



# Comprehensive School Safety Plan SB 187 Compliance Document

**2017-2018  
School Year**

**School:** Martinez Junior High School  
**CDS Code:** 07617396057186  
**District:** Martinez Unified School District  
**Address:** 1600 Court Street  
Martinez, CA 94553  
**Date of Adoption:** 2/22/2018

**Approved by:**

Name	Title	Signature	Date
Katie Martin	Principal		
Todd Navarro	Parent, Site Council President		

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Martinez Unified School District , 921 Susana Street, Martinez, CA 94553.

### **Safety Plan Vision**

"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 districts 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 I.I -1.6

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

### **Martinez Junior High School Safety Committee**

Katie Martin, Principal  
Todd Navarro, Parent  
Kathy Walsh, Teacher  
Laura Greenblatt, Teacher  
Nicole Hansen, Teacher  
Julianne George, Teacher  
Kelley Mills, Office Manager  
Jackson Leonard, Student  
Kelsey Adams, Student  
Denise Martinez, Student

### **Assessment of School Safety**

In so much as any school is a reflection of its larger community, Martinez Junior High School faces the same challenges as the parent community it represents. Overall, MJHS has been highly successful in addressing many of these challenges. Nonetheless, areas of concern do exist and are constantly evaluated as to both response mechanisms as well as more proactive, longer-term strategies. This section will spell out the areas of concern, as well as some of the strategies being employed to address them.

#### **School climate - Students:**

Overall, MJHS students are motivated and well behaved. This is reflected in the fact that around 60% of the student body has earned a GPA of 3.0 or higher. The majority of students never earn a discipline referral in their three year tenure. Together these facts indicate that for most students the school's extensive system of recognition and rewards are powerful incentives to keep them on track and meeting the school's standards and expectations. Students are involved in many activities both on and off campus such as peer tutoring, athletics, clubs, and other civic minded activities.

MJHS students receive a combination calendar planner/student handbook at registration each year which details our expectations for our students. This code is also distributed to all Parents and/or Guardians before the start of the year. Universal behavior expectations are posted in student areas throughout the school, are explicitly taught in the homeroom setting throughout the year, and are consistently reinforced through campus media, role play and discussion.

The MJHS staff devotes significant amounts of time to our students not only in the classroom but also in numerous outside activities such as campus clubs, sports, activities, care team meetings, peer tutoring, parent conferences, etc.

#### **School suspensions:**

During the 2016-2017 school year, 83 different students were formally suspended from Martinez Junior High for a total of 161 separate incidents. There were 96 incidents resulting in out-of-school suspensions, and 65 in-school suspension incidents. Leading the list of suspensions was 48900(k), some form of defiance or disruption of school activities, with 34 suspendable incidents. The second highest category of suspensions was 48900(a-1), fights; caused/attempted/threatened physical injury to another person, with 30 suspendable incidents, while the third highest category was 15 suspendable incidents for 48900(a-2), assault; willfully used force or violence upon the person of another, except in self-defense.

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

At MJHS, we believe every student can learn. We promote and encourage students to succeed academically and socially in a safe, caring environment with the support of our community.

All students will think critically, solve problems, analyze, interpret, organize and apply new information. They will speak and write clearly and persuasively, and use technology effectively. They will feel connected academically, socially, and emotionally to other students, to adults, and to the community. They will act as responsible and aware participants in their local community and the world. All students will design, direct and demonstrate their learning that reflects their goals and personal values; they will work collaboratively with diverse groups.

All staff will recognize their important role in creating thinking, meaning centered learning opportunities. They will continue professional conversations, development, and training in new pedagogies in order to support the changing curriculum and to support student outcomes. All staff will work cooperatively with diverse groups in the school and larger community and will provide input regarding budget, scheduling, curriculum and facilities allocations.

All parents/guardians will support the development of thinking, meaning centered learning opportunities for all students. All parents/guardians will see themselves as valued and important members of the educational community. Parents/guardians will contribute to the development of student outcomes, and will continue in their advisory role on policy making bodies.

The community (business, community service groups, feeder and secondary schools) will continue to serve on site advisory committees.

The District Office, School Board and School will share a common vision. The School Board and district office staff will continue to encourage and support site based decision making, support alternative assessments, and foster community between Martinez Junior High School and our feeder schools and secondary schools.

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

##### **Child Abuse Reporting Procedures**

###### **A. Definition of Child Abuse**

Child abuse means a physical injury that is inflicted by other than accidental means 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, 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. 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**

- Mutual affray between minors
- Injury caused by reasonable and necessary force used by a peace officer:
  - To quell a disturbance threatening physical injury to a person or damage to 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 the 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 mutual 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, please consult with the school social worker and campus officer to determine if particular provisions under this section are current and in effect.

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 is voluntary, if 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 or Younger 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.
- c. Lewd and lascivious acts committed by a partner of any age.
- d. Partner is alleged spouse and is 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 21 years
- b. There are 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

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

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.

Child Abuse Reporting Number: 1-877-881-1116

Martinez Police Dept: 925-372-3440

Please report all incidents of physical and sexual abuse to the police department as well as CPS.

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

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

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.

