe schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical violence and psychological harm. They are characterized by sensitivity and respect for all individuals (including those of other cultural and ethnic backgrounds), an environment of nonviolence, clear behavioral expectations, disciplinary policies that are consistently and fairly administered, affiliation and bonding to the school, support and recognition for positive behavior, and a sense of community on the school campus.

Safe schools also are characterized by proactive security procedures, established emergency response plans, timely maintenance, cleanliness, and a nice appearance of the campus and classrooms."

Taken from "Safe Schools: A Planning Guide for Action"
California State Department of Education

In keeping with the above definition, the Martinez Unified School District Strategic Plan puts school safety at the core of the district's goals and mission. Specifically, the plan calls for school environments that are physically and emotionally safe, are clean and well maintained, have effective communications systems, have specific programs to meet a variety of student needs, provide safe access to and from school, and are well-prepared for a range of both routine and emergency operations.

Martinez Unified School District Strategic Plan, 1996-2001
Environment 1.1 -1.6

Mission and Vision Statements

Mission Statement

Meeting the evolving individual and community needs through accessible, effective education enabling our students to achieve their educational and career goals.

Vision Statement

Transforming lives by raising academic and literacy levels, providing workforce training and access to post-secondary education, and encouraging students to become active community participants.

Expected Schoolwide Learning Results

Martinez Adult Education is dedicated to providing an education that challenges, stimulates, and enriches the mind and provides students with the skills, motivation, and confidence to lead aspiring and successful lives.

Students will be able to:

Apply learned skills, study habits, and knowledge, to prepare and assist in future life transitions

Communicate effectively in written, verbal, and digital form

Recognize and engage in learning opportunities that are responsive to an ever-changing world and workplace

Exercise critical thinking skills by applying problem solving strategies in a variety of situations

Work collaboratively and independently in a diverse environment

Assessment of The Current Status of School Climate and Crime

School Climate

Students provide written and verbal feedback that they feel safe and supported at Martinez Adult Education. (See the student testimonials below.) There is a transition specialist on site to assist students with their plans for continued education or career progress. The Department of Rehabilitation supplies a job developer to help students search for, find, and retain employment. The Career Connections class, integral to our Career Technical Education programs, also helps students negotiate the job search pathways. Below are several testimonials from our adult secondary education program.

"I am 43 years old and for the last ten years I've been in and out of school trying to get my high school diploma. Most of the time I quit in the first two weeks, but this time was different. I have had the chance to work with some of the best teachers any student could have. If it wasn't for them, I would have quit school again and ten months later I am still here. "

"If my high school had been like this, I would have graduated on time. "

"Since my start here at Martinez Adult, it has been an excellent experience. The staff is very knowledgeable and extremely helpful. If you are serious about coming and getting some work done, Martinez Adult will help you on your way. "

"If all schools had this program, a lot more people would pass and graduate. It helps a lot You get more one-on-one teaching to help you understand better. "

The Business Training Center and English as a Second Language Department recognize student progress and success at quarterly events. Students receive certificates of program completion. Community and legislative representatives are often present to congratulate the graduates. The ESL students also present an annual International Fair. Community members are invited to share in a celebration of students' home countries and culture.

School discipline:

No disruption of the program at the adult school will be allowed. Use of profanity with any staff member or student will not be tolerated. Any student who disrupts the education program may be immediately dismissed from the program. No harassment of any sort, whether of students or staff members, will be tolerated. Any threat, assault, or intimidation

of any employee of the adult school or any other student will be grounds for immediate dismissal from all programs of the adult school.

When adult students feel the need to report (contrary) incidents, they feel safe in sharing their concerns with their teacher or department coordinator. When issues cannot be resolved at that level, the director may be asked to step in to provide conflict management or recommend dismissal from a program, if necessary. Depending on the severity of the issue, students may be required to take a temporary or permanent leave of absence.

Copies of the MAE School Rules and the Adult/Concurrent High School Diploma School Rules are located in the Support Materials Section.

Strategies and Programs

Adult Abuse Reporting Procedures

When an adult reports to an instructor that he/she is a victim of abuse, or if there is any suspicion of abuse, the adult is provided with contact information for STAND, which offers a 24-hour assistance hotline.

Child Abuse Reporting Procedures

A. Definition of Child Abuse

Child abuse means a physical injury that is inflicted by other than accidental on a child by another person. Child Abuse also means the sexual abuse of a child or any act or omission pertaining to child abuse reporting laws (willful cruelty, the unjustifiable punishment of a child, unlawful corporal punishment or injury). Child abuse also means the physical or emotional neglect of a child or abuse in out of home care.

1. Child Abuse

- a. The injury inflicted by another person.
- b. Sexual Abuse.
- c. Neglect of child's physical, health, and emotional needs.
- d. Unusual and willful cruelty; unjustifiable punishment.
- e. Unlawful corporal punishment.

2. Not Considered Child Abuse

- a. Mutual affray between minors
- b. The injury caused by reasonable and necessary force used by a peace officer:
 - To quell a disturbance threatening physical injury to a person or damage property
 - To prevent physical injury to another person or damage to property
 - For the purposes of self-defense
 - To obtain possession of weapons or other dangerous objects within the control of a child
 - To apprehend an escapee

B. Mandated Child Abuse Reporting

a. Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164.

b. Any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows, or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency by telephone and written report:

The telephone call must be made immediately or as soon as practicably possible by telephone. AND A written report must be sent within 36 hours of the telephone call to the child protective agency.

c. Any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or who reasonably suspects mental suffering has been inflicted on a child or his or her emotional well-being is endangered in any other way, may report such known or suspected instance of child abuse to a child protective agency.

d. When two or more persons who are required to report are present and jointly knowledgeable of a known or suspected instance of child abuse, and when there is agreement among them, the telephone report may be made by a member of the team selected by agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to make the report failed to do so, shall thereafter make such a report.

e. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

f. This entire section on Child Abuse was taken from the California Laws Relating to Minors manual.

C. Sexual Activity

Child abuse laws change from time to time. Should you suspect that a student is engaged in unlawful sexual activity.

a. Involuntary sexual activity is always reportable.

b. Incest, even if voluntary is always reportable. Incest is a marriage or act of intercourse between parents and children; ancestors and descendants of every degree; brothers and sisters of half and whole blood and uncles and nieces or aunts and nephews. (Family Code § 2200).

c. Voluntary Sexual Activity may or may not be reportable. Even if the behavior voluntary, there are circumstances where the behavior is abusive, either by Penal Code definition or because of an exploitative relationship, then this behavior must be reported. If there is reasonable suspicion of sexual abuse prior to the consensual activity, the abuse must be reported.

Reportable Sexual Activity if a Child is 14 Years of Age and:

a. Partner is younger than 14 years old, but there is a disparity in chronological or maturational age or indications of intimidation, coercion or bribery or other indications of an exploitative relationship.

b. Partner is 14 years or older lewd & lascivious acts committed by a partner of any age partner is alleged spouse and over 14 years of age.

Reportable Sexual Activity if the Child is 14 or 15 years and:

a. There is unlawful sexual intercourse with a partner older than 14 but less than 21 years of age and there is no indication of abuse or evidence of an exploitative relationship there is unlawful sexual intercourse with a partner older than 21 years.

b. There is lewd and lascivious acts committed by a partner more than 10 years older than the child.

c. The partner is the alleged spouse and over 21 years of age.

Reportable Sexual Activity if the Child is 16 or 17 years and:

a. The partner is less than 14 years of age.

b. There is unlawful sexual intercourse with a partner older than 14 and there is evidence of an exploitative relationship.

c. The partner is the alleged spouse and there is evidence of an exploitative relationship

Reportable Sexual Activity if the Child is under 18 years:

a. Sodomy, oral copulation, penetration of a genital or anal opening by a foreign object, even if consensual, with a partner of any age.