## Levels of Response

Response Levels are used to describe the type of event:

The area(s) affected, the extent of coordination or assistance needed, and the degree of participation expected from the School District. Response Levels are closely tied to Emergency Proclamations issued by the head of local government.

### Response Level 0- Readiness and Routine Phase

On-going routine response by the School District to daily emergencies or incidents. Stand-by and alert procedures issued in advance of an anticipated or planned event.

### Response Level 3- Local Emergency



A minor to moderate incident in which local resources are adequate and available. This level of emergency response occurs when an emergency incident, e.g., gas leak, sewer back-up, assaults, bomb threat, toxic spill, medical emergency, shooting, etc., occurs. A Level 3 response requires School/Site Coordinators to implement guidelines in the Emergency Standard Operating Procedures and interact with public agencies.

#### Response Level 2- Local Disaster

A moderate to severe emergency in which resources are not adequate and mutual aid may be required on a regional, even statewide basis with coordination with local police and fire departments of the affected are working in concert with Martinez Unified School District to respond. The affected Cities and the County of Contra Costa will proclaim a local emergency. Then, the State of California may declare a state of emergency.

#### Response Level 1- Major Disaster

Resources in or near the impacted areas are overwhelmed and extensive State and Federal resources are required. The cities and the County of Contra Costa will proclaim a local emergency. Then, the State of California will declare a State of Emergency. A Presidential Declaration of an Emergency or Major Disaster is requested by the State. Examples of major disasters are the Loma Prieta Earthquake of 1989 or the Oakland Hills Firestorm of 1991. When local jurisdictions declare a State of Emergency, the district board can declare the same.

#### Standard Response Protocol V2: Site Specific Procedures

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

Martinez Unified School District will coordinate with the Contra Costa County American Red Cross and the City of Martinez for school facility use as a mass care and welfare shelter during an emergency. After a shelter assessment has been conducted, the Martinez Unified School Board will take appropriate action on proposed agreements from the American Red Cross.

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

Administrative Regulation 5144.1

Suspension And Expulsion/Due Process

#### Students

#### Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Education for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

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

#### Notice of Regulations

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

(Education Code 35291, 48900.1, 48980) (cf. 5144 - Discipline) (cf. 5145.6 - Parental Notifications)

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

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows: (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b)) (cf. 5131 - Conduct) (cf. 5131.7 - Weapons and Dangerous Instruments)
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))(cf. 5131.6 - Alcohol and Other Drugs)
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h)) (cf. 5131.62 - Tobacco)
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m)) Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q)) Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))
17. Engaged in an act of bullying (Education Code 48900(r)) Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r)) Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student. Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r)) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying) (cf. 6163.4 - Student Use of Technology) (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education) (cf. 6164.6 - Identification and Education under Section 504)

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

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

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

#### Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k)) (cf. 5131.4 - Student Disturbances)

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

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2) Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2) (cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3) Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55) (cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4) (cf. 5145.3 - Nondiscrimination/Harassment)

#### Suspension from Class by a Teacher

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

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

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

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

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

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

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

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

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

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

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

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5) (cf. 5125 - Student Records)

#### Length of Suspension

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

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912) (cf. 6184 - Continuation Education)

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

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911) This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

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

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911) This notice shall state the specific offense committed by the student. (Education Code 48900.8) In addition, the notice may state the date and time when the student may return to school.

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

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

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

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

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

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1) (cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1) (cf. 6173 - Education for Homeless Children)

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

#### Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912) (cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

#### On-Campus Suspension

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

1. The on-campus suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork. At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

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

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

1. Causing serious physical injury to another person, except in self-defense

2. Possession of any knife or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

#### Student's Right to Expulsion Hearing

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

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

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

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

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

#### Stipulated Expulsion

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

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

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

#### Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing

2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

#### Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing
  2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
  3. A copy of district disciplinary rules which relate to the alleged violation
  4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment
- This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c). (cf. 5119 - Students Expelled from Other Districts)

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

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

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

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

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

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

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

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

#### Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

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

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

(3) The person conducting the hearing may:

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

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

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

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel



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

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

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

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

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

#### Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

1. Periodic review, as well as assessment at the time of review, for readmission

2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs. With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

#### Written Notice to Expel

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

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

#### Decision to Suspend Expulsion Order

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

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

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

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

#### Appeal

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

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

#### Notification to Law Enforcement Authorities

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

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

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

#### Placement During Expulsion

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

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension (cf. 6158 - Independent Study) (cf. 6185 - Community Day School)

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

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

#### Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

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

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

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

#### Maintenance of Records

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

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

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1) (cf. 5119 - Students Expelled from Other Districts)

Regulation MARTINEZ UNIFIED SCHOOL DISTRICT

Approved: April 27, 2015 Martinez, California

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

Notification to Teacher Re: Violent or Dangerous Student

Ed Code 49079 requires that school administrators notify classroom teachers concerning 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. An email notice is also sent to the student's teachers informing them of the suspendable offense and length of suspension and a request for work. The SSA dates are reviewed monthly removing tags after the required three year period.

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

Board Policy 5145.7

#### Sexual Harassment

#### Students

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

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

#### Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 - Dismissal)

(cf. 4117.7 - Employment Status Report)

(cf. 4118 - Suspension/Disciplinary Action)

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

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

#### Record-Keeping

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

(cf. 3580 - District Records)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

##### CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

##### GOVERNMENT CODE

12950.1 Sexual harassment training

##### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

COURT DECISIONS

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

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

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

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

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

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

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

#### WEB SITES

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

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

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

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

Adopted: December 8, 2014 Martinez, California

Administrative Regulation 5145.7

Sexual Harassment

Students

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

921 Susana Street

Martinez, CA 94553

(925) 335-5908

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)



(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

#### Reporting Process and Complaint Investigation and Resolution

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

When a report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures.

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

#### Confidentiality

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

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

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

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

(cf. 5125 - Student Records)

#### Response Pending Investigation

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

#### Notifications

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

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

(cf. 5145.6 - Parental Notifications)

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

(cf. 1113 - District and School Web Sites)

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

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

5. Be included in the student handbook

6. Be provided to employees and employee organizations

Regulation MARTINEZ UNIFIED SCHOOL DISTRICT

Approved: December 8, 2014 Martinez, California

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

Board Policy 5132

### Dress And Grooming

#### Students

The Board of Education believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22 - Dress and Grooming)

(cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

#### Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

#### Legal Reference:

#### EDUCATION CODE

32282 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

#### CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

#### COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

adopted: April 28, 2003    Martinez, California

Administrative Regulation 5132

Dress And Grooming

Students

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Education policy and administrative regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
5. Gym shorts may not be worn in classes other than physical education.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

(cf. 3260 - Fees and Charges)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

Regulation    MARTINEZ UNIFIED SCHOOL DISTRICT

approved: April 28, 2003    Martinez, California

## MJHS DRESS CODE POLICY

The dress code is an area in which parent cooperation is essential to students and the school. The majority of parents and students agree that modest, simple attire is most appropriate for school wear. Students wearing inappropriate attire/items to school will either remove them, change into PE clothes, or will have a parent contacted to bring them appropriate attire or take them home and change. Students who fail to maintain these standards may be withheld from instruction and shall be required to correct the condition found to be hazardous to safety or health, or disruptive to teaching and/or learning.

The following will apply:

- Closed toe shoes must be worn at all times. No slippers, flip flops, high heels, or backless shoes will be allowed.
- No pajamas, sleepwear, etc. are allowed to be worn to school.
- Sweatshirt hoods may not be worn on campus at any time, unless instructed by staff and/or administration.
- No hats, caps, visor, bandanas, head coverings, etc. may be worn indoors.
- Bare midriff/halter/tube or low cut revealing tops, tanks, t-shirts, sweaters or blouses are prohibited.
- No “see through” clothing.
- Tank tops are permitted as long as they have straps that are at least 1½” wide. No tank tops with extended arm holes, or tank tops traditionally worn as undershirts (ribbed, thick, cotton tank tops are allowed).
- No pants with holes unless patched. No shredded jeans, even with leggings worn underneath.
- No skirts/shorts shorter than pinkie-length.
- No excessive hanging pants (a.k.a. “sagging”- C.C.R. Title 5, Section 302).
- No gang attire, e.g. bandanas, hanging belts, rolled up pants leg, tags attached to backpacks, or any other related items.
- No logos promoting or displaying:
  - derogatory, racial, ethnic phrases or pictures.
  - Illegal groups or gangs and their insignias
  - partially or scantily clothed people
  - illegal substances/items including drugs, alcohol, tobacco, weapons, and/or violence.
  - obscenity or profanity; any article promoting satanic, violent, degrading, or inflammatory statements
- No clothing, jewelry, or accessories that can create danger to other students are allowed on campus or at school events (spiked necklaces, earrings or wrist bands, pointed rings, large medallions, anything depicting a weapon, chains, and other hazardous objects).
- Earbuds cannot be visible during the school day (i.e. hanging out of a student’s shirt, pockets, etc.).
- No dark or mirrored glasses.
- No “grills” or other mouthwear, unless needed for medical purposes.
- Students may not wear their PE clothes to school unless permission has been given by an administrator

All clothing and jewelry shall conform to standards of decency and shall be sufficient to conceal undergarments at all times. School administration reserves the right to determine if any item of clothing is inappropriate even if not described above. Students will be asked to change out of any clothing that is determined to be unsafe, inappropriate, or harmful to the school environment.

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

All staff should be aware of school-wide evacuation locations and alternatives.

MJHS Evacuation sites are located on the perimeter of the campus in several locations. Alternative locations are designated for when evacuation areas are not accessible.

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

- Have students line up in a double line at the door. Remind them to remain quiet and listen for directions.
- Teacher should take current class lists and safety supplies, and have students quietly exit the classroom.
- Students should walk quietly in front of their teacher, remaining in their double line to their assigned evacuation site. Students are to remain in their lines at the evacuation site.

- Upon arrival at the predetermined evacuation location, the teacher is to take roll and hold up a green card if all students are present or a red card if someone is missing or if there is an extra student. A medical emergency HELP card can be held up if there is a medical emergency in the group.
- Teachers will write the names of missing or extra students on the reverse side of the card (or on post its if provided in the safety packets) and give them to the evacuation site administrator or designee.
- Administration/designees will radio all other evacuation locations and report missing or extra students.