Mandated reports of sexual activity must be reported to either the Department of Family & Children's Services (DFCS) or to the appropriate police jurisdiction. This information will then be cross reported to the other legal agency.

cl. Failure to Report Known or Suspected Child Abuse

Failure to report known or reasonable suspicion of child abuse, including sexual abuse, is a misdemeanor. Mandated reporters are provided with immunity from civil or criminal liability as a result of making a mandated report of child abuse.

e. Child Abuse Reporting Number: 1 877 881 1116

DISASTER PROCEDURES, ROUTINES, AND EMERGENCY RESPONSE

Definitions: Incidents, Emergencies, Disasters

Incident

An incident is an occurrence or event, either human-caused or caused by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources. Incidents may result in extreme peril to the safety of persons and property and may lead to or create conditions of disaster. Incidents may also be rapidly mitigated without loss or damage.

Although they may not meet disaster level definition, larger incidents may call for managers to proclaim a "Local Emergency".

Incidents are usually a single event that may be small or large. They occur in a defined geographical area and require local resources or, sometimes, mutual aid. There is usually one to a few agencies involved in dealing with an ordinary threat to life and property and to a limited population. Usually a local emergency is not declared and the jurisdictional EOC is not activated. Incidents are usually of short duration, measured in hours or, at most, a few days. Primary command decisions are made at the scene along with strategy, tactics, and resource management decisions.

Emergency

The term emergency is used in several ways. It is a condition of disaster or of extreme peril to the safety of persons and property. In this context, an emergency and an incident could mean the same thing, although an emergency could have more than one incident associated with it.

Emergency is also used in Standardized Emergency Management System (SEMS) terminology to describe agencies or facilities, e.g., Emergency Response Agency, Emergency Operations Center, etc. Emergency also defines a conditional state such as a proclamation of "Local Emergency". The California Emergency Services Act, of which SEMS is a part, describes three states of emergency:

- State of War Emergency
- State of Emergency
- State of Local Emergency

Disaster

A disaster is defined as a sudden calamitous emergency event bringing great damage, loss, or destruction. Disasters may occur with little or no advance warning, e.g., an earthquake or a flash flood, or they may develop from one or more incidents, e.g., a major wildfire or hazardous materials discharge.

Disasters are either single or multiple events that have many separate incidents associated with them. The resource demand goes beyond local capabilities and extensive mutual aid and support are needed. There are many agencies and jurisdictions involved including multiple layers of government. There is usually an extraordinary threat to life and property affecting a generally widespread population and geographical area. A disaster's effects last over a substantial period of time (days to weeks) and local government will proclaim a Local Emergency. Emergency Operations Centers are activated to provide centralized overall coordination of jurisdictional assets, departments and incident support functions. Initial recovery coordination is also a responsibility of the EOCs.

Fire Drills

Principals shall hold fire drills at least once a month in all elementary and middle schools and at least twice each school year at all high schools.

(Code of Regulations, Title 5, Section 550)

Whenever the fire alarm is given, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ascertain that no student remains in the building.

Designated evacuation routes shall be posted in each room. Teachers shall be prepared to use alternate exits and direct their classes to these exits in the event the designated evacuation route is blocked.

Evacuation areas will be established away from fire lanes.

Students are to remain with their teacher in the evacuation area. Teachers shall take their roll books, take roll once in the evacuation area and be prepared to identify missing students to administrators and/or fire marshals/designees. The administrator/designee in charge of evacuation area will take note if any students are missing.

The Director or designee (office manager) shall keep a copy of each drill conducted on the Emergency Drill Report form.

Each location Administrator/designee will dismiss the students/staff in their location after all evacuation areas have been cleared. No bell will sound.

Shelter in Place (announcement to be made through phone line all call)

To use in case of a chemical accident or other emergency where we must shelter students inside our school buildings until we receive an all clear from police/fire department of the Office of Emergency Services.

Note: Custodians are to shut off A/C and vents. Teachers are to shut off *NC* and vents when they have access to the controls in their classrooms. **PLEASE CLOSE ALL WINDOWS AND DOORS AND STAY WITH YOUR CLASS.** All safety materials and materials needed for an extended shelter can be found in the safety barrel located in your classroom.

The Community Warning System

When you hear the Safety sirens: The Community Warning System is a network of Safety Sirens and media links that warn and inform our community in the case of an emergency. Safety sirens will only be sounded in the event of a chemical accident.

Three important steps to take when you hear the Safety Siren:

- I. Shelter
2. Shut

Go inside the nearest classroom or building.

Seal all doors and windows and turn off ventilation systems. Locking doors and windows creates the best seal. Use tape, rags or clothing to seal doors or other air leaks. Cover eyes and mouth with a wet cloth if irritation or breathing difficulty occurs. .

Under no circumstances will a room or facility in shelter be opened for student release until directed to do so by the administration or authorities.

Please NOTE: The Safety Sirens are tested on the first Wednesday of each month at 11:00 am for more information about the Community Warning System, please call 925-313-9622

Earthquake

Earthquake procedures in the classroom or office

At the first indication of ground movement, you should **DROP** to the ground. It will soon be impossible to stand upright during the earthquake. Getting to the ground will prevent being thrown to the ground.

You should seek protective **COVER** under or near desks, tables, or chairs in a kneeling or sitting position.

You should **HOLD** onto the table or chair legs. Holding onto the legs will prevent it from moving away from you during the quake. Protect your eyes from flying glass and debris with your arm covering your eyes.

You should remain in the **DROP** position until ground movement ends. Be prepared to **DROP**, **COVER** and **HOLD** during aftershocks. After ground movement ends, check for injuries and safely evacuate the building. Move to a safe, open area, away from power lines and other overhead hazards.

Earthquake procedures in other parts of the building

At the first indication of ground movement, you should **DROP** to the ground.

Take **COVER** under any available desk, table, or bench. If in a hallway, drop next to an inside wall in a kneeling position and cover the back of the neck with your hands.

After ground movement ends, check for injuries and safely evacuate the building. Move to a safe, open area, away from power lines and other overhead hazards.

Earthquake procedures while outside

At the first indication of ground movement, move away from overhead hazards such as power lines, trees, and buildings, **DROP** to the ground and **COVER** the back of the neck with your hands. Be aware of aftershocks. Do not enter buildings until it is determined safe to do so.

If walking to or from school, **DO NOT RUN**. Stay in the open. If the student is going to school, continue to the school. If going home, the student should continue to home.

Instruct all students to hold the position until given further directions.

At the conclusion of the ground movement, provide the following directions:

- Remind them to remain calm and follow all directions carefully.
- Direct them to stay in **HOLD** position reminding them of the possibility of aftershocks.
- Review classroom exit procedures and warn them of possible dangers, (trees, lines down, etc.) and that they may have to use the alternative evacuation routes.

All staff should then:

- Assess the students for injuries and the classroom for safety hazards.
- Check with a neighboring teacher to see if assistance is needed (one may have to stay with any injured student while the other evacuates both classes).
- Wait for the evacuation signal (announcement, runner, or fire alarm) and evacuate with your students to the predetermined location. Be sure to bring current roll sheets.

- If you have any seriously injured students, remain with them. Ask a neighboring teacher to escort your class to the evacuation area. If that is not possible, appoint a class monitor and direct the class to go directly to the evacuation area and remain there until contacted.
- Once at your evacuation site, take roll.
- Teachers will write the names of missing or extra students to give to the principal or designee.
- Administration will radio all other sites and the command post to report missing or extra students.
- All staff and students will remain at evacuation locations until given further directions from the administration.