When all students at all evacuation 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 in their double lines with staff leading them back to the room. Staff will again take attendance when back in their room to ensure all are present and accounted for.

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

MJHS is a comprehensive 6 -8 grade middle school located in Martinez, CA, the County Seat of Contra Costa. Economic diversity is the biggest challenge MJHS faces. As the county seat, MJHS enrolls many students in a various stages of family and housing transitions. This being the case the staff at MJHS is dedicated to creating a safe and positive school climate for all.

Universal Expectations for all areas of the school are created by the MJHS Staff and are enforced throughout the school. Correct behavior is consistently reinforced throughout the campus. Consequences are appropriate and fair.

It is the goal of the MJHS community to make the school a safe and healthy environment for all students, reduce the referral and suspension rates, increase the attendance rates, and increase student achievement.

As with most schools, MJHS does have incidents of student bullying on campus. In response to the incidents of bullying on our campus, MUSD has set up an electronic reporting system accessible on the district website. Parents, students, and other stakeholders can report any incidents of bullying or harassment on this site, available twenty-four hours a day.

Students who engage in acts of any type of bullying are provided consequences appropriate to their behavior and are counseled on appropriate behavior by either a school Vice Principal or the Counselor. Continued issues can and will result in a referral to the Martinez Police Department, and off campus suspension, and in some cases a recommendation for expulsion from the Martinez Unified School District and all of its programs.

#### **BULLYING/HARASSMENT POLICY**

In accordance with Board Policy, MJHS administration and staff members are sensitive and concerned about any kind of harassment. We can only effectively stop harassment when we are made aware of the situation when it develops. Students and parents are to report any situation involving harassment or bullying to a staff member immediately. The information will be forwarded to an administrator so that the harassment can be addressed. Students and parents may also report a bullying/harassment situation online through the MJHS website.

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

##### **Martinez Junior High School Student Conduct Code**

Board Policy

Conduct

BP 5131

Students

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff's authority

5. Damage to or theft of property belonging to students, staff, or the district

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

(cf. 5131.5 - Vandalism and Graffiti)

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

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

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

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

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

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

10. Plagiarism or dishonesty on school work or tests  
(cf. 5131.9 - Academic Honesty)  
(cf. 6162.54 - Test Integrity/Test Preparation)  
(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire  
(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school  
(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules  
(cf. 5112.5 - Open/Closed Campus)

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

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

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

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

(cf. 1020 - Youth Services)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5127 - Graduation Ceremonies and Activities)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6020 - Parent Involvement)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6159.4 - Behavioral Interventions for Special Education Students)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 6164.5 - Student Success Teams)  
(cf. 6184 - Continuation Education)  
(cf. 6185 - Community Day School)



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

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

##### CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

##### PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

##### VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

##### CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

##### UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

##### COURT DECISIONS

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

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

#### Management Resources:

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

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

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

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

##### WEB SITES

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

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

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

National School Boards Association: <http://www.nsba.org>  
National School Safety Center: <http://www.schoolsafety.us>  
U.S. Department of Education: <http://www.ed.gov>

## Policy MARTINEZ UNIFIED SCHOOL DISTRICT

Adopted: June 25, 2012      Martinez, California

### **Conduct Code Procedures**

#### **DISCIPLINE POLICIES**

Philosophy Statement: MJHS is committed to providing a quality educational environment that is safe, secure and peaceful. It is also a commitment of MJHS to help all students develop to the maximum of their capacities, and to function as responsible members of a democratic society. As students grow towards responsible citizenship and independence, they must develop acceptable behavior traits that show progress toward an understanding of both the respect for constituted authority and the rights of others. As part of this learning process, students must be held accountable for their actions and recognize that there are consequences for their choices, both good and bad. The following behavior infractions and consequences have been developed with the participation, views and advice of parents, teachers, school administrators, and students. This document is a true joint effort that defines the behavioral expectations for students and provides information to pupils and their parents relating to these expectations and the penalties for violations.

#### **BEHAVIOR POLICY**

MJHS has clearly defined student behavior policy that was developed by students, parents and staff, and is reviewed and revised each year by a committee made up of all stakeholders in our school community. This policy is clearly posted in all classrooms and reviewed with all students in homeroom. MJHS behavior policy is as follows:

- Be responsible for your behavior and accept consequences for your behavior.
- Be courteous and respectful to fellow students and adults at all times. Do not threaten, put-down, tease, or bully other students or adults.
- Behave properly in your speech and actions. Do not swear or make offensive comments or gestures.
- Keep hands and feet to yourself.
- Be on time to class.
- Come to class with all necessary materials and prepared to follow teacher directions.
- Show respect for school property and the personal property of others.
- Dress appropriately for school and in a manner that is not disruptive to learning.
- Gum is not allowed at school. Food and drink is not allowed in the classrooms or buildings without administrative approval.

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

The MUSD takes a strong stand in supporting every student's right to a safe and hate free learning environment. Assemblies, small group and one on one instruction are provided to students educating them on the laws of harassment and the consequences of such behavior. All schools in the MUSD have a strict discipline policy with consequences ranging from detention to expulsion for offenders who violate school and district policies.

#### Board Policy

#### Hate-Motivated Behavior

BP 5145.9

#### Students

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 so as 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 and Activities)

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5131.5 - Vandalism and Graffiti)  
(cf. 5136 - Gangs)  
(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 and 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

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

All MUSD comprehensive site safety plans will be reviewed, evaluated and amended (if necessary) each school year.

Pursuant to CA Education Code 35294.6(a) Each MUSD school site will have their annual comprehensive school safety plan adopted at a regular meeting of the Board of Trustees held in February of each year. An opportunity for public comment will be made available, prior to the plan's adoption.

An updated file of all safety plans will be held at the MUSD District Office and are available for public inspection. Documentation of the MUSD Board Meeting where this plan was adopted will be filed along side the plan along with the agenda and the minutes.

**Safety Plan Appendices**

## Emergency Contact Numbers

### Utilities, Responders and Communication Resources

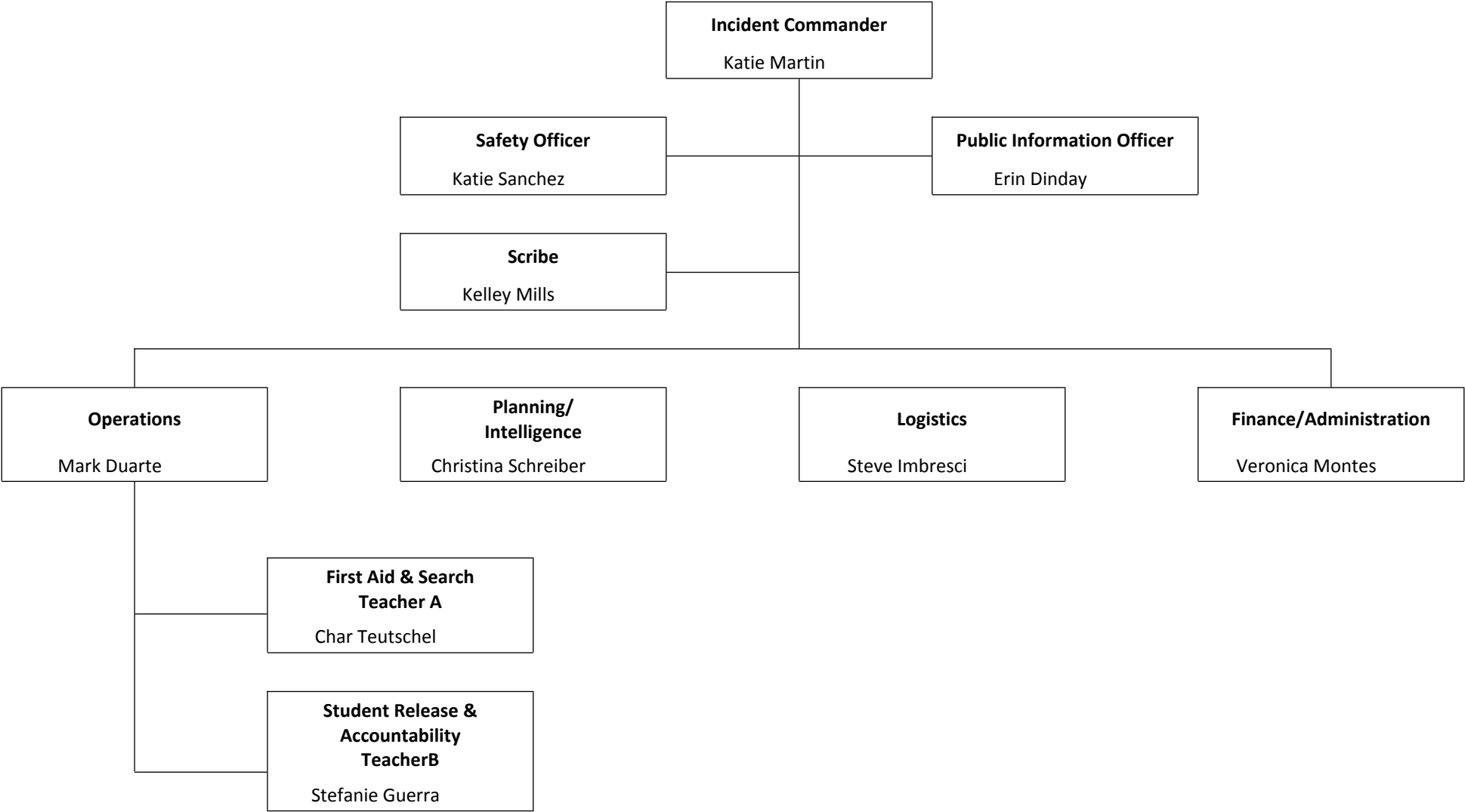
Type	Vendor	Number	Comments
Law Enforcement/Fire/Paramedic	Martinez Police Department	925-372-3440	911
Local Hospitals	CCC Regional Medical Center	925-370-5000	
Law Enforcement/Fire/Paramedic	CCC Sheriff	925-335-1500	911
Law Enforcement/Fire/Paramedic	CCC Fire District	925-941-3300	911
Public Utilities	Martinez Water	925-372-3575	
Public Utilities	CCC Water	925-688-8000	
Public Utilities	Mt. View Sanitary District	925-228-5635	
Public Utilities	Central Sanitary District	925-228-9500	
Public Utilities	PG&E	800-743-5000	
Other	Denelect	925-932-2211	