While in a vehicle, pull over to the side of the road and stop. If on a bridge, overpass, or under power lines, continue on until the vehicle is away from the overhead dangers. Wait until the ground movement stops and check for injuries. Be aware of aftershocks, downed wires, or roads blocked by debris.

Bomb Threats

If a telephone call or written threat is received by school personnel regarding placement of a bomb or explosives in a building or on campus, certain procedures shall be followed immediately.

I. If the message is a telephone call, use the "Bomb Threat Information Form" to quickly gather as much information as possible. Try to delay the caller so that someone else in the may notify the telephone company in an attempt to trace the call.

If the message is in the form of a letter, note the manner in which it arrived, who found it, and where it was found. Do not handle the message, wait for police to collect it as evidence.

2. The actual wording of the message shall not be divulged to the general public. The suspected presence of a bomb shall not be announced to the students.

3. Immediately upon the receipt of the message, notify an administrator, and the administrator will call the police and the Superintendent.

4. The decision to evacuate or not evacuate the facility rests with the director or designee and shall be

5. based on all information available. If a suspected explosive device is found, it shall not be moved or touched. The building shall be immediately evacuated, employing fire drill procedures (but avoiding that area), and the local law

enforcement agency immediately notified.

a. If NO explosive device is discovered, wait for the Police to give the all clear.

b. In case of an explosion and/or fire, the usual fire drill procedures shall be followed.

c. No publicity shall be issued at or within the schools.

d. As soon as possible after the threat of danger is over, the director or supervisor shall promptly write a detailed report to the Superintendent.

If a staff member sees a suspicious object which they have reason to think is explosive, highly flammable, or otherwise dangerous, he/she should immediately evacuate the classroom and notify the office. If the office is not immediately available, or if the situation is urgent, the teacher should activate a fire pull station or otherwise initiate a fire drill. Do not call the office on a cell phone.

Lock Down

If there is an armed intruder or active shooter on campus, a Lockdown message will be given through the phone all-call system. Staff members have a very limited amount of time in which to commit to a course of action. Immediately assess both the situation and the surrounding environment. Remember, the Lockdown response is a partnership with local law enforcement.

Immediate actions should include:

- Students and staff go into classrooms/buildings or run to off-site evacuation areas if the situation permits.
- Keep students as quiet as possible.
- LOCKDOWN includes locking doors, building door barricades, internal barricades, covering windows and turning off/dimming lights.
- Notify administration
- Call 911 if you know the location of the shooter, the description or identity of the shooter or if you need medical direction for a victim. (Call from a land line if possible)
- Administration notifies the Superintendent
- Watch email for directions.

Intermediate activities:

- Take roll
- Conduct anxiety-reducing activities. (Students sit and breathe deeply.)

Evacuation:

- Prepare students and yourself for a quick evacuation.
- Follow directions of law enforcement when they arrive.

Reunification: This applies to afternoon or summer concurrent high school students. Adult students may also go to the multipurpose room if they desire or leave the school after checking in with their teacher or someone in charge.

- When teachers are notified that the emergency situation is clear, students will be escorted to the multipurpose room.
- Students will be asked to text a parent/guardian that they should come to the Martinez Adult School parking lot and enter the multipurpose room (MPR) through the door on the parking lot side and to bring an I.D.
- A table will be established at the entrance to the MPR and parents/guardians will write down on a log the student's name, print their name and phone number and show an I.D. Teacher will be assigned to monitor this area and note the time when a student left with a parent/guardian.
- Students will also be released to adults listed on the emergency information form and the same process of I.D. verification, sign-in, and time-notation when a student leaves will be followed.
- In some instances, high-school students will be released on their own. If the student drove to school and it is safe to remove the car from the location, students will be allowed to leave when safe. Time of departure will be noted. Parents will be notified that the student left school.
- In some cases, parents/guardians may be advised that a law enforcement investigation is underway and may be advised that interviews are necessary. In extreme cases, patients may be pulled aside for emergency or medical information.

POLICIES REGARDING ACTIONS WHICH WOULD LEAD TO SUSPENSION AND/OR EXPULSION

The following applies to concurrent high school students or Martinez Community Academy Students. Acts conforming to any of the following would be recorded and made known to a student's home school.

Grounds for suspension which fall under Education Code 48900

- a. Caused, attempted to cause, or threatened to cause physical injury to another person
 - b. 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 pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
 - c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance.
 - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to school property or private property.
 - g. Stolen or attempted to steal school or private property.
 - h. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
 - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. Had unlawful possession of, or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
 - k. Disrupted school activities or otherwise willfully defied the valid authority supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
 - l. Knowingly received stolen school property or private property.
 - m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm as to substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - n. Committed or attempted to commit sexual assault.
 - o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- A pupil may not be suspended or expelled for any of the acts listed above unless that act is related to school activity or school attendance occurring while in a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
- a. While on school grounds.
 - b. While going to or coming from school.
 - c. During the lunch period, whether on or off the Campus.

d. During, or in route to and from, a school sponsored activity.

Expulsion Policies under Education Code 48915:

The director shall recommend the expulsion of a pupil for any of the following committed at school or school activity off school grounds, unless the principal or superintendent finds an expulsion is inappropriate, due to the particular circumstance:

- a. Causing serious physical injury to another person, except in self-defense.
- b. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- c. Unlawful possession of any controlled substance, as defined under Ed. Code.
- d. Robbery or extortion.
- e. Assault or battery on any school employee, as defined in Sections 240 and 242 of the Penal Code.

Mandatory Recommendation for Expulsion

The principal or superintendent shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- a. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil has obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if an employee of a school district verifies the possession.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance as defined by Education Code.
- d. Committing or attempting to commit a sexual assault as defined in the Education Code.

PROCEDURES TO NOTIFY TEACHERS OF DANGEROUS PUPILS

A. Notification to Teacher Re: Violent or Dangerous Student

Ed Code 49079 requires that we notify classroom teachers of students who have engaged in or are reasonably suspected of engaging in certain suspendable or expellable acts. Those acts are listed in section 48900 of the Education Code and are included in the end of this section

Every classroom teacher and substitute has immediate access to the names of those students currently enrolled in his/her classroom who meet the criteria of Education Code section 48900. Upon committing a suspendable / expellable act, the student's most recent date of suspension will be listed in the Aeries Database in the SSA field. This triggers the system to place an asterisk (*) before each student's name on the attendance list, providing electronic notice to all staff through the ABI system.

CA Codes (ec:48900-48926) EDUCATION CODE

SECTION 48900-48926

48900. A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of subdivisions (a) to (o), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) 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 pupil had obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
Possessed an imitation firearm. As used in this section, "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.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
 - (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school sponsored activity.
- (q) It is the intent of the Legislature that alternatives to suspensions or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities.

48900.2. In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

48900.3. In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is

Enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

48900.4. In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.

48900.7. (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terrorist threats against school officials or school property, or both.

(b) For the purposes of this section, "terrorist threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$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, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

If the action of the student calls for it local law enforcement should be notified of any potential threat to life.

SEXUAL HARASSMENT POLICY

A. Definition

"Sexual Harassment includes 'unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature,' when *any of four conditions* are met:

1. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education;
2. Submission or rejection of the conduct or communication is used as a factor in decisions affecting that person's education;
3. The conduct or communication has either the purpose or effect of "substantially" interfering with a person's education;
4. The conduct or communication creates an 'intimidating, hostile, or offensive educational environment.

B. Policy pertaining to Sexual Harassment & Complaint Procedures

Martinez USD Board Policy

Nondiscrimination/Harassment

BP5145.3

Students

The Board of Education desires to ensure equal opportunities for all students in admission and access to the district's educational programs, guidance and counseling programs, athletic programs, testing procedures, and other activities. District programs and activities shall be free from discrimination, including harassment with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.

(cf. 0410 Nondiscrimination in District Programs and Activities)

(cf. 5145.9 Hate Motivated Behavior)

(cf. 5146 - Married/Pregnant/Prenatal Students)

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

The Board prohibits discrimination, intimidation, or harassment of any student by any employee, student, or other person in the district. Prohibited harassment includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates a l l intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.

School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision.

5145.2 -Freedom of Speech/Expression)

(cf. 6145 - Extracurricular and Co-curriculum

Activities) (cf. 6145.2 Athletic Competition)

(cf. 6164.2-Guidance/Counseling Services)

The director or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination or harassment in violation of law, Board Policy, or Administrative Regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment or prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf 4218 - Dismissal/suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf.5144 - Discipline)

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

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

Grievance Procedures

The Board hereby designates the following position as coordinator for nondiscrimination to handle complaints regarding discrimination and harassment and inquiries regarding the district's nondiscrimination policies.

Director of Personnel

921 Susana Street
Martinez, CA 94553
(925) 335-5912

(cf.1312.1 - Complaints concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Any student who feels that he/she has been subjected to discrimination or harassment should immediately contact the coordinator, the director, or any other staff member. Any student or school employee who observes an incident of discrimination or harassment should report the incident to the coordinator or principal, whether or not the victim files a complaint.

Upon receiving a complaint of discrimination or harassment, the coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual harassment.

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall ensure that the district's nondiscrimination policy is posted, along with procedures for filing a complaint regarding discrimination or harassment, and the resources that are available to students who feel that they have been the victim of discrimination or harassment. The district's policy may also be posted on the district website or any other location that is easily accessible to students.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment.

48904 Liability of parent/guardian for willful student misconduct.

48907 Student exercise of free expression

48950 Freedom of speech

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instructional

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

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

2000h 2-2000h-6 Title IX of the Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal .App.4th 11567

Flores v. Morgru Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010.
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
California Student Safety and Violence Prevention - Laws and Regulations, April 2004
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground,
2006
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, January 1999

WEB SITES.

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

California Safe Schools Coalition: <http://www.ca.safeschools.org>

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

First Amendment Center: <http://www.firstamendment.org>

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

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

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

adopted: July 19, 2010 Martinez, CA

SCHOOL DRESS CODE (concurrent high school students)

The dress code is ru1 area in which parent cooperation is essential to students and the school.

- Shoes must be worn at all times.
- No See-through" tops/ tube tops/ inappropriate shirts/halter tops or tank tops.
- No Gang attire, i.e., bandannas, hanging belts, rolled up pant leg, tags attached to backpacks, or any other related items.
- No logos promoting or displaying:
 - o Derogatory, racial, ethnic phrases or pictures
 - o Illegal groups or gangs ru1d their insignias
 - o Illegal substances/items including drugs, alcohol, tobacco, weapons, and/or violence
 - o Obscenity or profanity; any article promoting satanic, violent, degrading, or inflammatory statements.
- Any clothing that is otherwise unsafe, inappropriate, or harmful to the school environment is not permitted.
- As of January-y 1, 2002 hats are allowed in all schools in California. The State Legislature passed this law as a reaction to growing concerns over skin cancer that may be caused by over exposure to the sun during childhood.

Dress Code Specific to Martinez Adult Education's Adult Students

As a job training program, students are expected to dress and to conduct themselves in a manner consistent with the standard of professionalism that will reflect favorably upon the student and the school in the eyes of an employer. Bare feet, exposed shoulder (tops with spaghetti straps, halter tops, tank tops, tube tops) low-cut tops or midriffs, short tight skirts, short tight shorts, torn jeans, pajamas, garments with inappropriate or offensive slogans and/or other inappropriate clothing are not suitable attire.

PROCEDURES FOR SAFE INGRESS AND EGRESS OF PUPILS

All staff should be aware of school-wide evacuation locations and alternatives. Martinez Adult Education evacuation sites are located in the MAE parking lot for the classrooms and the sidewalk along F Street for the ESL Office and Main Office staff.

The alternative locations are

- Safeway parking lot
- Walgreen's parking lot
- Alhambra football field

Upon the sounding of the evacuation (or fire drill) bell, all staff should do the following:

- Remind students to exit calmly to the parking lot. Remind them to remain quiet and listen for directions.
- Teacher takes current class lists and attendance.
- Teacher keeps door unlocked (Please lock during drills)
- Students should walk quietly behind their teacher, to the evacuation site. Students are to remain with their teacher.
- Upon arrival at the predetermined evacuation location the teacher is to take roll and notify the principal if anyone is missing.
- Teachers will give the names of missing or extra students to the evacuation site administrator or designee.
- Administration will report to the district office any missing or extra students.

When all students on all sites are accounted for, Admin will give a verbal ALL CLEAR indicating that students and staff can safely return to their classrooms. Students will remain with their class and return to class. Staff will again take attendance when back in their room to ensure all are present and accounted for.

District and Parent Responsibilities for Students

DISTRICT RESPONSIBILITY

If the superintendent declares a district emergency during the school day, the following procedures will be followed: (applicable to concurrent high school students or Martinez Community Academy students)

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AT AN ALTERNATE SAFE SITE UNDER THE SUPERVISION OF THE SCHOOL PRINCIPAL OR OTHER PERSONNEL ASSIGNED BY THE PRINCIPAL.

Either until regular dismissal time and released only then if it is considered safe, OR until released to a 11 adult authorized by the parent or legal guardian whose name appears on district records. Staff will be provided check-out sheets for the recording of student release.

- a. If students are on their way to school, they will be brought to school if bussed, or they should proceed to school if walking.
- b. If students are on their way home from school, they are to continue toward home.

During a Declared Emergency, those students who have not been picked up by their parents or other authorized person may be taken by district personnel to another site where consolidated care facilities call be provided. This information will be given to the media stations and posted at the site to keep parents informed.

PARENT RESPONSIBILITY

Parents and legal guardians of students will be provided with a Student Data Form upon concurrent enrollment. In case of a Declared Emergency, students will be released ONLY to persons designated on this form. Parents are responsible for ensuring that information on the Student Data Form is current at all times.

Parents are asked to share with the schools the responsibility for informing students of what they should do in case of a severe earthquake or other major emergency. Parents need to give specific directions to each student to follow the policy outlined above and to follow the directions of school personnel. School authorities will do everything possible to care for each student while he/she is under district supervision.

It is critical that students do not have directions from parents that are contrary to the District's stated policy on retention at school and authorized release in case of a severe emergency

SAFE AND ORDERLY SCHOOL ENVIRONMENT CONDUCTIVE TO LEARNING

Martinez Adult Education is located in Martinez, CA, the County Seat of Contra Costa. Many of our adult students come to us after experiencing job loss or major life changes. Many social service agencies, (Department of Rehabilitation, CALWORKS, Employment Development Department, Workforce Investment Board) support students in their program training. We offer classes for students desiring to improve their English or earn a high school diploma. Parent education is also available through the Growing Garden cooperative preschool.

Positive Employment Behavior: Our students receive training in appropriate behavior in the work place. Coaching and lessons on how to interact with others, work on a team, dress and comport oneself professionally are integrated into the training program.

Martinez Adult Education staff members report any signs of bullying behavior to their department chair or director, and students are reminded to report any negative experiences with other students to a staff member. The culture of care is emphasized on our campus through staff modeling and individual support.