### Safety Plan Review, Evaluation and Amendment Procedures

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
MJHS Site Council: reviewed and approved CSSP	2/22/18, 3:00-4:00pm	



Martinez Junior High School Incident Command System



## **Incident Command Team Responsibilities**

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

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

#### **Management**

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

#### **Planning & Intelligence**

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

#### **Operations**

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

#### **Logistics**

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

#### **Finance & Administration**

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

## **Emergency Response Guidelines**

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

When emergencies occur during school hours, the goal of all school employees is the safety of all students, teachers and staff. This requires planning, preparation and practice to know and implement effective procedures during a crisis. Planning and preparation are essential to ensure that every staff member is familiar with their role in the procedures to be followed and has the tools on hand to accomplish them. Practice ensures employees can calmly and effectively carry out their assigned tasks in an orderly and timely manner.

The emergency plan will detail the procedures to be used during specific crisis situations as well as review the areas of responsibilities for each type of school employee. During an emergency, school employees will remain at school accomplishing their assigned tasks to ensure the safety of all students and personnel until released by the principal, the principal's designated supervisor, or the Incident Commander (when fire fighters or police officers have assumed command of the incident).

It is vital that all staff members remain calm, communicate clearly with the person in charge, and work together to follow the procedures necessary to ensure the safety of all students and personnel.

Each School Site and the District Office has a team of First Responders called the Incident Command Team. This team is used when the physical, emotional, and/or psychological safety of students and staff is threatened.

Their duties are to:

- Coordinate all functions of site security in the event of a crisis (crowd control, violence, physical plant safety)
- Assist in establishing inner and outer perimeters
- Set up staging area, if necessary
- Provide information, resources and assistance to the Incident Commander
- Attend to the physical and emotional needs of students and staff
- Initiate necessary first aid treatment and triage
- Notify Incident Commander of any injuries
- Assist in controlling access to the school in a crisis
- Assist with student release and accountability by helping to establish and maintain orderly procedures

All MUSD campuses use a Fire Alarm, or a bullhorn (when no electric) to indicate a fire or other evacuation incident.

All MUSD campuses use the campus bell-system, PA system and/or bullhorn to indicate LOCK DOWN and SHELTER-IN-PLACE

If a staff member becomes aware of a crisis, it is very important that this information is communicated with the school office immediately. In an emergency it is important to set up an Incident Command Center to coordinate communication and facilitate implementing emergency procedures and coordination of emergency services. In most cases, the school office will call 911 when emergency services are required. It is important that all details known regarding an emergency are communicated calmly and clearly to the Incident Commander or designee.

NOTE: In cases of extreme danger it is not necessary to wait for the principal or designee to call for help. The first person to view the danger can call 9-911 from a classroom phone, and then alert the office by phone or walkie talkie.

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

Following the identification of the emergency, the Incident Commander will determine the level of emergency and verify that 911 has been called (if necessary).

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

The initial response by staff and students to an emergency will ALMOST ALWAYS include one or more of these four responses:

**EVACUATION:** Signal is the fire alarm and PA (May be used for fire, bomb threat, gas leak, chemical leak in lab, etc)

Student Response:

- Leave belongings in room
- Move calmly to evacuation location
- Stay with your class at all times for roll call

Staff Response:

- Take emergency binder/clip board, emergency backpack, cell phone, keys
- Proceed immediately to evacuation area
- Take attendance/account for all
- Keep students in your assigned area or near you
- Return to building via instructions from an administrator or emergency official

SHELTER IN PLACE/LOCKOUT: Signal is the Community Alarm Signal or public address system

DO NOT LET ANYONE IN OR OUT OF THE ROOM (May be used for explosions, animals on the loose, escaped prisoners, earthquakes, and severe weather conditions such as a tornado)

Student Response:

If indoors or outdoors near room

- Move away from windows.
- Find shelter behind or under furniture (tables, chairs) if quake, or severe weather
- Stay calm and be patient
- Open the Emergency Backpack

If outdoors enter the closest possible classroom - away from the danger

- If too far from building...(to be determined by school) ie. MJHS lower field can go to DO
- Wait for school people or police to meet you and give instructions
- In case of tornado, stay out of vehicles and lie down in a ditch or low depression if possible

Staff Response:

If indoors or outdoors near room

- Gather students rapidly, and lock door
- Move away from windows
- Seek shelter behind or under whatever is available (if necessary)
- Consider moving students to more interior spaces
- Take attendance and give the Incident Commander the names of missing and/or extra students

If outdoors and away from the school

- Escort students to evacuation site... ....(to be determined by school) ie. MJHS lower field can go to DO
- Try to take roll
- Release students only to parents or authorities
- In case of earthquakes or severe weather, drop to the ground away from buildings, trees and power lines
- In case of tornadoes, stay out of vehicles and lie down in a ditch or low depression if possible

LOCKDOWN: Intruder or active shooter on campus. Signal is PA

Student Response:

If indoors or outdoors near room

- Help teacher move furniture to block the door
- Move away from windows out of line of sight
- Find shelter behind or under furniture (tables, chairs)
- Stay calm and be patient
- Stay as quiet as possible

- Silence phones
- Open the Emergency Backpack

If outdoors get as far away from the danger as possible

- Wait for school people or police to meet you and give instructions
- In case of tornado, stay out of vehicles and lie down in a ditch or low depression if possible

Staff Response:

If indoors or outdoors near room

- Gather students rapidly, and lock door if at all possible
- Move away from windows and down onto the floor
- Seek shelter behind or under whatever is available
- Consider moving students to more interior spaces
- Take attendance and give the Incident Commander the names of missing and/or extra students
- Silence phone

If outdoors and away from the school

- Escort students to anywhere safe
- Try to take roll
- Release students only to parents or authorities
- In case of earthquakes or severe weather, drop to the ground away from buildings, trees and power lines
- In case of tornadoes, stay out of vehicles and lie down in a ditch or low depression if possible

TEACHER DOWN: No Signal (Used if teacher is not able to call for help him/herself)

Student Response:

Medical Emergency

- One student calls 9-911 from classroom phone
- One student runs to next room for help
- One student runs to the office to get help
- One student calls the office (number on wall by phone)
- Everyone stay calm and take responsibility

Staff Response:

Plan ahead for students to make the following responses

- One student calls 9-911
- One student runs to next room for help
- One student runs to the office to get help
- One student calls the office (number on wall by phone)
- Make plans for response if called out of room to attend to the "down teacher" signal

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

After calling 911 but before local emergency (police/fire) personnel arrive the Incident Commander (Principal or Designee) will:

- Set up a command post
- Contact First Responders
- Assign duties, determine the need for resources
- Using a site map, identify location of emergency and staging area
- Notify appropriate School District officials (District Safety Manager, Laura Juanitas and District Safety Coordinator, Marc Hicks)
- Work with Public Information Officer to initiate preparation of a media release and parent letter of explanation for the same day distribution, if possible

- Activate parent alert system, if necessary
- If crisis is chemical or biological in nature, and evacuation is required, direct students to an uphill site
- If evacuation is necessary, take emergency kits (from each classroom), whole school roster, student medication binder, student medications, walkie talkie (if available), bull horn (if available)

Appropriate actions and response procedures are communicated to staff and individuals using the School Incident Command Organizational Chart and by following the instructions listed in the safety folders/clipboards that are placed in every classroom and workspace.

#### DO NOT OPEN THE EMERGENCY BACKPACK UNLESS IT IS AN ACTUAL EVACUATION OR LOCK DOWN

In addition to information regarding procedures during EVACUATION, LOCK DOWN OR TEACHER DOWN, the following information is printed on the reverse side of your SRPv2 cards

Site Specific evacuation locations and alternatives

Other relevant and pertinent information

#### INSTRUCTIONS FOR USE OF THE GREEN AND RED and MEDICAL HELP cards OF THE EMERGENCY FOLDER/CLIPBOARD

The green and red cards are used to indicate if all students on your roster are accounted for, if someone is missing from your class, or if someone needs medical attention.

Green Card: All students on your roster are accounted for and no medical attention is needed

Red Card: Student missing from roster

Medical HELP Card: Someone needs medical attention

#### COMMUNICATION DURING AN EMERGENCY INSTRUCTIONS

- Try to keep phone and email lines free except to communicate with emergency services
- Wait for instructions
- Instructions may come via landlines, email or cell phone
- Look on District's social media site for real time updates
- If authorities have prohibited cell phone use, collect the student's phones

If cell phone use has not been prohibited, do your best to control the message

- Remind students that we are prepared for an emergency
- Explain that the Police and Fire Departments are in charge
- Ask parents to go to the District website or District social media page for information

#### ROLES/EXPECTATIONS OF ADULTS, STUDENTS, AND EMERGENCY RESPONDERS

##### Adults

- STAY CALM
- Notify emergency services by any available method
- Notify adults who can assist
- Remove/protect students
- Assist students with injuries/immediate needs
- State your expectations to students and subordinates
- Follow instructions from emergency personnel (Firefighters, Police, EMT's)

##### Students

- STAY CALM AND PATIENT
- Assist adults

- Comply with emergency service providers' instructions
- Respect each other

#### Emergency Personnel

- Take control upon arrival
- Keep school leaders informed
- Call for all services needed
- Allow school leaders to assist with parents and students

#### Classroom Management during Emergencies Students will display a range of emotions. Respond by:

- Tell them that you are prepared to take care of them
- Validate their feelings; it is ok to be scared
- Remind them that they have practiced many times for emergencies
- Assure them that strong, smart people are helping

#### Other considerations:

- SEVERE HEALTH ISSUES: should be noted in your folder
- TOILET: set up a trash can and any item that will give privacy if items not in your safety barrel
- FOOD: children may have to share any that is available
- PROVIDE COMFORT: Use jackets/extra clothes to make a comfortable resting area. Let students group with their friends for support
- STAYING CONNECTED: Use the buddy system
- COMMUNICATION: Cell phones/computers can be used if working; text if the phone doesn't work.