PROCEDURES ON SCHOOL DISCIPLINE

Martinez Adult Education staff members are committed to providing a quality educational environment that is safe, secure and peaceful. It is also a commitment of our staff to help all students develop to the maximum of their capacities, and to function as responsible members of a democratic society.

Copies of the student behavior contracts are in the Support Materials section.

HATE CRIME REPORTING

Martinez Adult Education supports every student's right to a safe and hate-free learning environment.

MUSD Board Policy on Hate Motivated Behavior

In order to create a safe learning environment for all students, the Board of Education desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

- (cf. 0410 - Nondiscrimination in District Programs)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515.4 -Recovery for Property Loss or Damage)
- (cf. 5131.5 - Vandalism and Graffiti)
- (cf. 5136 - Gmlgs)
- (cf. 5137 - Positive School Climate)
- (cf. 5141.52 - Suicide Prevention)
- (cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/principal. Upon receiving such a complaint, the coordinator/principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

(cf. 5145.7 - Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

(cf. 3515.3 - District Police/Security Department)

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and Secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL

ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

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

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

adopted: October 26, 2009 Martinez, California

PROCEDURES FOR RECEIVING INFORMATION FROM LAW ENFORCEMENT

The MUSD strives to keep a good working relationship with our local law enforcement agencies. The Martinez Police Department and the Contra Costa Sheriffs Department are quick to respond to school requests such as assistance with drug and alcohol issues, bicycle safety, school safety, home visits and student welfare checks.

The Martinez Police Department has total access to our campus and often uses the campus. Officers are welcome to visit students during lunch and passing periods in an attempt to create a comfortable relationship between school and law enforcement.

Questioning and Apprehension by Law Enforcement

The Board of Education is committed to providing a safe learning environment and cooperating with law enforcement officials and peace officers as necessary to help ensure the safety of students, staff, and the community and in carrying out their official duties.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.3 - District Police/Security Department)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.12 - Search and Seizure)

In accordance with standards specified in law and court decisions, law enforcement officers may interview and question students on school premises. The Superintendent or designee shall collaborate with local law enforcement agencies to develop parameters under which law enforcement officers will interview students at school.

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

When any law enforcement official requests an interview with a student, the principal or designee shall request that the official provide verification of his/her identity and official capacity and certify the legal authority under which the interview is being conducted. If the officer refuses to provide certification of the legal authority for the interview, the principal or designee shall document such refusal and should consult with district legal counsel, as appropriate, before allowing the interview to proceed. The principal or designee shall maintain a record of all documentation relative to law enforcement interviews of students.

If the officer needs to interview or question the student immediately, the principal or designee shall accommodate the process in a way that causes the least possible disruption for the student and school, gives the student appropriate privacy, and models exemplary cooperation with law enforcement authorities.

Except in cases of child abuse or neglect, the principal or designee shall attempt to notify the student's parent/guardian as soon as practicable after law enforcement has interviewed the student on school premises.

At law enforcement's discretion and with the student's approval, the principal or designee may be present during the interview.

If a minor student is removed from school into the custody of law enforcement, the principal or designee shall immediately notify the parent/guardian or responsible relative regarding the student's release and the place to which he/she is reportedly being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code 48906)

Subpoenas

Although subpoenas may legally be served at school on students age 12 or older, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. When served at school, the principal or designee shall take all reasonable steps to ensure a minimum of embarrassment or loss of class time for the student.

Legal Reference:

EDUCATION CODE

44807 Duty concerning conduct of pupils

48264 Arrest of truants

48265 Delivery of truant

48902 Notice to law enforcement authorities

48906 Release of minor pupil to peace officers; notice to parent, guardian

48909 Narcotics and other hallucinogenic drugs (re arrest)

CODE OF CIVIL PROCEDURE

416.60 Service of summons or complaint to a minor

PENAL CODE

830-832.17 Peace officers

1328 Service of subpoena

WELFARE AND INSTITUTIONS CODE

627 Custody of minor

CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

COURT DECISIONS

People v. Lessie, (2010) 47 Cal. 4th 1152

Greene v. Camreta, (2009, 9th Cir.) 588 F.3d 1011

In re William V., (2003) 111 Cal.App.4th 1464

ATTORNEY GENERAL OPINIONS

54 Ops.Cal.Atty.Gen. 96(1971)

34 Ops.Cal.Atty.Gen. 93 (1959)

Management Resources:

WEB SITES

California Department of Justice, Office of the Attorney General: <http://caag.state.ca.us>

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

adopted: July 19, 2010 Martinez, California

Reporting crimes to law enforcement

(a) The director of a school or the principal's designee shall, prior to the suspension or expulsion of any pupil, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the pupil that may violate Section 245 of the Penal Code.

(b) The director of a school or the director designee shall, within one school day after suspension or expulsion of any pupil, notify, by telephone or any other appropriate method chosen by the school, the appropriate law enforcement authorities of the county or the school district in which the school is situated of any acts of the pupils that may violate subdivision (c) or (d) of Section 48900.

(c) Notwithstanding subdivision (b), the principal of a school or the principal's designee shall notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of a pupil that may involve the possession or sale of narcotics or of a controlled substance or a violation of Section 626.9 or 626.10 of the Penal Code. The principal of a school or the principal's designee shall report any act specified in paragraph (1) or (5) of subdivision (c) of Section 48915 committed by a pupil or non-pupil on a school site to the city police or county sheriff with jurisdiction over the school and the school security department or the school police department, as applicable.

(d) A principal, the principal's designee, or any other person reporting a known or suspected act described in subdivision (a) or (b) is not civilly or criminally liable as a result of making any report authorized by this article unless it can be proven that a false report was made and that the person knew the report was false or the report was made with reckless disregard for the truth or falsity of the report.

(e) The willful failure to make any report required by this section is an infraction punishable by a fine to be paid by the principal or principal's designee who is responsible for the failure of not more than five hundred dollars (\$500).

(f) The principal of a school or the principal's designee reporting a criminal act committed by a school age individual with exceptional needs, as defined in Section 56026, shall ensure that copies of the special education and disciplinary records of the pupil are transmitted, as described in paragraph (9) of subsection (k) of Section 1415 of Title 20 of the United States Code, for consideration by the appropriate authorities to whom he or she reports the criminal act. Any copies of the pupil's special education and disciplinary records may be transmitted only to the extent permissible under the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. SEC. 1232g et seq.).

(Amended by Stats. 2009, Ch. 292, Sec. 1.)

Reference:

20 USC 1415

20 USC 1232g et seq.

Education Code 48900

Education Code 48915

Penal Code 245,626.9, 626.10

ASSESSMENT OF A SCHOOL'S PHYSICAL ENVIRONMENT

The facility was built in 1955 and has numerous maintenance issues due to its age. Heating, plumbing, dry rot and cracked/uneven walkways are a concern. MAE has a head custodian who works early morning to early afternoon; an afternoon /evening custodian is shared with Vicente/Briones. Maintenance issues requiring district assistance are handled through an on-line work-order system. The district also employs a full-time gardening crew to service all MUSD sites.

CRISIS INTERVENTION

When a student is believed to be in crisis, the administration is immediately notified. Family members, counselors, or 911 are alerted as needed. The Martinez Police Department is notified immediately to perform an evaluation on the student. A determination is then made by the Officer if the student is a harm to himself or others and parent contact is made.

About Teen Suicide

When a teen commits suicide, everyone is affected. Family members, friends, teammates, neighbors, and sometimes even those who didn't know the teen well might experience feelings of grief, confusion, guilt - and the sense that if only they had done something differently, the suicide could have been prevented.

So, it's important to understand the forces that can lead teens to suicide and to know how to help.

About Teen Suicide

The reasons behind a teen's suicide or attempted suicide can be complex. Although suicide is relatively rare among children, the rate of suicides and suicide attempts increases tremendously during adolescence. Suicide is the third leading cause of death for

15- to 24-year olds, according to the Centers for Disease Control and Prevention (CDC), surpassed only by accidents and homicide.

The risk of suicide increases dramatically when kids and teens have access to firearms at home, and nearly 60% of all suicides in the United States are committed with a gun. That's why any gun in your home should be unloaded, locked, and kept out of the reach of children and teens. Ammunition should be stored and locked apart from the gun, and the keys for both should be kept in a different area from where you store your household keys. Always keep the keys to any firearms out of the reach of children and adolescents. Suicide rates differ between boys and girls. Girls think about and attempt suicide about twice as often as boys and tend to attempt suicide by overdosing on drugs or cutting themselves. Yet boys die by suicide about four times as often girls. perhaps because they tend to use more lethal methods, such as firearms, hanging, or jumping from heights.

Which Kids Are at Risk for Suicide?

It can be hard to remember how it felt to be a teen, caught in that gray area between childhood and adulthood. Sure, it's a time of tremendous possibility but it can also be a period of great confusion and anxiety. There's pressure to fit in socially, to perform academically, and to act responsibly. There's the awakening of sexual feelings, a growing self-identity, and a need for autonomy that often conflicts with the rules and expectations set by others.

A teen with an adequate support network of friends, family, religious affiliations, peer groups, or extracurricular activities may have an outlet to deal with everyday frustrations. But many teens don't believe they have that, and feel disconnected and isolated from family and friends. These teens are at increased risk for suicide. Factors that increase the risk of suicide among teens include:

- a psychological disorder, especially depression, bipolar disorder, and alcohol and drug use (in fact, approximately 95% of people who die by suicide have a psychological disorder at the time of death)
- feelings of distress, irritability, or agitation
- feelings of hopelessness and worthlessness that often accompany depression (a teen, for example, who experiences repeated failures at school, who is overwhelmed by violence at home, or who is isolated from peers is likely to experience such feelings)
- a previous suicide attempt
- a family history of depression or suicide (depressive illnesses may have a genetic component, so some teens may be predisposed to suffer major depression)
- physical or sexual abuse
- lack of a support network, poor relationships with parents or peers, and feelings of social isolation

Warning Signs

Suicide among teens often occurs following a stressful life event, such as a perceived failure at school, a breakup with a boyfriend or girlfriend, the death of a loved one, a divorce, or a major family conflict.

A teen who is thinking about suicide might:

- talk about suicide or death in general
- talk about "going away"
- talk about feeling hopeless or feeling guilty
- pull away from friends or family
- lose the desire to take part in favorite things or activities
- have trouble concentrating or thinking clearly
- experience changes in eating or sleeping habits
- indulge in self-destructive behavior (drinking alcohol, taking drugs, or driving too fast, for example)

What Can Parents Do?

Most teens who commit or attempt suicide have given some type of warning to loved ones ahead of time. So, it's important for parents to know the warning signs so that kids who might be suicidal can get the help they need.

Watch and Listen

Keep a close eye on a teen that seems depressed and withdrawn. Poor grades, for example, may signal that your teen is withdrawing at school.

It's important to keep the lines of communication open and express your concern, support, and love. If your teen confides in you, show that you take those concerns seriously. A fight with a friend might not seem like a big deal to you in the larger scheme of things, but for a teen it can feel immense and consuming. It's important not to minimize or discount what your teen is going through, as this can increase his or her sense of hopelessness.

If your teen doesn't feel comfortable talking with you, suggest a more neutral person, such as another relative, a clergy member, a

coach, a school counselor, or your child's

doctor. **Ask Questions**

Some parents are reluctant to ask teens if they have been thinking about suicide or hurting themselves.

Some fear that by asking, they will plant the idea of suicide in their teen¹'s head.

It's always a good idea to ask, even though doing so can be difficult. Sometimes it helps to explain why you're asking. For instance, you might say: "I've noticed that you've been talking a lot about wanting to be dead. Have you been having thoughts about trying to kill yourself?"

Get Help

If you learn that your child is thinking about suicide, get help immediately. Your doctor can refer you to a psychologist or psychiatrist, or your local hospital's department of psychiatry can provide a list of doctors in your area. Your local mental health association or county medical society can also provide references.

In an emergency, you can call (800) SUICIDE.

If your teen is in a crisis situation, your local emergency room can conduct a comprehensive psychiatric evaluation and refer you to the appropriate resources. If you're unsure about whether you should bring your child to the emergency room, contact your doctor or call (800) 833-2900, (800) 273-TALK or (800) SUICIDE.

If you've scheduled an appointment with a mental health professional, make sure to keep the appointment, even if your teen says he or she is feeling better. Suicidal thoughts do tend to come and go; however, it is important that your teen get help developing the skills necessary to decrease the likelihood that suicidal thoughts and behaviors will emerge again if a crisis arises.

If your teen refuses to go to the appointment, discuss this with the mental health professional - and consider attending the session and working with the clinician to make sure your teen has access to the help needed. The clinician might also be able to help you devise strategies to help your teen want to get help.

Remember that any ongoing conflicts between a parent and child can fuel the fire for a teen who is feeling isolated, misunderstood, devalued, or suicidal. Get help to air family problems and resolve them in a constructive way. Also let the mental health professional know if there is a history of depression, substance abuse, family violence, or other stresses at home, such as an ongoing environment of criticism.

Helping Teens Cope With Loss

What should you do if someone your teen knows, perhaps a friend or a classmate, has attempted or committed suicide? First, acknowledge your child's many emotions. Some teens say they feel guilty- especially those who felt they could have interpreted their friend's actions and words better. Others say they feel angry with the person who committed or attempted suicide for having done something so selfish. Still others say they feel no strong emotions. All of these reactions are appropriate; emphasize to your teen that there is no right or wrong way to feel.

When someone attempts suicide and survives, people may be afraid of or uncomfortable about talking with him or her about it. Tell your teen to resist this urge; this is a time when a person absolutely needs to feel connected to others.

Many schools address a student's suicide by calling in special counselors to talk with the students and help them cope. If your teen is dealing with a friend or classmate's suicide, encourage him or her to make use of these resources or to talk to you or another trusted adult.

If You Have Lost a Child to Suicide

For parents, the death of a child is among the most painful losses imaginable. For parents who've lost a child to suicide, the pain and grief may be intensified. Although these feelings may never completely go away, survivors of suicide can take steps to begin the healing process:

- Maintain contact with others. Suicide can be a very isolating experience for surviving family members because friends often don't know what to say or how to help. Seek out supportive people to talk with about your child and your feelings. If those around you seem uncomfortable about reaching out, initiate the conversation and ask for their help.
- Remember that your other family members are grieving, too, and that everyone expresses grief in their own way. Your other children, in particular, may try to deal with their pain alone so as not to burden you with additional worries. Be there for each other through the tears, anger, and silences - and, if necessary, seek help and support together.
- Expect that anniversaries, birthdays, and holidays may be difficult. Important days and holidays often reawaken a sense of loss and anxiety. On those days, do what's best for your emotional needs, whether that means surrounding yourself with family and friends or planning a quiet day of reflection.
- **Understand that it's normal to feel guilty and to question how this could have happened, but it's also important to realize that you might never get the answers you seek, the healing that takes place over time comes from reaching a point of forgiveness - for both your child and yourself.**
- **Counseling and support groups can play a tremendous role in helping you to realize you are not alone.**

Reviewed by: Matthew K. Nock PhD

STAFF DEVELOPMENT IN IMPLEMENTING THE SAFETY PLAN

The Safety Plan is provided in the Staff Handbook, available to all on the staff website. Staff members are reminded to review all evacuation routes with students at the beginning of each quarter or each new class. Earthquake, intruder on campus, and shelter in place drills are also practiced throughout the year in order to familiarize staff and students with the protocols necessary for these types of emergencies.