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

### **Lockout**

- An administrator will make an announcement over the PA System "Lockout! Secure the perimeter! Lockout! Secure the perimeter!"
- Teachers should take a few seconds to scan the immediate area for any students in the vicinity of the classroom and pull them in.
- All doors and windows should be locked and the materials in the safety barrel can be used to secure leaks around doors and windows if necessary.
- Do not open the doors for anyone until directed to do so by an administrator by email, cell phone or PA.
- Classes should be conducted as normal but students do NOT leave at the bell.
- Log on to your school email account and keep it open for further directions and updates.
- Take attendance asap and email missing or extra students to the office manager and cc: principal.
- Do not use your classroom phone. The line must be clear in case the main office needs to contact you to verify student attendance.
- In the case of a life threatening emergency, contact an administrator via cell phone.
- Keep in mind information will be sent continuously to parents/guardians eliminating the need for students to use cell phones.
- If necessary, an administrator will call for an evacuation. If so, follow EVACUATE! procedures.

### **Lockdown**

A Lockdown Alert is sounded if there is a sniper, armed intruder or active shooter on campus. 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.
- LOCK DOWN includes building door barricades, internal barricades, covering windows and turning off/dimming lights.
- Notify administration (811)
- Call 9-1-1 if you know the location of the shooter, the description or identity of the shooter or if you need medical direction for a victim.
- Administration notifies the Superintendent
- Watch email for directions.

Intermediate activities:

- Take roll
- Conduct anxiety-reducing activities

Evacuation:

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

### **Evacuate**

Principals shall hold evacuation or fire drill 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)

1. Whenever the fire alarm is given, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ensure that no student remains in the building.
2. 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.
3. Evacuation areas will be established away from fire lanes.



4. Students are to remain with their teacher in the evacuation area. Teachers shall take their roll books, take attendance once in the evacuation area and be prepared to identify missing students to administrators and/or fire marshals/designees. Teachers shall hold up a green card if all students are present and a red card if a student is missing or if they have an extra student. (The administrator/designee in charge of each evacuation area will take note of all red cards and immediately radio to other evacuation areas to report missing / extra students.)
5. The principal or designee shall keep a copy of each drill conducted on the Emergency Drill Report form and file a copy with the Superintendent/designee.
6. Each location Administrator/designee will dismiss the students/staff in their location after all evacuation areas have been cleared. No bell will sound.

Evacuation Maps are located in the Support Materials section of this manual.

## **Shelter**

### **Shelter in Place**

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

Note: Custodians are to shut off A/C and vents. Teachers are to shut off A/C 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. A list of materials in the barrel can be found the in the resources section of this manual.

### **The Community Warning System**

What to do if Safety sirens sound: 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:

1. Shelter: Go inside the nearest classroom or building.
2. Shut: 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.
3. Listen: Turn on the radio KKIS 990am, on your television or computer and listen for up-to-date information. Avoid using telephone lines unless your have a life-threatening emergency (811 provides a direct line to all office personnel and administration). Pull up email to watch for update information from the office staff. The all clear bell will indicate the end of the shelter and will be one long tone lasting for 20 secs. No more, no less.

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 a.m. For more information about the Community Warning System, please call 925-228-2152.

## **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 children while the other evacuates both classes).
- Wait for the evacuation signal (either announcement, runner or fire alarm bell) and evacuate with your students to the predetermined location. Be sure to bring current roll sheets and your safety envelopes.
- 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 do directly to the evacuation area and remain there until contacted. Send two students to the quad or "Grand Central" (central command center) to report your status to the administrator and then rejoin the class at the evacuation site.
- Once at your evacuation site, take roll and indicate a full class present with a green card or missing / extra students with a red card.
- Teachers will write the names of missing or extra students on post –it notes attached to emergency packets, and will give them to the evacuation site administrator or designee.
- Administration will radio all other sites and including the command post to report missing or extra students.

All staff and students will remain at evacuation locations until given further direction from the administration.

While in a vehicle or school bus, 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 after shocks, downed wires, or roads blocked by debris. The Bus Driver is legally responsible for the welfare of student riders.

Evacuation Maps are located in the Support Materials section of this manual.

## Reunification Plan

### Student / Parent Reunification

Circumstances may occur that require parents to pick up their students from school in a formalized, controlled release. The process of controlled release is called a reunification and may be necessary due to weather, a power outage, hazmat, or if a crisis occurs at the school. The Standard Reunification Method (SRP) is a protocol that makes this process more predictable and less chaotic for all involved.

Because a controlled release is not a typical end of school day event, a reunification may occur at a different location than the school a student attends. All parents/guardians will be notified via a Parent Link call or email if possible. If all phone and internet communication is down, a reunification station will be located in front of the gym. The staff representative there will provide further direction.

All parents/guardians will be expected to bring identification and will be expected to fill out Reunification Card, which will be provided at the checkout station. The SRP Reunification Plan is a process which protects both the safety of the students and provides for an accountable transfer of custody from the school to a recognized custodial parent or guardian or in some cases, an emergency contact. Patience during this challenging process is required and expected.

# Emergency Evacuation Map

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September 13, 2011