TECHNOLOGY AND DIGITAL CITIZENSHIP

Computer use is a major element in all classes at MAE. Neither students nor staff have permission to install any software on the computers. Appropriate use of technology is expected and demanded, Those who do not comply will be denied access to computer use. .

UNIFORM COMPLAINT PROCEDURES

Martinez USD

Board Policy

Uniform Complaint Procedures
BP 13 12.3 Community Relations

The Board of Education recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures, (5 CCR 4620) The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code fi135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on

the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

(5 CCR 4610)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical education and training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

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

(cf. JJIZ-1- Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5148 - Child Care and Development)

(cf. §15.2 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Vocational Education)

(cf. 6200 - Adult Education)

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies and misassignments shall be investigated pursuant to the district's Williams uniform complaint procedure (AR 1312.4).

(cf. UUA: - Williams Uniform Complaint Procedures)

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process.

This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

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

(cf. 5125 - Pupil Records)

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

The Board prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination.

Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-5249() Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54028 Economic impact Aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-640fil Consolidated application process

PENAL CODE

422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs
li li01-fi777 Title II preparing and recruiting high quality teachers and principals

6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

Management Resources:

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/index.html>

Policy MARTINEZ UNIFIED SCHOOL DISTRICT
adopted: May 22, 2006 Martinez, California

Martinez USD

Administrative Regulation

Uniform Complaint Procedures AR 1 3 12.3 Community Relations Compliance Officers

The Board of Education designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance with law:

Director, Student Services
921 Susana St.
Martinez, CA 94553
(925)-313-0408 ext. 212

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The Superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge. (5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
 - a. The district is primarily responsible for compliance with state and federal laws and regulations
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline
 - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination
 - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision

e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision

(cf. 5145.6 - Parental Notifications)

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the district. (S CCR 4630)

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. (S CCR 4630)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (S CCR 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint

unless the complainant agrees in writing to such fill extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant fill d/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (S CCR 4631)

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in filly other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation, (S CCR 463..1)

The district's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below, within 60 days of the district's receipt of the complaint. (5 CCR 4631)

Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered (5 CCR 4631)
 2. The conclusion(s) of law (5 CCR 4631)
 3. Disposition of the complaint (5 CCR 4631)
 4. Rationale for such disposition (5 CCR 4631)
 5. Corrective actions, if any are warranted (5 CCR 4631)
 6. Notice of the complainant's right to appeal the district's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal (5 CCR 4631)
 7. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)
- If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect, and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

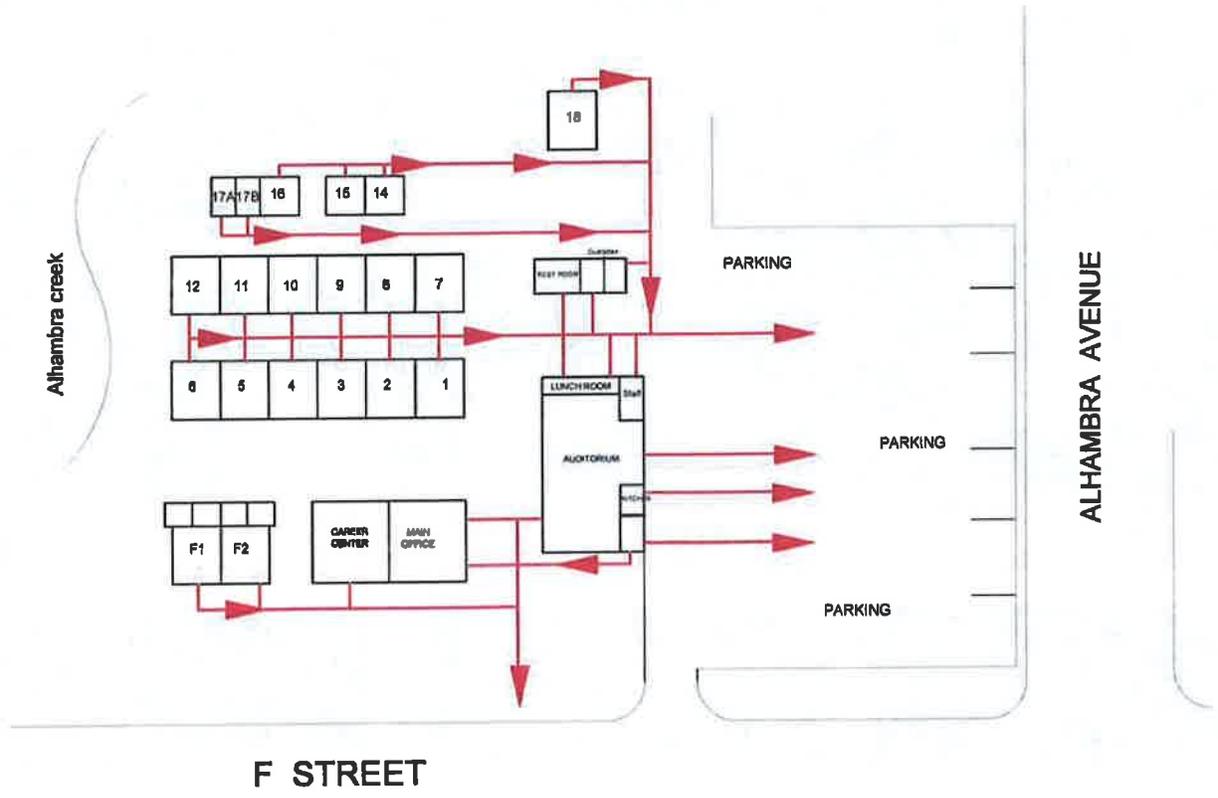
1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures.

Complainants may seek assistance from mediation centers



EVACUATION ROUTES

MARTINEZ ADULT EDUCATION

HOW TO PREPARE FOR AND RESPOND DURING AND AFTER AN ACTIVE SHOOTER INCIDENT

Recent national tragedies remind us that the risk is real: an active shooter incident can happen in any place at any time. The best ways to make sure you and your loved ones stay safe are to prepare ahead of time and be ready. Taking a few steps now and mentally rehearsing what to do can help you react quickly when every second counts.



TAKE AN ACTIVE ROLE IN YOUR OWN SAFETY

NOW PREPARE

- Sign up for active shooter training
- If you see something suspicious, say something
- Know community response plans
- Identify the exits and good places to hide
- Learn and practice first aid skills and use of tourniquets

DURING SURVIVE

- Run
- Hide
- Fight



You may need to use more than one option.

AFTER BE SAFE

- Help law enforcement
- Seek out medical help
- Help others survive
- Seek help to cope with psychological trauma

HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

QUICKLY DETERMINE THE MOST REASONABLE WAY TO PROTECT YOUR OWN LIFE. CUSTOMERS AND CLIENTS ARE LIKELY TO FOLLOW THE LEAD OF EMPLOYEES AND MANAGERS DURING AN ACTIVE SHOOTER SITUATION.

1. Run

- Have an escape route and plan in mind
- Leave your belongings behind
- Keep your hands visible

2. Hide

- Hide in an area out of the active shooter's view.
- Block entry to your hiding place and lock the doors

3. Fight

- As a last resort and only when your life is in imminent danger.
- Attempt to incapacitate the active shooter
- Act with physical aggression and throw items at the active shooter

**CALL 911 WHEN IT
IS SAFE TO DO SO**

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES ON THE SCENE

1. HOW YOU SHOULD REACT WHEN LAW ENFORCEMENT ARRIVES:

- Remain calm and follow officers' instructions
- Immediately raise hands and spread fingers
- Keep hands visible at all times
- Avoid making quick movements toward officers such as attempting to hold on to them for safety
- Avoid pointing, screaming and or yelling
- Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises

2. INFORMATION YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR:

- Location of the victims and the active shooter
- Number of shooters, if more than one
- Physical description of shooter's
- Number and type of weapons held by the shooter's
- Number of potential victims at the location

RECOGNIZING SIGNS OF POTENTIAL WORKPLACE VIOLENCE

AN ACTIVE SHOOTER MAY BE A CURRENT OR FORMER EMPLOYEE. ALERT YOUR HUMAN RESOURCES DEPARTMENT IF YOU BELIEVE AN EMPLOYEE EXHIBITS POTENTIALLY VIOLENT BEHAVIOR. INDICATORS OF POTENTIALLY VIOLENT BEHAVIOR MAY INCLUDE ONE OR MORE OF THE FOLLOWING:

- Increased use of alcohol and/or illegal drugs
- Unexplained increase in absenteeism, and/or vague physical complaints
- Depression/Withdrawal
- Increased severe mood swings, and noticeably unstable or emotional responses
- Increasingly talks of problems at home
- Increase in unsolicited comments about violence, firearms, and other dangerous weapons and violent crimes



Contact your building management or human resources department for more information and training on active shooter response in your workplace.



NOW PREPARE

- Sign up for active shooter training.
- If you see suspicious activity, let an authority know right away.
- Many places like houses of worship, workplaces, and schools have plans in place to help you respond safely. Ask about these plans and get familiar with them. If you participate in an active shooter drill, talk to your family about what you learn and how to apply it to other locations.
- When you visit a building like a shopping mall or health care facility, take time to identify two nearby exits. Get in the habit of doing this.
- Map out places to hide. Solid doors with locks, rooms without windows, and heavy furniture like large filing cabinets and desks make good hiding places.
- Sign up for first aid and tourniquet training.



DURING SURVIVE

- **RUN.** Getting away from the shooter or shooters is the top priority. Leave your things behind and run away. If safe to do so, warn others nearby. Call 911 when you are safe. Describe each shooter, their locations, and weapons.
- **HIDE.** If you can't get away safely, find a place to hide. Get out of the shooter's view and stay very quiet. Silence your electronic devices and make sure they won't vibrate. Lock and block doors, close blinds, and turn off the lights. Don't hide in groups—spread out along walls or hide separately to make it more difficult for the shooter. Try to communicate with police silently—like through text messages or by putting a sign in an exterior window. Stay in place until law enforcement gives you the all clear.
- **FIGHT.** Your last resort when you are in immediate danger is to defend yourself. Commit to your actions and act aggressively to stop the shooter. Ambushing the shooter together with makeshift weapons such as chairs, fire extinguishers, scissors, and books can distract and disarm the shooter.



AFTER BE SAFE

- Keep hands visible and empty.
- Know that law enforcement's first task is to end the incident, and they may have to pass injured along the way.
- Follow law enforcement instructions and evacuate in the direction they come from.
- Consider seeking professional help for you and your family to cope with the long-term effects of the trauma.

HELPING THE WOUNDED

Take care of yourself first, and then you may be able to help the wounded before first responders arrive:

- If the injured are in immediate danger, help get them to safety.
- While you wait for first responders to arrive, provide first aid—apply direct pressure to wounds and use tourniquets if you have been trained to do so. Turn wounded people onto their sides if they are unconscious and keep them warm.

Additional Resources

VIDEO

Run. Hide. Fight. Surviving an Active Shooter Event
www.youtube.com/watch?v=5VcSwejU2D0

ONLINE COURSE

Active Shooter: What You Can Do <https://training.fema.gov/is/courseoverview.aspx?code=IS-907>

GUIDE FOR HOUSES OF WORSHIP

www.dhs.gov/sites/default/files/publications/Developing_EOPs_for_Houses_of_Worship_FINAL.PDF

GUIDE FOR K-12 SCHOOLS

www.fema.gov/media-library-data/20130726-1922-25045-3850/rem_s_k_12_guide.pdf

WEBSITES

www.dhs.gov/active-shooter-preparedness

www.fbi.gov/about/partnerships/office-of-partner-engagement/active-shooter-incidents

www.fema.gov/faith-resources

www.redcross.org/ux/take-a-class



Emergency Alert System (EAS)

What is the Emergency Alert System (EAS)?

The Emergency Alert System (EAS) is a national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service (SDARS) providers and direct broadcast satellite (DBS) providers to provide the President with communications capability to address the American people within 10 minutes during a national emergency. The system also may be used by state and local authorities, in cooperation with the broadcast community, to deliver important emergency information, such as weather information, AMBER alerts and local incident information targeted to specific areas.

FEMA, in partnership with the Federal Communications Commission (FCC) and National Oceanic and Atmospheric Administration (NOAA), is responsible for implementation, maintenance and operations of the EAS at the federal level. The President has sole responsibility for determining when the national level EAS will be activated. FEMA is responsible for national-level EAS, tests, and exercises.

EAS Modernization and Primary Entry Point (PEP) Stations

The modernization of the EAS begins with the FEMA adoption of a new digital standard for the distribution of alert messages to the broadcast community. The Integrated Public Alert and Warning System (IPAWS) uses the Common Alerting Protocol (CAP) standard and new distribution methods to make the EAS more resilient and to provide enhanced alerting capabilities.

Primary Entry Point (PEP) stations are broadcast stations located throughout the country with a direct connection to FEMA and resilient transmission capabilities. These stations provide the initial broadcast of a Presidential EAS message. FEMA increased the number of PEP facilities to provide direct coverage to over 90 percent of the American people.

History of the Emergency Alert System (EAS)

In 1951, the CONTROL of ELECTromagnetic RADiation, originally called the "Key Station System" or CONELRAD, initiated a special sequence and procedure on participating stations tuned to 640 & 1240 kHz AM which was designed to warn citizens. In 1963, the Emergency Broadcast System (EBS) was initiated to address the nation through audible alerts. It did not allow for targeted messaging. EBS upgraded in 1976 to provide for better and more accurate handling of alert receptions. During this time, EBS was expanded for use during peacetime at state and local levels. In 1997, the Emergency Alert System (EAS) was designed for the President to speak to the American people within 10 minutes of a national emergency. EAS messages are composed of a digitally encoded header, attention signal, audio announcement and digitally encoded end-of-message marker.

The EAS Remains a Critical Component of IPAWS

In 2006, President Bush signed Executive Order 13407 directing the Department of Homeland Security (DHS) to create a comprehensive public alert and warning system for the United States. FEMA was directed to lead the effort and adopted a set of standards and protocols which support IPAWS. IPAWS is a modernization and integration of the nation's existing and future alert and warning systems, technologies and infrastructure. Federal, state, territorial, tribal and local government alert and warning systems are able to integrate with the national alert and warning infrastructure providing a broader range of message options and communications pathways for the delivery of alert and warning information to the American people before, during, and after a disaster by providing one message over more media to more people for the preservation of life and property.

For more information: <http://www.fema.gov/ipaws>

To contact the IPAWS Program Management Office: ipaws@fema.dhs.gov

